

# Promoting a Draft Declaration of Human Responsibilities Strengthening Human Rights

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Through history great suffering, huge loss of life have been caused over religion. This has stemmed from those who believe that their faith is the only true faith, from those who have exploited religion for political purposes. Wars have been waged and divisions created.

In our time we have not been free from these divisions. There are now many who believe that Islamic fundamentalism is a cause of many of the ills in the world, forgetting the role of religious fanatics from Christian or other faiths. The language used by fundamental evangelists in some parts of the United States often exacerbates this feeling of division. It creates a fear and a concern, where we should be putting such fears and concerns to rest.

In 1948 the Universal Declaration of Human Rights was endorsed by the United Nations. Over that time, much progress has been made in the advancement of rights in many countries, but there are others, especially in the developing world who believe that a sense of responsibility to family, the community, to nations is just as important. This is perhaps particularly so at a globalised, inter-related world.

A world in which everyone demands rights, in which many do not accept a broad sense of responsibility to their community and to the wider world will be an unequal and even a dangerous and discordant world.

In 1987 the InterAction Council, especially led by Takeo Fukuda, Helmut Schmidt, Olusegun Obasanjo, who is here with us today, and myself met with significant people from the world's major religions - Buddhists, Muslims, Methodists, Roman Catholics, Protestants,

Hindus and the Jewish faith were all represented. Religious leaders came from countries as diverse as Sri Lanka, the United States, Indonesia, Austria, the Peoples' Republic of China and India.

Our purpose was to explore commonalities between religions. We were asking ourselves if it would be possible to establish a common ethical standard acceptable to all major religions. What has happened since that time and the history of today make us believe that finding such a common ethic is all the more important.

After the collapse of communism, our concerns deepened. Despite the dangers of the cold war, the existence of two super powers placed a certain degree of modesty on each super power. Neither wanted a war with the other. That stability gave way to the unilateralism of the United States and of the Bush years. In those times the United States became more assertive in promoting values which were thought to advance American interests. Today we see a different face in America, a different philosophy. The sense of unilateralism has disappeared. The need to work with the United Nations to find a common peace is now accepted, but washing out the legacy of the Bush years, of the Iraq and of the Afghan wars is no easy task. I happen to believe considerable progress has and is being made especially when one notes the entrenched conservatism deeply imbedded in much of the United States.

Our original meeting conducted by the InterAction Council in Rome with leaders of the world's major religions was prompted, not only by a consciousness of past religious bitteresses and hatreds but also by a consciousness that, in a world that was becoming increasingly globalised in trade, in movements of capital, in inter-dependence, there needs to be a new spirit of co-operation if significant dangers are to be avoided.

Exploring areas of agreement with significant leaders of major religions was a testing ground for the interaction council in determining whether or not a common ethical base could be established.

We were encouraged to believe that that was a possibility. The initial exchange of views resulted in a striking degree of common perception of the valuation of present dangers and on the recognition of the need for action built on a widely shared ethical basis. The

need for peace is easily stated but to see people from extraordinarily diverse backgrounds agreeing about the major ingredients for peace, was encouraging.

The need for a more equitable economic structure to reverse the present appalling poverty which affects such a large part of humanity, was agreed. Dialogue predicated on enlightened self-interest between industrialised and developing countries, was and remains important.

The need for moral values for the family was accepted by everyone, the recognition that a common responsibility of both men and women is indispensable in dealing with these issues.

Responsible public policies require systematic projections of population, environmental and economic trends, with recognition of their interaction and the problems that result. Since the emergency of global warming as a major issue this has become ever more important.

The group in Rome was clearly aware of the approaches of different religions to family planning yet all the leaders there agreed that present trends make the pursuit of effective family planning inevitable, there was clearly a different view concerning the means.

That first meeting in Rome in 1987 provided a foundation. Over the next ten years, the InterAction Council considered how it could take matters further, how it could advance a common belief in basic ethical standards.

We then believed that 50 years after the passage of the Universal Declaration of Human Rights it was appropriate to promote debate and discussion about the need for a similar declaration concerning human responsibilities, the combination of belief and common ethical standards.

It is important to understand that the Universal Declaration of Human Rights addresses itself to the inalienable rights of humanity and to the protection of all people against abusive power by governments or institutions of government.

The Universal Declaration of Human Rights was and is not a legal document. It represents a moral standard. In the years since, the Conventions negotiated have sought to give legal force to the principles and standards enshrined in the Declaration. There has been a major effort to give legal force to the high principle of the Universal Declaration by several important conventions, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights. There are also Conventions relating to the Status of Refugees, the Elimination of All Forms of Discrimination against Women, the Rights of the Child and on the Elimination of All Forms of Racial Discrimination. These conventions are binding on those countries which ratify the Conventions providing that the act of ratification writes the Convention into domestic law of a particular country. Unfortunately, while many countries have ratified the Conventions, only in some of those countries does that give the Convention the force of law. In other countries the Convention would need to be positively written into domestic law through its own parliament and in too many cases that has not happened.

While most of the articles in the Universal Declaration of Human Rights relate to Civil and Political rights, Article 25 and Article 26 have economic and social implications and it is worth noting that Article 29 states: “everyone has duties to the community in which alone the free and full development of his personality is possible”.

The United Nations that adopted the Universal Declaration of Human Rights comprised 56 members. It is a very different organisation today.

There has been considerable progress in the development of human rights since acceptance of the Universal Declaration of Human Rights. More and more governments are democratic, although there are clearly significant differences in the quality and definition of democracy. Perhaps the most significant change was the ratification and acceptance of the International Criminal Court. The most fundamental structural change in international architecture since the foundation of the United Nations itself. It is also significant that while the United States has not yet ratified the International Criminal Court, it has not prevented its operation. The United States participated very significantly in the formulation of its articles and structures and has not impeded its work in recent years.

This progress should not hide the fact that there is indeed a cultural divide. The Universal Declaration of Human Rights has been advanced by many countries in the West to seek to change behaviour in other countries. Its principles were used to criticise those as autocratic or dictatorial, in their approach to government, which did not fit the democratic norm, commonly accepted by western countries.

Many developing countries have clearly given greater priority to overcoming problems of poverty and economic inequality to building the economic strength of their own nations than they have to what the west may regard as the democratic ideal. It should also be noted that human rights activists and countries which argue publicly for a better human rights record, have often been selective in their targets. We should not be surprised that the Universal Declaration of Human Rights has in the past been used as a political tool.

There needs to be a greater degree of humility in the attitude of human rights activists, and of those countries which seek to advance human rights in different parts of the world. There are some who use the language internationally, but who have severe blemishes in their own countries. It could be argued that the United States ignored the problems of its own poor. Some of the major problems of its own poor are only now starting to be redressed by the health reforms passed by President Obama. In Australia, despite good intentions we have not been able to create a general equality of rights and of status for Australia's Indigenous people.

In some countries democracy seems to be governed most strongly by those with billions to spend. In the age of globalisation, the power of corporations has increased massively. Some corporations have more power now than the countries in which they are operating. These trends have been exacerbated in the years since globalisation and they represent an element of globalisation which is not sustainable for in the end it must be political power and the will of the people which prevails over financial power.

If we were to define today that which comprises a perfect or pure democracy it would surely have significant elements limiting the financial power of great corporations or even of individuals. Those who seek to advance the Universal Declaration of Human Rights

would be more effective if the advancement of the principles were more equally applied.

In the InterAction Council we believed that the constant demand for rights alone, without a better recognition of matters covered in Article 29, the definition of responsibilities, would not achieve the purpose of the original authors of the Universal Declaration. This is necessary to overcome both a cultural and religious divide. Tolerance between cultures and religions, even between regions, is often a scarce commodity. We need to be more effective in promoting it.

Countries of the West need to recognise that there are cultures and religions that place more reliance on responsibilities than does the West. We have not adequately recognised in western societies that some problems, grave and serious difficulties, have been caused because people demand rights without the acceptance of a responsibility to family, to community or to country.

Since the InterAction Council's first meeting with religious leaders in Rome in 1987, we discussed amongst ourselves how we might move forward the idea of universally accepted ethical standards or responsibilities. That Rome meeting had given us the greatest encouragement because, as a result of it, we believed that such a standard could be framed acceptable to the world's major religions. Thus it seemed that an attempt to draft a Declaration of Human Responsibilities was a natural consequence of our first meeting in Rome and a natural consequence, having regard to the difficulties and dangers foreseeable for the future. It also represented a necessary extension of Article 29 of the Universal Declaration of Human Rights.

And so we prepared a draft. It was widely circulated. It met considerable support throughout Asia, throughout developing countries but major countries in the west were less enthusiastic. Some curious reasons for not actively supporting the document have been promoted.

It has been said that the United Nations is an organisation of governments and, since our draft Universal Declaration of Human Responsibilities principally to how individuals should behave, it would be quite wrong for the United Nations to declare an agreed ethical standard.

If the United Nations is not prepared to give a lead in such matters, then who might?

In any case, the Universal Declaration of Human Rights does not only address itself to what governments should do, it also has implications for individual behaviour.

Our draft Universal Declaration on Human Responsibilities clearly related to governments as well as to individuals.

Our Article 6 states that “disputes between states, groups or individuals should be resolved without violence. No government should tolerate or participate in acts of genocide or terrorism, nor should it abuse women, children or any other civilians as instruments of war. Every citizen and public official has a responsibility to act in a peaceful, non-violent way.” This is quite directly aimed at governments.

So that objection, advanced by a major European state, falls to the ground.

It has also been said that, since there is still considerable progress to be made concerning the Universal Declaration of Human Rights, we should not be diverted by another declaration.

At first blush this argument may have some appeal but, on analysis, it represents a wrong-headed view.

There is a belief in some quarters that the Universal Declaration of Human Rights is an instrument of the west and every time the article is used publicly to criticise governments in Asia, that impression is advanced. There will, I believe, be attempts to modify the Universal Declaration of Human Rights if it is not balanced by a Declaration on Responsibilities. In the InterAction Council we are opposed to an attempt to change the Universal Declaration of Human Rights and believe that our proposed declaration would not only provide a balance but would also mean that the human rights declaration would remain inviolate and intact. We also believe that, if responsibilities come to be recognised, as are human rights now, that greater progress will be made in advancing human rights themselves where there are still serious deficiencies.

From an ethical perspective, the draft Declaration of Human Responsibilities supports and re-enforces the Universal Declaration of Human Rights. We cannot dispute the fact that the Rule of Law and the promotion of human rights depend upon the readiness of men and women to act justly and to accept the responsibility for so doing.

It is valid to argue that in many cases the weakness of human rights is not grounded in the concept but in the lack of political and moral will on the part of those responsible for implementing them. Ethical behaviour is required for an effective realisation of human rights.

Some might argue that the concept of responsibility can be abused. In Europe especially the sense of duty was significantly misused by fascist powers. Duty towards the Fuhrer, the Volk, the party, was emphasised by totalitarian and authoritarian ideologies. But that is no argument to avoid the basic and necessary sense of responsibility, without which civilised, humane society could not operate. Our draft Universal Declaration of Human Responsibilities would provide a framework. If individuals or states sought to use the idea of responsibilities, as they had been used in the middle of the last century they would be clearly and openly exposed.

In any case, the concept of rights can itself be abused and could lead to anarchy.

Rights and responsibility are closely intertwined. Most rights imply responsibilities for their effective implementation but the converse is not true: there are responsibilities which do not follow from rights. For example, the freedom of the press or of a journalist is guaranteed in a modern constitutional state. There is the right to report freely. The state must support this right and, if necessary, act to enforce it. The state and the citizen have the responsibility to respect that right, however, the right to report freely does not diminish the duty of the journalist or of the media to act ethically and responsibly. There are ethical responsibilities grounded in the dignity of the human person and which do not flow from specific rights.

The West should put aside its hesitancy. There are some I believe genuinely wondering what the impact on the Universal Declaration of Human Rights would be. There are others who see responsibilities spelt out in clear and ethical terms, which have particular application

for the wealthy and the powerful, whether they be governments or corporations.

The intellectual arguments for rights and responsibilities are well based. Some in the West may believe that to accept both will weaken their effectiveness against other countries whom the West believes inadequately protects human rights. People in the West may also believe that to accept a draft Declaration of Human Responsibilities may open themselves to criticism for inadequate acceptance of responsibilities on the other. Indeed I know a foreign secretary of one significant country who dismissed the idea of a draft Declaration of Human Responsibilities because it would create arguments others could use to persuade his country to do things which it ought to do but which it did not want to do. Such views demean the West.

Perhaps it is time for leadership in the West to recapture that sense of idealism and faith in the future which led to the formation of the United Nations itself and other great international institutions in the immediate post-war years and which led to the single most generous act of any nation at any time, the Marshall Plan. There should be no suggestion that human rights or human responsibilities should be played for specific national objectives or advantage.

A demand for rights is widespread throughout the world. Many people in nearly every country are well aware of their rights as enshrined in the Universal Declaration of Human Rights. The sense of responsibility in many places is much less well understood. Our proposed declaration would redress that. In addition it is worth noting that, while the Universal Declaration of Human Rights properly addresses itself to the protection of individuals against the abusive power of governments, our proposed Declaration of Human Responsibilities places obligations on governments, on institutions and corporations as well as on people themselves. The totality provides a balance which, it could be claimed, is presently lacking.

Our hope was that the proposed Declaration on Human Responsibilities would be introduced into the United Nations for debate. It was well received in political circles in Asia and in the developing world. It was well received by academics and religious leaders in many parts of the world. It was the political leadership of the West that was hesitant and doubtful. In addition those individual organisations whose purpose is to advance human rights, often

believed it would diminish the single minded objective of the advancement of rights and on that ground they also opposed it.

The hesitancy of these groups is wrongly based. The constant pursuit of rights without a sense of responsibility will not achieve our desired objectives. Both rights and responsibilities are essential to each other. Both should be adopted and a better world will result.

I applaud the purposes and objectives of those who brought this conference together and who planned its course so carefully. In relation to the question of responsibility and the proposed draft declaration, I very much hope the conference would decide to place it firmly before the Secretary-General of the United Nations and ask him to take whatever actions are within his power to give it affect. Secondly, I hope we will use our influence with respective governments to achieve a full debate of the draft declaration in the General Assembly. I believe much would come of it.

I ask strongly that whatever else this Consultation may determine that these particular questions be treated forcefully. There is much discord in the world. There is great division, not only between nation states but between religions. The interconnections between war and religion remain strong. As a great theologian recently said, "there would be no peace among nations without peace among religions; no dialogue between them." To achieve peace among religions it is essential to define and to reach agreement on that common ethic, central to all great religions. This is the task before us. This is a singular opportunity to advance understanding and peace between religions and an essential first step to finding peace between nations.

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