

# Human Rights and the Orthodox Church in a Global World

REV. DR. EMMANUEL CLAPSIS\*

The Orthodox churches living in a global culture have in principle embraced democracy and human rights.<sup>1</sup> They are struggling, however, to cope with the implications of living in a democratic and free society. Nationalism, totalitarian

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\* Rev. Dr. Emmanuel Clapsis is Archbishop Iakovos Professor of Orthodox Theology at the Holy Cross Greek Orthodox School of Theology, Brookline, Massachusetts (H.P.A.).

1. ΣΑΒΒΑΣ ΑΓΓΟΥΡΙΑΗΣ, *Τὰ ἀνθρώπινα Δικαιώματα στὸ Δυτικὸ Κόσμο* (Athens: Filistor publ. 1998); CHERYL BRANDSEN and PAUL VLIEM, "Justice and Human Rights in the Fourth Century Cappadocian," *Social Work and Christianity* 34(2007), pp. 421-448; ALFONS BRÜNING and EVERT VAN DER ZWEERDE (Edits.), *Orthodox Christianity and Human Rights* (Leuven: Peeters, 2012); KONSTANTINOS DELIKOSTANTIS, "Τὰ Δικαιώματα τοῦ ἀνθρώπου: Μόνιμη Πρόκληση γιὰ τὶς Θρησκείες," *Ἐπιστημονικὴ Ἐπετηρὶς τῆς Θεολογικῆς Σχολῆς Ἀθηνῶν*, 37(2012), pp. 443- 456; IDEM., *Τὰ Δικαιώματα τοῦ ἀνθρώπου. Δυτικὸ Ἰδεολόγημα ἢ Οἰκουμενικὸ Ἦθος* (Thessaloniki: Kyriakidis, 2011); VIGEN GUROIAN, "Human Rights and Christian Ethics: An Orthodox Critique," *Annual of the Society of Christian Ethics* 17 (1997), pp. 301-309; STANLEY S. HARAKAS, "Human Rights: An Eastern Orthodox Perspective," *Journal of Ecumenical Studies* 19(1982), pp. 13-24; SUSAN R. HOLMAN, "Human Rights Language in the Cappadocians," *Pro Ecclesia* 9(2000) pp.476-489; ANTONIOS KIREOPOULOS, "Seeking Justice and Promoting Human Rights: Orthodox Theological Imperatives or Afterthought?" in *Philanthropy and Social Compassion in Eastern Orthodox Tradition*, ed. M.J. Pereira, Studies in Eastern Tradition (New York: Theotokos Press, 2010), pp. 227-247; JOHN MCGUCKIN, "The Issue of Human Rights in Byzantium and the Orthodox Christian Tradition," in *Christianity and Human Rights: An Introduction*, edit. John Witte Jr. and Frank S. Alexander (Cambridge: Cambridge University Press, 2001), pp. 173-190; METROPOLITAN KYRILL OF SMOLENSK, "Dialogue of Civilizations: Human Rights, Moral Values, and Cultural Diversity," *Road to Emmaus* vol. VII, No. 4 (#31), pp. 61-67; ARISTOTLE PAPANIKOLAOU, "Personhood and Human Rights," in his book *The Mystical as Political, Democracy and Non-radical Orthodoxy* (Notre Dame, Indiana: University of Notre Dame Press, 2012), pp. 87-130; VLADAN PERISIC, "Interpretation of Human Rights in the Light of the Church Fathers," *European Churches Engaging in Human Rights, Present Challenges and training material*, edit., Mag. Elizabeth Kitanović (Bruxelles: Church and Society Commission of the Conference of European Churches, )pp. 33-37; IDEM, "Personhood and Nature: An Orthodox Theological Reflection on Human Rights," in *Human*

regimes, and Orthodox traditionalism had in some instances suppressed the inherent plurality of their societies where the Orthodox Church was the predominant faith community. As Orthodox churches at the local level are trying to cope with the increasing cultural diversity, the highly complex and interdependent economic realities, and the insecurity and fears that these changes in social structures evoke, they feel that the Church's identity as well as interests are at risk, leading some to violently react against globalization and human rights, adopting all kinds of religious, cultural, national and political fundamentalism.

Peaceful and just coexistence in the era of globalization depends on a shared sense of community and people's willingness to co-operate with one another.<sup>2</sup> If the 20th century has taught us anything, it is that people can do unspeakable things to those for whom they lack community feeling. This is especially true of people who see themselves threatened: by outsiders, by economic forces, or by things they do not understand.<sup>3</sup> The Orthodox churches in the global world must opt to relate with others, the different, with a *kenotic love* that leads them to uphold and actively defend the human rights of all people. However, the participation of the Orthodox churches in collaborative efforts of promoting the dignity and the rights of all human beings is feared by some that it might gradually render the distinctive stance of faith secondary and inessential or conceive

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Rights: Christians, Marxists and Others in Dialogue, ed., Leonard Swidler (New York, 1991) pp. 131-140; VASSILIKI EL. STATHOKOSTA, "Bible and Human Rights: Orthodox Contribution to an Ecumenical Discourse," in ΕΕΘΣΠΙΑ 37 (2012), pp. 2-14; PAUL VALLIER, "Russian Orthodoxy and Human Rights," Irene Bloom, J. Paul Martin, Wayne L. Proudfoot (Edits.) *Religious Diversity and Human Rights* (New York: Columbia University Press, 1996), pp. 278- 312; VLADIMIR WOZNIUK, "Vladimir S. Soloviev and the Politics of Human Rights," *Journal of Church and State* 41(1999), pp. 33-50; GEORGE TSETISIS, "Human Rights – Why do they matter for the Churches," in *European Churches Engaging in Human Rights, Present Challenges and training material*, edit., Mag. Elizabeth Kitanović (Bruxelles: Church and Society Commission of the Conference of European Churches), pp. 17- 18; CHRISTOS YANNARAS, *Ἡ Ἀπανθροπιὰ τοῦ Δικαιώματος* (Athens: Domos, 1998); Idem., "Human Rights and the Orthodox Church," in Emmanuel Clapsis (ed.), *The Orthodox Churches in a Pluralistic World: An Ecumenical Conversation* (Brookline: MA: WCC Publications, 2004), pp. 83-89; ANASTASIOS YANNOULATOS, "Eastern Orthodoxy and Human Rights," *International Review of Missions* 73(1984), pp. 454-466;

2. PETER BEYER, *Religion and Globalization* (London: Sage Publications, 1994), p. 9.

3. M.E. MARTY and R.S. APPLEBY eds., *Fundamentalisms Observed* (Chicago: University of Chicago Press, 1991).

the ethical principles and values of Orthodoxy apart or independently from their theological basis. Others refute such arguments advocating that not to be involved in such movements means that the Church would pay less attention to the ideal of human rights and focus on its own internal life. In essence, it is feared that these options may lead either to a dissolution of Church's identity or a withdrawal from the moral challenges and potentials of the secular world.

### Principles of Human Rights

The criticisms of some Orthodox theologians and hierarchs against human rights usually focus on the exaltation of individual rights over social rights; the identification of individual freedom with moral corruption and social fragmentation; their secular orientation; their universal claims and the alleged ethnocentric (western) origins.<sup>4</sup> In many instances their criticism is motivated by an anti-western bias, and a lack of understanding of their wider purpose.<sup>5</sup> The conventional identification of human rights with one's arbitrary desires and self-interests misrepresents the very notion of human rights and their intention. The Universal Declaration of Human Rights (1948) together with the International Covenants on Civil and Political Rights (ICCPR) and on Economic, Social and Cultural Rights (ICESCR) that United Nations adopted in 1966 expressed the modern version of human rights.<sup>6</sup>

Individual human rights presuppose "a social and international order in which the rights and freedoms can be fully realized" (article 28). Society pro-

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4. ARISTOTLE PAPANIKOLAOU, "Personhood and Human Rights," in his book *The Mystical as Political, Democracy and Non-radical Orthodoxy* (Notre Dame, Indiana: University of Notre Dame Press, 2012), pp. 87-130.

5. ALFONS BRÜNING and EVERT VAN DER ZWEERDE (Edits.), *Orthodox Christianity and Human Rights* (Leuven: Peeters, 2012).

6. IAN BROWNLIE and GUY S. GOODWIN-GILL (eds.), *Basic Documents on Human Rights* (Clarendon: Oxford University Press, 2002); Ralph Crawshaw and Leif Holmström (eds.) *Essential Texts on Human Rights for the Police, A Compilation of the International Instruments*, Second, Revised Edition (Leiden: Martinus Nijhoff Publishers, 2008), pp. 25-72. MARY ANN GLENDON, who has traced the drafting of the of the UN's 1948 Universal Declaration of Human Rights, called the declaration a charter for "a world made new. See: *A world made new: Eleanor Roosevelt and the Universal Declaration of Human Rights*, (New York, NY: Random House, 2001), p. xv.

vides the space, the opportunities and the means required for human fulfilment. (Article 25). Human autonomy can only be attained through the nourishment of loving and caring community. Rejecting an atomistic individuality, the Universal Declaration links, in article 29, individual rights with people's duties to their communities in which alone they can develop and flourish as persons. Thus, the practice of human rights presupposes reciprocal respect for the rights of the others and sensitivity for the general society as determined through a democratic process and embodied in the laws of a democratic society.<sup>7</sup> The indivisibility of personal and social rights is an indispensable presupposition for understanding the rationality of human rights. In 1993, The World Conference on Human Rights held in Vienna unequivocally affirmed that "all human rights are universal, indivisible, interdependent and related."<sup>8</sup>

### Cultural Relativism, Ethnocentrism and Practical secularity

Since the inception of the human rights in 1948, their claimed universality has been extensively debated along with their alleged ethnocentrism and their secular orientation. Orthodox theologians and hierarchs in their opposition to the human rights discourse expressed similar concerns and criticisms.

*The Universality of human rights:* There is a persistent debate concerning the universality of human rights. It is argued that the "rights language" has its origins in western cultural, philosophic, theological and political tradition and thus cannot be applied within other civilizations and religious systems. For instance, it is argued that individual rights are presumed not to be universal because different societies believe different things and there are no overarching principles to compel assent. Consequently, moral judgments about social behavior are

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7. In particular article 29 states: 1. Everyone has duties to the community in which alone the free development of his personality is possible. 2. In the exercise of his rights and freedoms, everyone is subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedom of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society. 3. These rights are freedoms that may in no case be exercised contrary to the purposes and principles of the United Nations.

8. *Vienna Declaration and Programme of Action*, Adopted by the World Conference on Human Rights on June 1993.

relative to each culture's prevailing beliefs about them. Thus, in a world of cultural diversity, the veneration of human rights is simply one world-view among many.<sup>9</sup> This kind of cultural relativism in general exaggerates the "irreducible differences of practices and attitudes across cultures" and fails to discern or identify a possible moral ground of higher principles. In other instances, it accentuates radical difference across cultures by overlooking or deliberately excluding voices of dissent from within any given culture. Cultural relativism could also be deployed as an excuse to shield certain harmful but well-entrenched social practices from external critique: untouchability, child marriage, patriarchy, religious intolerance, racial supremacy, slavery or forced servitude, honor crimes, and claims on national superiority.

Distinct from the fallacy of cultural relativism is the criticism that human rights having their origins in the West do not have any normative importance in other parts of the world. This argument circulated during the height of the Cold War, when Western democracies accused Communist states of neglecting to honor civil and political rights while Communist states retorted that their differing ideological commitments led them to privilege economic and social rights instead. Such arguments have been also expressed in parts of Latin America, Africa and Asia bundled with a denunciation of western colonialism or the continued measurement of all cultures and civilizations against the standards, achievement, and theoretical constructs of the West.

The charge that human rights are Western can itself be understood in at least two separate but related ways. The first is by relating the genesis and development of the idea of human rights with the political, philosophical, or even theological western tradition. The second is by identifying Western bias in contemporary human rights, formulations or standards. In either case, critics do not deny that the burgeoning post-second world war movement for human rights was spearheaded by what the political philosopher Johannes Morsink has described as the World's – not merely the West's – moral outrage over the atrocities com-

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9. An example of this cultural relativism is offered by Samuel Huntington's claims that "individualism, liberalism, constitutionalism, human rights, equality, liberty, the rule of law, democracy, free markets [and] separation of church and state, often have little resonance in Islamic, Confucian, Japanese, Hindu, Buddhist or Orthodox cultures." See: SAMUEL HUNTINGTON, "The Class of Civilizations?" *Foreign Affairs* 72(1993), p. 40-41.

mitted by the Nazis and fascists.<sup>10</sup> Rather their primary complaint is that the socio-philosophical precursors of human rights are to be found in Western natural rights doctrines of the seventeenth and eighteenth centuries or even earlier in the Christianized and classical theories of natural law that preceded them. Regardless of the debates of where the human rights first originated or who first conceived them in their present expression, it is wise to think twice before dismissing an idea simply because it is not indigenous – or even endorsing it simply because it is. As philosopher Martha Nussbaum has aptly observed, people are “resourceful borrowers of ideas.” This is all to say that the posture that a people or society adopts toward any concept or social practice already is, and arguably should continue to be, influenced by more substantive considerations than when and where it made its first appearance.<sup>11</sup>

*Practical Secularity:* One of the most serious criticisms that has been leveled by some Orthodox theologians and others against human rights is the fact that they have been formulated in essential secular terms and have an atheistic orientation.<sup>12</sup> The first article of the UDHR has adopted an understanding of humanity without any reference to God. It states: “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.” Did the drafters of the UDHR really intend to articulate a reasonable human rights discourse in “secular” or “atheistic” terms? If not, then why they did not make some reference to the divine origins of humanity and its dependence on God?

In studying the discussions that led to the drafting and adoption of the Universal Declaration of Human Rights, it is apparently clear that its drafters, after much debate and for the purpose of bypassing endless philosophical and religious debates, use the language of the Enlightenment to express the notion that human or natural rights are somehow located in human beings simply by virtue

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10. JOHANNES MORSINK, *The Universal Declaration of Human Rights: Origins, Drafting, and Intent* (Philadelphia: University of Pennsylvania Press, 1999); *Idem, Inherent Human Rights: Philosophical Roots of the Universal Declaration* (Philadelphia: University of Pennsylvania Press, 2009).

11. GRACE Y. KAO, *Grounding Human Rights in a Pluralist World* (Washington, D.C.: Georgetown University Press, 2011), p. 27.

12. VIGEN GURDJIAN, “Human Rights and Christian Ethics: An Orthodox Critique,” *Annual of the Society of Christian Ethics*, 17 (1997) p. 305.

of their own humanity and not for any extraneous reason, such as social conventions, religious beliefs, or decisions of parliaments or courts.<sup>13</sup> The drafters did not attribute the origins of human rights either to God or to nature; this was suggested by some as a substitute for the alleged divine origins.<sup>14</sup> They self-consciously chose to eschew the use of contestable metaphysical language and appeals and considered a pragmatic agreement on practical norms protective of human equality and dignity to be sufficient considering the existing multiple religious, cultural and political systems and traditions.<sup>15</sup> The Committee affirmed human dignity and equality without taking a “position on the nature of man and of society.”<sup>16</sup> They developed a shared understanding that “while theological grounds for human rights can be entertained and accepted by delegations so inclined, these delegations have no right to force their views, by insisting on their inclusion within a declaration intended for a diverse world, on other delegations

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13. In fact the affirmation that “all human beings are born free and equal in dignity and rights” is a virtual rewrite of the first article of the French Declaration (1789) that all “men are born, and always continue, free and equal in respect of their rights. JOHANNES MORSINK, *The Universal Declaration of Human Rights – Origins, Drafting, and Intent* (Philadelphia, Penn: University of Pennsylvania Press, 1999), p. 281.

14. *IBID.*, p. 284. In fact, in the deliberations of the Third Committee, the Brazilian and the Dutch delegation to the Drafting committee submitted amendments that sought to introduce a reference to God in the Declaration. The Brazilian delegation proposed to insert in the Article I the sentence “Created in the image and likeness of God, they are endowed with reason and conscience...”. And the Dutch delegation proposed that the Article I should affirm: “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family, based on man’s divine origin and immortal destiny, is the foundation of freedom, justice and peace in the world.” Both the sponsoring delegations alleged that the majority of the world’s people believed in God or in a Supreme Being and would therefore be pleased to see human rights so grounded. Yet, others pointed the factual diversity of religions in the world as well as of other philosophical and cultural systems belief or unbelief and argues the acceptance of the amendments about the divine origins of humanity “would undermine the declaration’s universal acceptance by the world’s peoples” for the simpler reason that “they have different [foundational] beliefs about man’s origins as well as the origins of human rights.” The debate as it would be expected was intense and passionate but at the end neither of these amendments about the divine origins of humanity were ever voted upon.

15. SUMMER B. TWISS, “History, Human Rights and Globalization,” in *Journal of Religious Ethics*, 32(2004), p. 59.

16. RENÉ SAMUEL CASSIN, “Historique de la Déclaration Universelle de 1948” in *La Pensée et l’action*, 108.

which might entertain and accept different grounds.”<sup>17</sup> This attitude reflects not only the spirit of religious tolerance that pervaded in their discussions but also the effect of Article 18 of the Universal Declaration that affirms religious freedom and tolerance. Article 18 declares that “Everyone has the right to change one’s religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.”

### The Justification of Human Rights

Currently the focus of attention has shifted from declarations to implementation. The effective implementation of human rights inevitably depends to a great extent on their living dialogue and fusion with the multiple religious, cultural, and philosophical traditions. It requires to consider the human rights discourse as a living tradition subject to local adaptations, enhancements and modifications. The global culture privileges such a view because the global realities enhance cross-cultural contacts, awareness and exchanges about world views, moral, political, and religious systems, and the diverse patterns of reasoning and justification found throughout the world. The ideals of human rights depend upon the visions and values of the formative human communities and institutions to give them content and coherence. It is here that religions play a vital role. They invariably provide many of the sources and values by which many persons and communities govern themselves. Thus, enlisting their unique and important resources is of vital importance to the enhancement of the regime of human rights.

Religious communities need human rights norms both to protect them and to challenge them. Religious communities may opt to accept the current protections of a human rights regime – the guarantees of liberty of conscience, free exercise, religious group autonomy, and the like. But passive acquiescence in the secular scheme of human rights ultimately betrays the religious understanding of personal and communal life. Religious communities must raise their own

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17. SUMNER B. TWISS, “Theology, Tolerance, and the Two Declarations of Human Rights,” in *Christianity and Human Rights, Influences and Issues*, Frances S. Adeney and Arvind Sharma (New York: State University of New York Press, 2007), p.62.

voices within the secular human rights dialogue, and reclaim the voices of human rights within their specific traditions. Religious communities cannot allow secular human rights norms to be imposed on them from without; they must re-discover them from within. It is only then that religious traditions can bring their full doctrinal rigor, liturgical healing, and moral suasion to bear on the problems and paradoxes of the modern human rights regime.

In the process of embracing human rights by the various religious, philosophical, and cultural traditions we can identify three particular trends<sup>18</sup> that offer ways to understand the implementation of human rights: First, there are those who seek to justify human rights by embedding them within a richer and substantive set of religious commitments and traditions.<sup>19</sup> They are seeking to contextualize their understanding of human rights within the comprehensive vision and values of their respective religious tradition(s). They insist on the necessity to ground human rights religiously if they are to retain their theoretical coherence, normative force, or practical efficacy. They claim that human rights not only *can* be conceptualized within a larger vision of the good than what is explicitly stated in normative texts of modern human rights but they *must* be so embedded. If not, then there is a risk that human rights for all cannot be adequately safeguarded at all times and in all places. This maximalist justification of human rights connects human rights with the deeply held convictions of many of the world's religious traditions and philosophical systems.

Secondly, there are those who consider the religious and philosophical justification of human rights to be unnecessary. They regard the pragmatic international consensus on human rights as a largely self-sufficient and legally binding compact among states needing no further justification. They urge to seek agreement on the practical norms and not to discuss the issue of justification, since the latter is not likely to get us anywhere. They adopt a minimalist view that refrains to ground human rights in any philosophical or theological system of beliefs and tradition. They endeavor to separate the concept of human rights analytically from the larger matrix of either Western Enlightenment liberal values

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18. GRACE Y. KAO, *Grounding Human Rights in a Pluralist World* (Washington, D.C.: Georgetown University Press, 2011).

19. Examples of this approach are the papal encyclical *Pacem in terris* (1963), the Parliament of the World's Religions' Declaration towards a Global Ethic (1993) as well the Islamic Cairo Declaration on Human Rights in Islam (1990).

or monotheistic beliefs with which human rights are so commonly - but, as they see it, unnecessarily – identified.

Finally, others have opted to integrate these apparently opposite views concerning the justification of human rights. They argue that the world community could affirm and honor the human rights provisions, but it would also need to retain the freedom to justify their importance based on their particular religious, philosophical or cultural tradition. It is possible, as the Canadian philosopher Charles Taylor has noted, that different people can endorse human rights for dissimilar reasons. He ponders what a “genuine, unforced international consensus on human rights” would look like:

Different groups, countries, religious communities, and civilizations, although holding incompatible fundamental views on theology, metaphysics, human nature, and so on, would come to an agreement on certain norms that ought to govern human behavior. Each would have its own way of justifying this from out of its profound background conception. We would agree on the norms while disagreeing on why they were the right norms, and we would be content to live in this consensus, undisturbed by the differences of profound underlying belief.<sup>20</sup>

This approach permits each community to ground human rights in their own terms and perspectives, the justification of human rights is thus embedded in multiple faith traditions and cultural systems. It is advocated as the presupposition or foundation of humanity’s common efforts to promote justice and peace in the present troubled times. Respect and advocacy for human rights gains passion and depth once it is rooted in various cultures, religions, and secular traditions. Such a view offers several advantages. First, the highly contentious alleged dependence of human rights on the philosophical thought of the enlightenment is reduced to one out of many possible options. For example, when the right to freedom of thought, conscience, and religion that is recognized in both the UDHR and the ICCPR can be shown to have non-Western conceptual and historical precedents, the accusation that the provision is ethnocentrically Western becomes difficult if not impossible to sustain. This could increase human rights

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20. CHARLES TAYLOR, “Conditions for an Unforced Consensus on Human Rights,” in *The East Asia Challenge for Human Rights*, edited by Joanne Bauer and Daniel Bell (Cambridge: Cambridge University Press, 1999), p. 124.

reception among audiences who might otherwise shun them.<sup>21</sup> Another possible advantage is that this approach might make more transparent the unique contributions that each cultural or religious tradition could offer to others. In sum, the strategy of distinguishing the politically and legally enforceable standards of human rights from the multiple possible ways of grounding them, theoretically, would allow each culture or religion to retain their diverse perspectives and might also contribute to cross-cultural learning and influence.

### An Orthodox Justification of Human Rights

Is it possible for the Orthodox churches to embrace the moral principles of human rights in their secular and autonomous version as the basis of their participation in the public life of the global world? Orthodox theologians and hierarchs have expressed diverse and in many instances contradictory views about this matter.<sup>22</sup> Their engagement in the struggle for human rights has not been uniform and consistent in all countries. Those who live as minorities in predominantly non-Orthodox contexts are mostly inclined to embrace human rights, especially when the free exercise of their faith depends on them, while the national churches tend to be either indifferent or critical, and even repudiating them as contrary to the Orthodox faith. Their actual stance on human rights reflect aspects of the Church's faith mingled with local cultures and traditions and in

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21. Joseph Chan argued that the Chinese would likely embrace human rights only if they are grounded on their religious and cultural tradition; "A Confucian Perspective on Human Rights for Contemporary China," in *The East Asia Challenge for Human Rights*, edited by Joanne Bauer and Daniel Bell (Cambridge: Cambridge University Press, 1999), pp. 212-37. The Islamic Scholar Abdullahi An-Na'im has consistently urged human rights advocates to work within the framework of Islam if they wish to be credible among Muslims. See his articles: "Human Rights in the Muslim World: Socio-Political Conditions and Scriptural Imperative," *Harvard Human Rights Journal* 3 (1990) pp. 13-52; IDEM, "Toward a Cross-Cultural Approach to Defining International Standards of Human Rights: The Meaning of Cruel, Inhuman, or Degrading Treatment or Punishment," in *Human Rights in Cross-cultural Perspectives: A quest for Consensus*, edited by Abdullahi Ahmed An-Na'im (Philadelphia: University of Pennsylvania press, 1992) pp. 29-43.

22. For a brief overview of this debate see: ARISTOTLE PAPANIKOLAOU, *The Mystical as Political, Democracy and Non-radical Orthodoxy* (Notre Dame, Indiana: University of Notre Dame Press, 2012), pp. 88-98.

some instances with their “self-interests” of privileges and of power in their respective societies.<sup>23</sup>

Any theological assessment of the human rights discourse must take into consideration that they are not theological or religious texts crafted by the initiative of any particular religious faith community or Christian church. They rather reflect the collective response of the international political community in response to the atrocities and the discriminatory practices that oppressive regimes and totalitarian ideologies had committed during and after the Second World War. They provide necessary political and moral principles, free of any metaphysical claims or justifications so that all nations and communities, regardless of their religious, ideological and cultural traditions, can adopt and implement them in their constitutional and legal system.<sup>24</sup>

The secular orientation of human rights raises for the churches the complex question of whether one can discern in their discourse some aspects of Orthodox beliefs about the sanctity and dignity of all human beings. Do they reflect, either tacitly or explicitly, fundamental aspects of the Christian gospel? A mere reference by the Church to human rights based only on their political and legal contributions towards a more humane and peaceful world would suffer from a theological deficit. It would signify the Church’s abandonment of her theological claims and lead her to a tacit acceptance of secularism.

An Orthodox contribution to a culture of human rights cannot be noticed unless the Orthodox churches become more explicit in their commitment to human

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23. The Standing Conference of Canonical Orthodox Bishops in the Americas in December, 1978 issued a statement that recognized the value and the importance of the human rights. STANLEY HARAKAS, *Let Mercy Abound: Social Concern in the Greek Orthodox Church* (Brookline, MA.: Holy Cross Press, 1983). On the contrary, the late Archbishop of Athens Christodoulos rejected human rights as a threat to the Orthodox identity of Greece: “[...] the forces of Darkness cannot stand it [that Greece is predominantly Orthodox country], and for this reason they want to decapitate it [Greece] and flatten everything, by means of globalization, the novel deity that has appeared alongside another deity called human rights, and on account of which they expect us to curtail our own rights.” in [http://en.wikipedia.org/wiki/Archbishop\\_Christodoulos\\_of\\_Athens](http://en.wikipedia.org/wiki/Archbishop_Christodoulos_of_Athens). Of course such a statement and skepticism about human rights is a shared view of many Orthodox hierarchs and some theologian. See: Alfons Brüning and Evert van der Zweerde (Edits.), *Orthodox Christianity and Human Rights* (Leuven: Peeters, 2012)

24. “Τα ανθρώπινα δικαιώματα αποτελούν ένα εργαλείο στην προσπάθεια να προσδώσουμε μια καλύτερη εικόνα στο κόσμο μας. ...Δεν είναι ‘ευαγγέλιο’, δεν είναι θρησκεία. Δεν είναι φιλοσοφικό σύστημα, ούτε ‘αλήθεια που σώζει.’ in PANOS POLYCHRONOPOULOS, “Ορθοδοξία και Ανθρώπινα Δικαιώματα,» in *Ανάλεκτα* 26(2014), p. 42.

rights. An Orthodox theological justification of human rights in itself would be insufficient unless the churches actively and collaboratively work for their enforcement and not only use their rhetoric relying on empty words, theological treatises, and mere wishes.<sup>25</sup> The centrality of the liturgy and the Church's eschatological orientation do not justify social indifferentism and passivity in the midst of injustice, violence and oppression. They must be for the Orthodox Christians the springboard of moral and spiritual inspiration, nurturing integrated and sanctified personalities with an open mind and heart to embrace and actively care for all of God's creation, and be true workshops of selfless love.<sup>26</sup>

In Orthodoxy, human rights cannot be perceived independently of humanity's intrinsic relationship with God. The acceptance of human rights should be founded on the belief of the divine origins of humanity, its continuous dependence on God, and its ultimate fulfillment in God's kingdom. The dignity and unity of humanity is grounded on the recognition of God's loving presence in all, the "One God and Father of us all, who is above all and through all and in all" (Eph. 4:6). Human beings by virtue of being created in God's image and of their continuous loving relationship with God enjoin a divinely given equality and dignity. As St. Basil states:

Do not say, this one is a friend, a relative, a benefactor; that one is a stranger, a foreigner, an unknown man. If you do not see them as equals, you will receive no mercy. Nature is one; this one and the other are both men. Want is one, need is the same in both... Do not turn your brother away and make the stranger one of your own...for all are relatives, all brothers, all the offspring of one father.<sup>27</sup>

In the context of the global culture, as we increasingly recognize the irreversible and irreducible plurality of the social world, we must consider difference not a curse or a problem but as an opportunity to relate, to live in communion, to recognize the other as an expression of our profoundly shared humanity as icons of God. The Trinitarian life of God illuminates how humanity is

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25. STANLEY HAKAKAS, "Human Rights: An Eastern Orthodox Perspective," *Journal of Ecumenical Studies*, 19(1982), p. 27.

26. ANASTASIOS YANNOULATOS, "Eastern Orthodoxy and Human Rights," *International Review of Missions* 73(1984).

27. ST. BASIL, *On almsgiving*, paragraph 5.

at the same time one and many, identity and difference, unity and diversity. In the Trinity, while we recognize the distinct uniqueness of the Father, the Son, and the Holy Spirit, we simultaneously affirm their perichoresis, mutual co-inherence and the fullness of their divinity. All human beings - despite their apparent cultural, national, racial and religious differences - are endowed with an inherent dignity reflecting their qualitative relationship with God being created in His image. In the history of the Orthodox Church, this particular belief is illustrated in her active concern to safeguard the dignity of the poor, the defenseless, the abused and downtrodden. The Cappadocians had elevated the dignity of the poor and the downtrodden by privileging them as the iconic living presence of Christ in history.<sup>28</sup> Defending their dignity defines, as Fr. Stanley Harakas has noted, the nature of rights as the “basic claims, which persons need to exist as human beings.”<sup>29</sup> The recognition of Christ’s identification with the poor, the homeless, the abused and the marginalized moves those who want to be with God to serve the poor and defend their God given dignity.

The vocation of being human in Orthodox anthropology is to rise above mere biological existence and strive to become a genuine communion of persons reflecting in our lives the loving communion of the three persons of the Holy Trinity, which is the supreme *koinonia agapes*.<sup>30</sup> As human beings we reflect and disclose the love of God for all humanity. The love of God that we are trying to express in our lives is not contingent on the belief of others. In the words of Archbishop Anastasios, “the criterion of a person’s true faith consists of his/her taking the initiative to become neighbor to every person, regardless of race, religion, language, virtue or guilt.”<sup>31</sup>

How can we theologically explain the fact that many others of different religious and secular beliefs are also concerned with the plight of those who are denied by oppressive regimes and unjust social practices their essential rights and dignity? There are many non-Orthodox people who are engaged in struggles de-

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28. SUSAN R. HOLMAN, “The Entitled Poor, Human Rights Language in the Cappadocians,” *Pro Ecclesia*, 9(2000), pp. 476-489; CHERYL BRANDSEN and PAUL VLIEM, “Justice and Human Rights in the Fourth Century Cappadocia,” *Social Work and Christianity*, 34 (2007), pp. 421-448.

29. *IBID.* p. 17.

30. ANASTASIOS YANNOULATOS, “Eastern Orthodoxy and Human Rights,” *International Review of Missions* 73(1984), p. 455.

31. *IDEM.*, p. 458.

fending human dignity and seeking greater justice in the world. The origins of their motivation may be attributed to the “natural law” that God has bestowed in all human beings.<sup>32</sup> A Central aspect of the Orthodox view of natural law, according to Fr. Stanley Harakas, is “fair and equitable treatment” of all human beings on the basis of their humanity.”<sup>33</sup> Appealing, however, to natural law does not justify for the Orthodox Church an anthropocentric view of human rights without God. “Only the appeal to our common origin in God’s image and likeness transcends the limited view from below and surely grounds human rights in an unshakable, transcendent truth.”<sup>34</sup> Furthermore, the universal presence and operation of the Holy Spirit, the “One who is present everywhere and fills all things,” is the source of all goodness and justice, regardless of their imperfection, that one finds in the world.<sup>35</sup>

The Orthodox understanding of authentic human existence as “being as communion” is an important contribution to the quest of building a human community. Human beings experience and live their humanity in a network of communal relationships that shape their personal and communal identity. In these network of relationships, all human beings have the same value and rights. Thus, the constitutional and legal tradition that reflect their common life and its norms is obligated, in the words of Metropolitan John Zizioulas, “to respect and protect everyone, regardless of one’s characteristics, because every man bears a relational identity, and with that, is a unique and unrepeatable person.”<sup>36</sup> The fact that Orthodoxy gives primacy communal and personal relations over indi-

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32. K. B. KYRIAZIS, *Το Φυσικόν και το Κανονικόν Δίκαιον ἐξ Ἀπόψεως Ορθοδόξου* (Athens: Apostolike Diakonia, 1957), vols. 1 and 2. Also see STANLEY S. HARAKAS, “The Natural Law Teaching of the Eastern Orthodox Church,” *Greek Orthodox Theological Review*, vol. 9, no. 2 (1963-1964), pp. 215-224; reprinted in Martin E. Marty and Dean G. Peerman, eds., *New Theology No. 2* (New York: Macmillan, 1965), pp. 122-133.

33. STANLEY HARAKAS, “Human Rights: An Eastern Orthodox Perspective,” *Journal of Ecumenical Studies*, 19(1982), p. 19.

34. *IBID.* Vigen Guroian makes a similar argument by recognizing that “Human nature and its relationship to the highest value of human and divine personhood were fully revealed in Jesus Christ, but others outside of that faith are not without some knowledge of the same.” See: VIGEN GUROIAN, “Human Rights and Christian Ethics: An Orthodox Critique,” *Annual of the Society of Christian Ethics*, 17 (1997) p. 308.

35. EMMANUEL CLAPSIS, “The Holy Spirit in the World: The Tension of the Particular with the Universal,” *Current Dialogue* 52(2012), pp. 29-41.

36. JOHN ZIZIOULAS, “Law and Personhood in Orthodox Theology,” in *The One and the Ma-*

vidual rights does not in any way denigrate those rights that affirm the dignity and the equality of all human beings. Christos Yannaras, despite his vigorous criticism of individual rights, recognizes and justifies their rationality. He views them as a response to “concrete historical needs” that freed humanity from its suppressive subjection to socio-political and religious-ideological structures that contributed to the depreciation of human equality and dignity.<sup>37</sup> Individual rights understood from a socio-centric (κοινωνιοκεντρική Προοπτική)<sup>38</sup> can be important safeguards against possible degeneration of human relations. They may raise the consciousness of the people about the necessity of human equality and dignity as important presuppositions for authentic relations of communion. Their content can provide important practical guidelines of what it takes to live and experience life in personal communion by transcending all ego-centric desires for domination and oppression of the other. Such a political community that accepts the normative importance of human rights and implements them in its constitutional and legal system reflect in various ways aspects of the Church’s vision of being as communion that respects each human being as unique and irreplaceable.<sup>39</sup>

However, such a theology needs to come to terms with the all-pervading and inescapable presence of evil in history. In Orthodox anthropology, evil is primarily conceived as an outcome of the negative exercise of freedom, a gift that God had bestowed on every human being. God, however, in His unconditional love for all His creation, never abandoned humanity and the world. He continues to care for all human beings and is actively present in them. The Orthodox Church, while She acknowledges the pervasive presence of evil in the world and in every human being at the same time affirms the far greater power of the presence of God in the world through the grace of God’s Spirit and of Christ’s salvific life, death, and resurrection. In history, there is a constant unresolved tension and antithesis between God’s benevolent presence in the world and the violence, injustice, oppression and all kinds of evil that operates in it. The Christian vision

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ny: *Studies on God, Man, the Church and the World Today* (Alhambra: Sebastian Press, 2010), pp. 402-14.

37. CHRISTOS YANNARAS, *Ἡ Ἀπανθρωπιά τοῦ Δικαιώματος* (Athens: Domos, 1998), p. 183.

38. *IBID.*, p.185.

39. ARISTOTLE PAPANIKOLAOU, *The Mystical as Political, Democracy and Non-Radical Orthodoxy* (Notre Dame, Indiana: University of Notre Dame Press, 2012), p. 126.

of the human person should inform democratic societies helping people in their personal and communal life to develop ways to limit corruptibility and increase the range of opportunities for expressing the good present in them. The Church in her public presence is called to acknowledge both the human capacity for cooperation and solidarity and the human proneness to exclude and exploit others unless structures and sanctions are enshrined in law and in public institutions that promote human solidarity, justice and peace, bringing all closer to each other.

The active presence of the Orthodox Churches in the civil society presupposes the acquisition of conversational skills that allow them to engage in joint deliberations and actions with other cultural and religious communities in shaping the common life in light of global cultural realities. The Orthodox Churches like all other Christian churches, religious faiths, and secular communities in democratic societies, enjoy the freedom to express dialogically their understanding about the common good, its contents, and how it can be achieved in a plural society. In such democratic and dialogical settings none is permitted to use the coercive means of the state apparatus for the purpose of imposing their particular beliefs and practice upon their interlocutors. Respect of the freedom of others to believe as they do is a foundational for democratic society and for peaceful and just coexistence. Different beliefs in plural societies should not raise “any doubt as to their possessing the equality and the rights inherent in human existence as a result of the indelible mark of God’s image.”<sup>40</sup>

The aim of the dialogical presence and engagement of the Orthodox churches in the public life of society is to contribute, along with other religious, philosophical, cultural and political communities to the development of an ‘overlapping consensus’ about the common good that enables all to recognize in it the minimal requirements of living in peace with justice. In the public realm of a plural society, the crafting of the common good is built on affirmations of shared political values rather than of the sacred texts and teachings of any particular religious’ tradition. In such a context, the Church must use her language of faith with an emphasis on its hermeneutical potential to illuminate and interpret shared meanings rather than to witness to her sovereign truth. She should communicate her ethical outlook of shared life with persuasive and communi-

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40. ANASTASIOS YANNOULATOS, “Eastern Orthodoxy and Human Rights,” *International Review of Missions* 73(1984), p. 457.

cable arguments so others who do not share her tradition may receive with appreciation her contributions. In some instances, this can be done, without words and reasonable discourse, but simply through the church's active identification and support of the most vulnerable ones, the victims of history. There is always a possibility that not everyone will recognize the importance of the Orthodox theological and ethical contributions but this under no circumstances undermines their importance and value.

How can the church maintain her critical distance from any particular creed and practice and yet never remain an indifferent spectator of injustices, inequality, violence and oppression that prevails in the world? Should the Church remain aloof from all those whose experience of evil inspires them to struggle for justice? The eschatological orientation of the Orthodox faith does not allow the Church to be an apologist of any national and racial ideology, political system, economic theory and praxis or even of human rights, since all of them are affected by the pervasive corrupting presence of evil. What then is the function of the Church in the public realm if she cannot neither fully endorse any political and economic system and nor fully reject them once it discerns traces of God's Spirit in them? The notion of being "connected critics," in the phrase of Michael Walzer, illuminates my vision of how the Church should operate in a democratic society.<sup>41</sup> Christians should be committed to the fundamental ideas of democracy and of human rights and yet be able to see their theoretical or shortcomings. As connected critics, they deeply care about the values inherent in any particular political project and their critique serves to call a community back to its better nature. "Because people of faith share the fundamental values of democratic societies, they remain connected to public life even as they engage in criticism; because their commitment to democracy remains penultimate, however, they can appeal to transcendent ideals to critique current practice and to elevate their understanding of democratic values themselves."<sup>42</sup> In light of the violence and the inhumanity that prevails in the world, the Churches by promoting human rights and actively work for their implementation contribute to a culture of justice and peace.

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41. MICHAEL WALZER, *Interpretation and Social Criticism* (Cambridge, MA: Harvard University Press, 1987).

42. RONALD F. THIEMANN, "Public Religion: Bane or Blessing for Democracy?" in *Obligations of Citizenship and Demands of Faith*, edit., Nancy L. Rosenblum (Princeton: New Jersey: Princeton University Press, 2000), p. 85.