



Human Rights and Responsibility

Introduction

Continuing our journey of formation for an active presence in the world, we now come to a document that can be called a pillar and a prophetic vision of the structure of a global society, such as is found in the *Charter of the United Nations*. We are referring to the *Universal Declaration of Human Rights* (UDHR) that, since its proclamation has entered into the common language of all the member States as a basic reference point. We believe it is also important to mention that although they have recognized the fundamental value of the *Universal Declaration*, some countries that have visions of society somewhat different than those of the Western world have proclaimed a declaration of their own that has as its reference point the religious texts that give inspiration to their society. In this dossier we refer to the Declaration as it was approved by the General Assembly of the United Nations.

1. The Universal Declaration of Human Rights

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood (art. 1).

The *Universal Declaration of Human Rights* is a document that sanctions the inalienable rights of each human being; it was signed in Paris on 10 December 1948. Its writing was promoted by the United Nations so that it could be applied in all the member States. The *Declaration of Human Rights* is an ethical code of fundamental historical import: it was, in fact, the first document to sanction universally (that is in every historical era and in every part of the world) the rights due to the human person.

It is the direct result of what emerges from the United Nations Charter, the first document that gave priority to the individual over the interests of the States. The Declaration consists of 30 articles, each of which affirms a particular right in such a way that the entire *corpus* defines the person in the recognition of these “rights” in a harmonious whole. And the dignity of a person is offended if even only one of these rights is not recognized and/or realized.



When the UDHR was proclaimed in 1948 by the General Assembly, it was considered the first step in the formulation of a future "International Charter of the rights of “man”, which would have both juridical and moral value. It would take another decade before the Pacts would be ratified by a sufficient number of States to enter into effect. Indeed, 35 ratifications (or assents) were needed for each of them. When that number was reached, the International Covenant on Economic, Social and Cultural Rights went into effect on 3 January 1976. The International Covenant on Civil and Political Rights, as

well as its optional Protocol (which had already been ratified by 10 countries, the minimum number of ratifications necessary for it to take effect) became effective on 23 March 1976.

Every country that had ratified the Covenant on civil and political rights made the commitment to see to it that its population would be protected by laws against cruel, inhuman or degrading treatment. It recognizes the right of every human being to life, liberty, personal security and respect for the private life. The Convention forbids slavery, guarantees the right of due process and protects individuals against arbitrary arrest or detention. It recognises freedom of thought, conscience and religion, freedom of opinion, expression and association, the right to peaceful assembly and emigration. Every nation that would ratify the Covenant on economic, social and cultural rights recognises that it has the duty of fostering the improvement of the living conditions of its inhabitants. It recognizes the right of each person to work, a just wage, social security, and an adequate standard of living – making special mention of protection from hunger – as well as health and education. It also commits to guaranteeing each person the right to constitute unions with others and to join the unions of their choice.

The dispositions of the Covenants follow on broad lines the rights named in the UDHR. Nevertheless, the two Covenants contain an important disposition that was not included in the *Declaration*: the one that states that all peoples have the right to self-determination and the full and free use of their own wealth and natural resources¹.

Returning to the UDHR, among the fundamental rights of the human being emphasised by it we can mention, among others, the right to freedom, equality, life, the right to self-determination, the right to due process, the right to live with dignity, the right of freedom of thought, opinion, faith and conscience, speech, peaceful association of the individual; economic, social and cultural rights of the individual.



At this point we would like to emphasise how the right to a life with dignity is a right for every person. Unfortunately, this right is jeopardised by extreme poverty which, since it is a worldwide phenomenon, is an attack on the universality of human rights because it denies economic and social rights, such as the right to health care, to adequate housing, to food and drinking water, the right to an education, but also to civil and political rights, such as the right of due process, political participation and personal security.

The recognition of the specific dignity and the equal and inalienable rights of all the members of human society is the basis of freedom, justice and peace throughout the world. It is precisely in this context in which the engagement of the states, Governments (legislators, magistrates, the forces of order), but also of society as a whole and individuals is inserted, each according to their own role in respecting and observing human rights. And this point strongly reminds the Secular Franciscans as well that they are responsible as citizens, as bearers of the Gospel message and as followers of Francis who, in the concept of universal fraternity was ahead of his time and showed us the way to make our commitment for the fulfilment and respect of human rights based not only on a formal idea of justice but is to be permeated by the love of Jesus that imbued and transformed the world.

Obviously the commitment of states, governments and the international community is fundamental for guaranteeing the freedom and dignity of all, but each one of us, in our own area and the little universe in which we act can work to guarantee freedom, justice and peace in the world. The sentiment of love and interest for our neighbour can be translated into active solidarity in concrete actions. We can succeed in anchoring an altruistic feeling in concrete contexts of pursuing our own interest and our daily involvement.

¹ Cfr: <http://www.onuitalia.it/rights/pattiintro.html>

In order to do this, we first have to understand the problems that surround the world in which we live and what tools we have to face the needs of others.

The question of human rights is an immense one. Nevertheless, we do not want to conclude this question without first making a direct reference to the *Compendium of the Church's Social Teaching*, which dedicates to it section IV of Chapter III (**HUMAN RIGHTS**), articles 152 to 159. It is enough for us to quote the last article of this brief but rich section of the *Compendium*, which presents some key points of Catholic reflection on this topic:

The Church, aware that her essentially religious mission includes the defence and promotion of human rights, "holds in high esteem the dynamic approach of today which is everywhere fostering these rights". The Church profoundly experiences the need to respect justice and human rights within her own ranks.

This pastoral commitment develops in a twofold direction: in the proclamation of the Christian foundations of human rights and in the denunciation of the violations of these rights. In any event, "proclamation is always more important than denunciation, and the latter cannot ignore the former, which gives it true solidity and the force of higher motivation". For greater effectiveness, this commitment is open to ecumenical cooperation, to dialogue with other religions, to all appropriate contacts with other organizations, governmental and non-governmental, at the national and international levels. The Church trusts above all in the help of the Lord and his Spirit who, poured forth into human hearts, is the surest guarantee for respecting justice and human rights, and for contributing to peace. "The promotion of justice and peace and the penetration of all spheres of human society with the light and the leaven of the Gospel have always been the object of the Church's efforts in fulfilment of the Lord's command".²

2. A concrete example analyzed in the light of human rights

Extreme poverty: Reflections and concrete actions for uprooting it

Extreme or absolute poverty is the harshest form of **poverty**, which prevents access to minimum levels of human sustenance involving the essential resources such as water, food, clothing and habitation. The World Bank has estimated at 1,4 milliard (U.S. billion) the number of individuals on earth who lived in conditions of extreme poverty in 2008. Poverty is not only an economic problem; it is a multi-dimensional phenomenon that includes the lack of a sufficient income and basic ability to live with dignity. It is marked by a continuous or chronic deprivation of resources, capacities, options, security and power necessary to afford a person to enjoy a proper lifestyle and other civil, cultural, economic, political and social rights³.



Poverty is a serious, concrete, imminent and urgent problem that touches the realm of human rights. It is both, a cause and consequence of human rights violations, a condition that leads to other violations. Indeed, it is characterised by inextricable and interconnected violations of the rights related to their own dignity that the persons living in poverty find are systematically negated. The sad consequence is that the persons who live in extreme poverty are trapped in a vicious cycle of

² PONTIFICAL COUNCIL "IUSTITIA ET PAX", *Compendium of the Social Doctrine of the Church*, Libreria Editrice Vaticana, 2005, 159, Internet (30.03.13):

http://www.vatican.va/roman_curia/pontifical_councils/justpeace/documents/rc_pc_justpeace_doc_20060526_compendio-dott-soc_en.html

³ UNO - ECONOMIC AND SOCIAL COUNCIL, *Poverty and the International Covenant on Economic, Social and Cultural Rights*, Geneva, E/C.12/2001/10, 10 May 2001, n. 8, Internet (13.03.2013):

<http://www2.ohchr.org/english/bodies/cescr/docs/statements/E.C.12.2001.10Poverty-2001.pdf>

impotence, stigmatisation, discrimination, marginalisation and privation, from which it is impossible to escape. Extreme poverty is a result, at least in part, is generated, fostered, and/or perpetuated by decisions and/or omissions on the part of Governments and States together with other financial agents. However, extreme poverty is not inevitable, which means that there are the means to remedy it. It is first and foremost necessary to recognise that the individuals who live in such conditions possess the rights that can have an active part in the change.

The international community now has at its disposal a new tool for developing lasting solutions regarding extreme poverty that was created and developed together with the rights involved: **The Guiding Principles on Extreme Poverty and Human Rights**. These principles are based on the premise according to which the elimination of extreme poverty is not only a moral duty, but also a legal obligation of the States in the context of International legislation. They must be used to help the persons living in conditions of extreme poverty to understand and claim their rights. They offer a clear series of specific recommendations about actions necessary for overcoming extreme poverty, offering as well an excellent basis for entering into dialogue with other local, national and international partners with the goal of developing policies and programmes together. The *Principles* can therefore help to harmonise the actions undertaken at all levels.

3. Testimony: A simple initiative to guarantee education in Zimbabwe⁴

Some 65% of Zimbabwe's population lives in rural areas. The little amounts of government money earmarked for education are mainly sent to urban schools, creating a vacuum in the educational systems of rural areas. The lack of resources, including teaching materials, books and sports equipment has helped to create a higher level of school failures and dropout rates. As a consequence the young people coming from the country could only obtain unskilled, low-paying jobs, thus perpetuating the marginalization and discrimination and leaving the rural communities in a vicious cycle of poverty and isolation.

Dumisani Nyoni is the Director of the Zimele Institute and is working to improve the education system in Zimbabwe's rural areas. He was raised in a family of social activists; his mother, the foundress of an organization promoting rural development, was always involved in serving the local community. Only twenty-five years old, Dumisani is continuing the mission to improve education and knock down barriers in his country, Zimbabwe.



It all began during a Rotary scholarship in Canada where he met students from all over the world, and he became fascinated with the differences between educational systems in various countries. While he was there, he began an International day in which students shared food, clothing and other things about their culture. Upon his return to Zimbabwe, he began a sports championship program for unemployed and at-risk youth. Working with a local middle school, he introduced various creative outlets such as poetry, music, theatre and public debate groups. Having spent months in various large cities in the United States, Dumisani now uses those experiences and contacts to build partnerships with the schools in Zimbabwe and thus improve the educational system in his country.

Concretely, Dumisani connects the rural schools in Zimbabwe with the New York schools, with the goal of creating a continuous flow of used materials for the teaching needs in the rural schools of his country. With this strategy, Dumisani set in motion a radical change in Zimbabwe's school system. At present he is working with thirty-five schools in New York and another thirty-five in Zimbabwe.

⁴ Cf: <https://www.ashoka.org/fellow/dumisani-nyoni>

Dumisani arranges it that the schools in the United States send books and other educational material, sports equipment, clothing, bicycles, shoes and financial support to their counterparts in Zimbabwe. At the end of each year this redistribution of educational material—which otherwise would have been thrown away—allows the schools in Zimbabwe to offer their students new activities, to improve the quality of their lessons and to increase the didactic material at their disposal. In this way they have managed to increase the enthusiasm of students and teachers, to raise school attendance levels and the quality of teaching.

After only two years the system invented and introduced by Dumisani, is showing incredible results in teachers' performance, in the attitudes of the rural communities towards education and in the overall commitment of the students. The schools which were once abandoned now have sports equipment, libraries and scholastic materials. The students have shoes to wear. Thanks to this simple initiative they have managed to raise the level of education in the country and the academic performance of the students is improving. A renewed interest in culture, reading and learning has set roots in Zimbabwe.

4. Readings and referrals:

- BENEDICT XVI, *Address to Participants in the Fifteenth Plenary Session of the Pontifical Academy of Social Sciences*, Consistory Hall, 4.05.2009, Internet (30.03.13): http://www.vatican.va/holy_father/benedict_xvi/speeches/2009/may/documents/hf_ben-xvi_spe_20090504_social-sciences_en.html
- European Convention on Human Rights: http://www.echr.coe.int/NR/rdonlyres/D5CC24A7-DC13-4318-B457-5C9014916D7A/0/Convention_ENG.pdf
- Franciscans International: www.franciscansinternational.org
- FRANCISCANS INTERNATIONAL, *Human Rights, Poverty and Extreme Poverty: The Franciscans International Position*, march 2007, Internet (13.03.2013): <http://ciofs.org/circ/gia7en55b.pdf>
- *International Covenant on Economic, Social and Cultural Rights*: http://www.unesco.org/education/information/nfsunesco/pdf/SOCIAL_E.PDF
- United Nations, *Resolution adopted by the General Assembly 67/164. Human rights and extreme poverty*, 13.03.2013, Internet (30.03.2013): http://www.un.org/ga/search/view_doc.asp?symbol=A/RES/67/164
- UNITED NATIONS COUNCIL OF HUMAN RIGHTS, *Final draft of the guiding principles on extreme poverty and human rights, submitted by the Special Rapporteur on extreme poverty and human rights, Magdalena Sepúlveda Carmona*, 18.07.2012, Internet (30.03.2013): <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/154/60/PDF/G1215460.pdf?OpenElement>
- *Universal Declaration of Human Rights*: <http://www.un.org/en/documents/udhr/>



5. Questions for reflection and dialogue in fraternity

1. The introduction makes reference to the United Nations Charter: Have you ever read it? What is your opinion of the United Nations?
2. Have you ever tackled the topic of Human Rights and the violation of these principles that seem rather obvious and simple to recognize?
3. Can you point out conditions of the violation of human rights or of one or more article of the Universal Declaration of Human Rights in your own country? Be careful, because these violations often take place in an unconscious manner. It is important to be observant and critical.