Chapter 1

Stories about growing up as a human being

The story receives increasing interests in various fields of society.1 In the science of literature narratology is studied, analysing the techniques of storytelling in fiction. Economists speak of the storied character of economy; historians debate the role of story in historical description; for theologists the story replaces abstract dogma to refresh the experience of belief; and, in the theories of psychoanalysis the client’s story of life is the core of the matter. Stories are likewise used in therapies.2 Philosophy and, even law are also fields where stories are used and needed for understanding, for explanation and for interpretation. Leijten pleads not to rely on loose torn facts, as they deny that they belong to a story, and their interpretation can therefore become perilous. He also pleads for stories in legal education, as a cement for the rules of law. The law does not become alive in rules but in stories which take up these rules as essential elements. These stories about the law, views on justice and injustice should not be lacking in the curriculum of the jurist, but help in offering qualified teaching. Even judges, how much they are occupied in reducing the stories about reality to juridical facts, cannot do without the story: either for an explanation of the circumstances or in the final judgement. Story and counter-story are indispensable for a good judgement.3

The interest in narrativism cannot only be considered as a reaction to positivism, scientific rationalism and formalism. It seeks to draw attention to areas or aspects which are difficulty approached by scientific rationalism – mostly expressed in statistics –, because of the contextuality of many phenomenons in society. Narrative reason has its own place and forms a continuation of formal science.4

Narrativism may also be seen as an attempt to return to the story in the sense of original experience, which loss has been described by Benjamin. ‘Sie sagt uns, dass es mit der Kunst des Erzählens zu Ende geht. Immer seltener wird die Begegnung mit Leuten, welche rechtschaffen etwas erzählen können.’ And: ‘In jedem Fall ist der Erzähler ein Mann, der dem Hörer Rat weiß. (...) Rat, in den Stoff gelebten Lebens eingewebt, ist Weisheit.’ Therefore: ‘So betrachtet geht der Erzähler unter die Lehrer und Weisen ein. (...) Seine Begabung ist: sein Leben, seine Würde: sein ganzes Leben erzählen zu können. Der Erzähler – das ist der Mann, der den Dichter seines Lebens

an der sanften Flamme seiner Erzählung sich volkommeln könnte verzehren lassen.  

The original story was related with the immediate experience of life, for example by seamen in foreign countries. Those real life stories of an other world induced a kind of substitute experience by the audience. The strange and unknown was made accessible to everyone by the story, just as a story helps the child to get acquainted with the larger world of adults.

In this chapter, the story in the Prologue is discussed in order to elaborate on the different answers given to human beings, to children, as they grow up. Many people have a function in the lives of children, both individually and as a group. Some of these people have a close relationship to children, for example parents and teachers, which involves a very concrete responsibility. Other people have a more remote relationship, but nevertheless influence and co-create the circumstances in which children grow up. Their responsibility is more abstract, but, is nevertheless equally important.

This differentiation of human beings involved in the developmental process of children is not a recent or modern invention. Great traditions have developed, which prescribe these roles and the way in which to communicate with children, in order to help them grow up. Taking refuge in traditions is not an old-fashioned method of scientific work but seeks to use an important source of information for knowledge about the essence of a human being. As Jonas declares: 'Man wird sich also damit abfinden müssen, daß wir von der Vergangenheit lernen müssen, was der Mensch ‚ist‘, das heißt im Positiven wie Negativen sein kann, und diese Belehrung bietet allen nur erwünschten Stoff zur Erhebung und Schauder, zu Hoffnung und Furcht, und auch Maßstäbe der Wertung, somit der Anforderung an sich selbst.'

This knowledge from the past is the only knowledge there is of human life, also with regard to the life of the child. The role of the individual varies according to values attached to him and the perspective offered in different cultures. This perspective is often expressed in an appealing image of the human being as he could become. The image as presented by the tradition is a mirror, which reflects the relations between self, society and cosmos. Fortunately, this interest in the values of great traditions has also resulted in some studies on the position of children, as a tradition has an in-built mechanism which permits it to continue over the generations, otherwise it is no tradition. Those who lived according to the traditions always served as examples for others. Their lives were preserved in legends, which gradually supported the formal doctrine. In the Christian traditions, the legends of saints were presented to children as stories about human life which were to be imitated.


The way in which these saints as models illustrated the ideal life, varied in each period, as reflected in the changing guidelines for writing about their lives.10

These studies on great traditions are also undertaken to find out whether such concepts of education can be used in other, mainly Western, countries. Theory and practice of, for instance Tibetan Buddhism, are described as fundamental to a possible dialogue between Buddhism and pedagogy.11 Studies also describe efforts to apply such traditional education as a form of self-education in a different culture.12 The historical position of the child in Eastern civilisations has been constructed with the help of literature, paintings and sacred texts which document his birth, education and work.13 The role of education as the central method in a tradition has been studied in its socio-historical context, in order to refrain from romantic views of tradition, and to provide a solid basis for modern developmental aid and intercultural education.14 The great traditions have also been studied in a comparative sense to exemplify both their differences and underlying common values.15 Such research requires an attempt to objective treatment, avoiding the Scilla of total cultural relativism, and the Charybdis of ethnocentrism. A researcher should not forget that in studying foreign cultures he cannot avoid to hold a mirror for himself too. The capability of putting oneself into other cultures is as important as the ability to put oneself critical and observing outside one's own culture. To the fertile principle of intuition as positive heuristic principle vis-à-vis other cultures, the likewise fertile principle of suspicion vis-à-vis one's own culture has to be added.16 The undertaking of such studies has already a result in itself, as Leertouwer concludes: 'We can no longer do comparative study of religion without realising thoroughly the ideological character of our basic concepts.'17 This conceptual change also demonstrates the need for a new narrative in the field of the philosophy of religion.18 A comparison of the values and approaches of these traditions with examples of actual situations currently faced by children is a useful exercise. The results of this exercise will be related to the meaning of human rights for children.

Traditions, reality and human rights in the stories of:

Parents

Traditions — In many traditions, children are not exclusively reared by their parents. Indeed, views even vary on having children. In one tradition, the narrative is told that children may be considered welcome and necessary to defend the values of their community as a means of dispersing the beliefs of the community. In such a tradition children belong to and are raised by the larger family or the community. In other traditions, children are valued because they guarantee safety and care for the parents when they are old. In the great traditions children learned by imitation. Therefore, much importance was attached to giving living examples. Parents and adults in general were well aware of their role in the non-formal, educational process.

Growing up meant the development of character and will power. As a result children, especially boys, underwent tests in the form of games, difficult trips, etc. to prove their courage, discipline and cleverness. Character was also formed by developing different skills. In some cultures, learning a profession meant at the same time learning about life and the laws of nature. Skills like the ability to pay attention, an eye for detail, patience, maintenance of tools, were in a different sense also the skills needed in (adult) life. Through the use of rites the child was gradually inaugurated into ‘adult life’. He then had an understanding of the basic norms of the community and could also develop the prerequisites for the spiritual aspects of life by studying the holy texts. This study not only contained theory, but also had a practical application to daily life.

Reality — Compared to the clear formulation of ‘life-questions’ given by parents in the great traditions, the current situation is quite different in all those countries where such traditions have almost disappeared, e.g. the Western hemisphere. Parents cannot give clear answers as they have no longer an overall philosophy. Moral choices are made on a case by case basis. There is a plurality of values, but no leading institution, not even the media, is capable of creating a cohesive view of life. An ever widening gap exists between the insights of forward thinking specialists and the stagnant general public. The natural sciences and humanities are also unable to communicate. Some people are making an effort to overcome these gaps by endeavouring to construct new world-views, based on the results and contributions of different disciplines. This striving for a new integration of knowledge is in essence a form of collaboration which makes the totality of knowledge more visible and understandable. It seeks to overcome the current fragmentation between knowing, acting and feeling. Such new world-views support the ideal of a rational liberated

19. A good example which gives a vivid impression of such professional education in the ancient Egyptian context is described by Schwaller de Lubicz, L., Her-Bak, ‘Chick-Pea’. The living face of Ancient Egypt, Hodder and Stoughton, London, 1954.
humankind, including elements from both the Enlightenment and the Romantics. These integrated views can breed a morality based on a sensibility for values, plurality and openness.\textsuperscript{21}

The pace at which changes in social life take place leaves little time for parents to find out for themselves about the meaning of life. Rituals, which brought structure and sense in daily life, including storytelling \textit{and} silence, which help people to revive have disappeared.\textsuperscript{22} The continuous lack of energy prevalent to today’s society can be filled with medicines or drugs, but leaves little room to show examples which are useful for children. The ability to demonstrate feelings of sympathy and warmness also appear to be lacking. In small families of just one or two children, children have to fulfil their parents’ needs for closeness and intimacy. In such circumstances, unfulfilled expectations might lead to child abuse. Sometimes children have to educate their single parent in dealing with love-sickness, quarrels with a new partner, etc. Parents may also find it difficult to offer basic security and socio-economic welfare to their children because of circumstances relating to poverty, war or refugee status. In such confusing circumstances, the capacity to draw from a strong tradition is invaluable, as has been shown in the Second World War.\textsuperscript{23}

Many parents cannot rely on a tradition of education as their parents lived in quite a different time. They therefore take refuge in pedagogical books and advice while leaving an increasing responsibility to other institutions, like child-care centres, schools, and juvenile homes, to raise and educate their children. This tendency is supported by the state. As a result, the process of upbringing, or from the child’s point of view of growing up, is for the most part left to other caretakers who may have their own priorities and philosophies.

\textbf{Human rights} — In such possibly conflicting circumstances, it is useful to formulate some human rights which provide a basis for family life, social welfare and the responsibility of parents and the state. These human rights are thought to be in force irrespective of the background or traditions of parents, irrespective of the priorities of the state, as they are based on the dignity of the human being and the equality of all human beings. The Universal Declaration and later treaties and conventions appeal to authenticity in human behaviour, thoughts and feelings.

\textbf{Teachers}

\textbf{Traditions} — In every society or tradition certain people seek out the meaning of life on their own. Although they were raised in a tradition, they transformed or broke with several aspects of that tradition on the basis of their own experiences and insights. Their lives were an example of how one could live, understand and fulfil the task of living. These prototypes were consulted by many different people, who were all concerned with the question of life. The answers to these questions formed the


\textsuperscript{23} Dasberg, L., \textit{Meelopers en dwarsliggers. Lezing Nederlandse Onderwijs Tentoonstelling, Trouw, Amsterdam, 1993.}
core of later teaching in this new tradition. Such teaching differs from a purely theoretical framework. In answering questions, the great teachers could discern what was behind the question and what were the needs of the questioner. As a result, their answers varied as they were given in relation to the specific questioner. One could say: not as an absolute fixed-formulated truth. Different cultural traditions have felt the need to teach and to educate, and have developed ways to fulfill those needs. In some traditions, children left home at an early age to live with their teacher, whom they served for many years while learning about all aspects of life.24

These traditions showed the following characteristics for a good teaching. A good teacher had to be righteous and unimpeachable. Honesty and openness were characteristic of his way of communicating. The right to teach or to guide demanded reliability and objectivity. Teaching had to take place within the confines of a proper relationship between teacher and pupil. In certain traditions, it was common that the pupil tested the teacher. The teacher's only goals were to devote himself to the teaching of another and to initiate the child in self-development and self-activity in living with others. Of course, the teacher himself had to know what it meant to be a full-grown human being and had to work seriously on this process. Such knowledge and attitude were necessary before the teacher could pass on the information to a child so that the child might fulfill his task.25

In the teaching process several pedagogical methods were used. The most important were stories about people just like the audience or about a real-life situation. Some traditions stressed that the pupil should not believe the teacher as such, but instead should try to find out for himself using his own experiences as a guide. In this way the questioner/pupil was finally no longer dependent on the teacher, having gained a tool for autonomous searching and living. In other traditions, the personality of the teacher was stressed, and devotion and submission to the teacher were seen as the means with which to live a fruitful life. The teacher did not teach for personal gain; the only purpose was the well-being and understanding of the pupil. Therefore, a teacher could be both mild and severe, as he knew that the pupil would not gain insight or understanding without discipline. This approach stressed a devotional and diligent attitude towards the purpose of life in order to become a perfect human being.

Reality — Nowadays, there is a divergence between what teachers teach and how they live themselves. This divergence is due to the fact that teachers have become teaching institutions. Their teaching can be based on personal experience but since institutions are related to political or religious orientation, they cannot be said to be completely independent. Prime examples are the categorial and secular schools in the West and the existence of Koran-schools in other countries.

Teachers have to follow a fixed curriculum designed to achieve certain results at the end of a particular period. A child, as a unique human being, has to follow this course of study, regardless of his specific needs or questions. Those students who

cannot keep up with the prescribed pace are sent to special schools, but only where such schools are within the means of their parents or the state. The teachers live within the school-institution which exists at a distance from real, social life. Nevertheless, they have to prepare the children to work and live in society. Schools have become societies in themselves, and teachers rarely are the inspiring human beings who show the way to work and live as a human being. Schools are no longer vibrant open communities where one feels free to ask and to discover. Teaching, which formerly was a gift, is now filled with methods and means, which have become ends in themselves. Subjects with clear value-aspects are transformed into 'innocent' neutral issues, in which little engagement can be found. Even the notion that schools should prepare students for a particular job is becoming questionable. Not only because teaching should be aimed at life, but also because jobs are becoming rare for many young people 'entering' the labour market.

**Human rights** — In contrast to the great traditions, the modern teaching of children, of human beings in general, is poor in its content and in its performance. It does not provide clear answers on how to live as a human being, about growing-up or how to lead a perfect life. Even where education is still based on religious traditions, children get a limited answer to their questions. Therefore, a human right to education, which centres around spiritual development, offers the possibility of teaching and learning, irrespective of institutional aims, focused on the value of a human being.

**Politicians**

**Traditions** — In the traditions, the execution of power was enveloped in high criteria for leadership. In early times, the king was supposed to be a son of the central cosmic power or God. The capacity to wield power depended on a divine right. The king had to act accordingly, being superior in wisdom and justice. The literature of the 'mirror for princes' provides an example of the prerequisites to being vested with power. Such requirements would apply to all, but are exemplified by the king. This enlightened leadership was based on a balance of power which cared for welfare of all groups. The task implied an attentiveness to the needs of these groups as well as their concerns and interests. It also implied a willingness to speak up for these groups. In defending these interests, the defender identified with the group concerned and lived in solidarity with the people of the group, according to their principles and values.

**Reality** — Modern politicians are always looking for vision and new concepts to attract voters. This struggle to attract voters puts aside principles and makes less clear what a politician actually stands for. As children are not voters and do not count as a


27. Boeke, K., *Kindergemeenschap*, Woudt, Zaandijk, 1975 (reprint from 1934), p. 37: 'In short, we want to prepare children, not for this society, but for life.'
social group, politicians show little inclination to protect children’s interests and rights beyond general good will. A politician is, first of all, related to his party and has to follow the guidelines and discipline of the party. Politicians need connections in the media and big business. Their social concern, advocating the interests and values of people in society, giving attention to the major problems confronting society, is overshadowed by the need to have the right political contacts and to create spheres of influence. The search for power as such, personal and party gain, gradually dominate their behaviour and working life. In private life, politicians find it difficult to live according to the moral standards and principles that they themselves are supposed to support.

Human rights — Apart from all politics, human beings have a right to make their interests and concerns known in a democratic process. Human rights are above party politics and are instead concerned with the advocacy of social and economic rights and the rights of minorities. In this way, an opportunity is created for the less powerful to contribute to the ‘enlightenment’ of politicians and to defend the values of human life in a dignified way. Children’s rights are the rights of a large minority which involve the challenge to create conditions for their development as human beings. Because this challenge is central to the whole idea of human rights, children’s rights are not just another issue on the political scene. The question of children’s rights should be seen as a test-case for the functioning of human rights in political life itself.

Businessmen

Traditions — Not much has been written about the function of businessmen in great traditions. In a negative sense, the usurers were chased out of the temple; those who had collected goods and were rich would have more difficulty in entering the Kingdom of Heaven. In some traditions, financial success was therefore related to the duty of supporting cultural and religious life. In general, the act of giving was characterised as either beneficial to leading a dignified life or as a prerequisite to a place in heaven. The great teachers accepted the gifts of the rich in order to continue teaching and to answer the questions of their benefactors and others.

According to one tradition the practice of certain professions was considered to be contrary to the accepted precepts, the intentions and effects of such profession ran counter to the life envisaged, for example trade in living beings, flesh, weapons, spirits, or poison.

To the extent that businessmen were also leaders of their companies, they were expected to take fatherly care of their personnel and act, by way of example, as dignified members of the community, by observing the precepts.

**Reality** — In most societies in the world, businessmen seem to dominate the scene, as even political issues are discussed on the basis of economic values. The freedom to produce is worshipped to the detriment of social and environmental values. The dominance of commercial interests leads to the continuous exploitation of human beings, in many countries at a very young age. The work that is offered rarely contributes to human dignity as the remuneration is usually well below that necessary to sustain a proper living. The invention of products is hardly based on real needs, but on created needs in order to ensure commercial success. More and more aspects of life are formulated in terms of products with a certain price. Intangible values are presented as possessible goods which give satisfaction. Satisfaction, however, only lasts until the next product. Commercials are also directed towards children, as decision makers within the family. Children are viewed as an important group of consumers. The idea that a businessman is an example for mankind to follow is untenable. Nevertheless, they are sometimes admired for their inconsiderate and unscrupulous attitudes and practices. Even the support of cultural activities has become detached from spiritual responsibility; it only strengthens the image of the business company. Although some training courses try to bring more sensitivity back into business managers, who can no longer follow the time-is-money dictate, they are mostly used as escapes instead of an agent for decisive change in private and business life.

**Human rights** — In order to live as a human being it is necessary to work for one’s livelihood. This need, however, should not serve as the basis for exploitation or arise from the voluntary decision of businessmen. Human rights provide the framework for a right to work, which offers the possibility to preserve human dignity. Human rights help to protect against exploitation and enable human values to survive the need to work for a livelihood. The free market should be limited by the consequences it has for social life and the environment.

In international relations, the right of poor countries to economic development must be supported in order to guarantee a living to all human beings. Information plays a role in creating educational opportunities, healthy circumstances and general awareness; hence, the importance of international exchange of information.

**Programme-makers**

**Traditions** — In the traditions the programme-makers were the organisers of the annual fair, which was a short period of relaxation, of games and festivities, of unhampered fun. This fair was seen as a necessary part of life in the community and a functional aspect of the serious approach to human life throughout the year. Games could take any form, involving competition, chance, mimicry; and, symbolic repre-

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sentations of all aspects of life. Games and playing formed part of culture, never losing the essence of the tradition. Hence also the cultural forms of mystery plays and drama. The purpose of the annual fair was to provide a counterbalance to the ethical restraints and necessary disciplines of daily life. It also provided a brief respite from one’s labour. In the same vein, the village idiot served as a visible and audible symbol of the reverse side of life. The unconscious humour of the idiot stimulated the villagers to take a different direction and live a disciplined life. He replaced their inclination to take the easy road, and give way to impulses and unnatural urges. Still another form of distraction was the fool at the king’s court. Although he was usually small and had a hunch, his mind was sharp and quick to understand the many aspects of a situation. Being an invisible observator, he could informally give advice, sometimes in disguised form; hold up a mirror, but always aiming at a deeper understanding of the human condition. His odd behaviour distracted the king and others from their daily sorrows, but gave them at the same time a riddle containing a word of wisdom. This brought unexpected enlightenment.

Reality — The modern programme-makers have focused mainly on the recreational aspect and detached it from the traditional ethical framework. References to the life’s hardships or to human beings’ goals of life are taken up as an interesting issue for talk shows around a ‘personality’. The other human beings involved seem to be foils for this personality. Recreation is offered by an endless series of drama, police-stories, game-shows and talk-shows. Violence and sexual attraction are the main ingredients. Even the more serious programmes are presented as shows or short theatre pieces. The close relationship between the media and commerce envelop programmes in commercials which are unavoidable. The interplay of illusion and non-illusion is hard to discern for very young children. Children’s programmes are of mainly cheap production value as the budget is much lower than for adult programmes. The audience is rarely taken seriously. The realistic view which would appeal to a human, trustworthy communication does not seem possible. The images which are shown may be idolised by millions, but they differ significantly from the prototypes of the great traditions. A word of wisdom, even in disguise, is seldom heard.

Human rights — Even when life is taken seriously it is good to breathe in and out. Discipline and relaxation, tension and relief, concentration and diversion form the alternating poles of a healthy development. If this combination is dissolved, there is a risk of one-sidedness. Human rights can help to avoid extremes and offer a balanced approach. This balance is even more crucial for children in their effort to understand the importance of life. Therefore, programme-makers must be guided by human rights which respect the audience as human beings, taking them seriously and giving them a dignified approach and a fool’s wink that is relevant to human life.

**Priests**

**Traditions** — In the great traditions, priests were important people who clarified the holy texts. It was through the priest that one could gain knowledge about the mysteries of life, come into contact with a supreme being, or possess superior powers. The priest was not only a mediator but also a guardian, who took care that people led their lives in accordance with the tradition. The priest was present at every stage of human life, performing rites and cults according to the precepts. In this way, important passages in life like birth, adolescence, marriage and death were underlined by rites which related to the ultimate purpose of life. Children were gradually integrated into the traditions and customs of the community and inaugurated into the mysteries or questions of life by the priest. As a result, the priest was a symbol for the perfect or holy life and served as an example of this holy life himself, being aware of his privileged function. In explaining and interpreting the meaning of the texts or other collections of traditional knowledge, he could also refer to stories, legends and myths and give them a fresh form, understandable to the general public. In making myths come alive, they were thus preserved and saved as a living heritage.

**Reality** — Today’s priests are concerned with people as a function of organised religion, made visible in the form of a church, temple or mosque. Priests are bound by the hierarchy of these institutions and are themselves defenders of this hierarchy. This role means that their focus is on the defense of tradition and on keeping the precepts, instead of on new, lively interpretations useful to modern life. Although priests no longer have a monopoly on clerical or holy texts, as these can be studied by anyone, efforts to begin a dialogue between lay people with respect to their experiences, questions and interpretations, and priests, are hardly successful and have little influence on the traditional interpretation or doctrine. Furthermore, dialogue with other traditions is also difficult, as they are mostly approached from a different point of view, based on possible misunderstanding and prejudice. As all great traditions are no longer confined to a certain race, ethnic or geographically limited group, but have developed into world traditions, claiming universal applicability, priests try even harder to spread their own tradition as much as possible. In this respect, traditions are modernised in order to have a wider appeal. The role of the priests to be present at the important events of life has turned into a rather free or superficial performance of rites, which is very far from the former function of social integration of members into the community. Religious or holy life and social or worldly life have become split into two different communities dominated by the latter. The priest can no longer form a bridge between the two. Religion has become a private matter.

**Human rights** — Answers to the questions of life can be found in religious traditions. It is important that a human being can seek answers for himself. Therefore, this search should take place in an atmosphere of respect for different beliefs and opinions, which opens up

37. Especially in the theistic traditions of Judaism, Christianity and Islam, the exclusivity of the supreme being is stressed: Exodus 34, 14: 'Thou shalt have no other Gods before me(...) for I the Lord thy God am a jealous God.' Paul’s Epistle to the Ephesians 4, 4-6: 'There is one body, and one spirit (...) one Lord, one faith, one God and father of all.' In the Koran: 'He is God, the One, the Almighty.'
the rich world of traditions and experiences, instead of being guided and informed by a sole tradition. Human rights are necessary to guarantee respect for different beliefs and opinions, and the freedom to express oneself in religious and spiritual matters.38

Sick or handicapped human beings

Traditions — In a traditional community, the presence of sick or handicapped people meant a need for extra attention. They were dependent on the help and care of others. Traditions told different stories about the background of or the reason for illnesses and handicaps. To ask for the reason and origin of illness also evolves the question of the origin of life.

In some traditions, illness was seen as a result of an offence against the supreme being, which was judged as a sin requiring punishment, in the form of illness or handicap. The sick or handicapped person considered himself guilty and had to try to do good deeds in order to deserve mercy and grace. Because of this attitude the great teacher is said to have forgiven the sins of sick or handicapped people, and have mysteriously cured them.39

In other traditions, illness or handicaps were considered as the result of former deeds. This was not necessarily related to the current life, but could also have taken place in a former life: some plants quickly bear fruit, others take more time to come to fruition. The concept of karma referred to the consequences of one’s spiritual or physical acts; character, family and circumstances all formed karma, directing attitudes and intentions in present life and thereby sowing the seeds for further karma. Its fruits are harvested as joy or suffering, according to the nature of the deeds.40 These fruits had to be accepted.

One of the stories in a tradition tells of a man meeting with a sick man, which raised the question of the purpose of life as such suffering seemed to happen to all human beings. Illness or decay was consequently regarded as an inevitable ingredient of human life, just like birth and death. It was not always possible to escape physical pain, but anguish brought on by desire to get better, and to live happy could be avoided by non-attachment.41 Ill or handicapped people did not have a lesser chance of following the path to enlightenment.

Reality — In a fast moving society, ill and handicapped people can put a brake on the advancement of society. Numerous efforts are made to cure people. Illness and handicaps can serve as a challenge to medical technology. Yet, people who remain ill or handicapped bring medical science into disrepute.

38. See the necessity of such rights for children in: Labuschagne, B., Godsdienstvrijheid en niet-gevestigde religies, Wolters-Noordhoff, Groningen, 1994 (Dissertation). He indicates that children, for example of muslim tradition, should decide for themselves whether to wear a scarf or not. Their freedom of expression should have priority over their parents’ freedom of religion.


In social life handicapped human beings are not considered as complete human beings, with needs and capacities like anybody else, deserving a dignified life. Such people have less opportunities, and are judged and identified by their diseases and handicaps. As a result, a culture of dependency is fostered beyond that which is necessary.

Children with a handicap have a greater chance to be abused or neglected by their parents or guardians in institutions. Their stories on such situations are not always believed because they are not considered competent or reliable.

Human rights — Human rights prohibit discrimination, based on illness or handicap as a means of ensuring protection of a human dignity. Therefore, irrespective of the cause of a particular disease or handicap, sick or handicapped people should be regarded as whole human beings. An extra effort is necessary to create opportunities that permit them to participate in society as much as possible, and to live a life of their own. The prevention of disease and physical and mental impairment requires discipline and sacrifice on the part of the current generation.

Dying human beings

Traditions — In some traditions, a dying human being could count on extra measures to prepare him for heaven. In the Christian tradition the important, true life begins after death. The dying were comforted by symbolic rituals and priestly consultations which relieved the soul. As a result, the fear of death was minimised. A place in heaven would be prepared.42 In the Tibetan tradition, the priest had great knowledge pertaining to the different phases of the dying process and the difficulties that were to be encountered in the invisible world, in the after life. Guidance formulas were therefore whispered in the ear of the deceased to guide the ‘soul’ through the images created and collected in a lifetime.43

In some traditions, living was seen as a daily death, as living-dying, the surrender of the self, the non-attachment to worldly life. In this way, the physical process of dying was but the ultimate consequence of this devotion or discipline.44 Dying could also be considered as a natural part of life. Just as everything in nature has its rhythm and season, so it is for human beings. They pass from one phase to another and, those who understand these natural laws will refrain from weeping at the moment of death. Death is not considered as a punishment.45

In some traditions the cycle of life and death is regarded as a motivation to work in current life to ensure a better incarnation, in an effort to reach final liberation, for example by identification of one’s spirit with the cosmic spirit.46 Death can be seen as part of human life. Still there is a difference if death is seen as a preparation for a new incarnation or as the possible final extinction of life. Such a final extinction can

42. John 14, 2.
be reached by a perfect human being who is detached from all desires and has freed himself from the fascinating function of the senses.\textsuperscript{47}

**Reality** — The various traditions provide valuable answers to questions of life and death. Nowadays, the time of clear answers seem to be gone. The boundaries between conception, birth and life, and between life and death have been blurred and given rise to a chaos of conflicting opinions and disputes. There is a lack of understanding regarding the relationship between life and death. Therefore, the risk is that economic and organisational elements will dominate other considerations. For instance, in Western countries, new technology has led to new applications and supports the goal of the preservation of life at any cost. This goal in turn has caused many people to seek an escape from the bitterness of decay, technical care and dependency through subscription to euthanasia-declarations. On the one hand, all efforts are directed towards life-saving, if necessary by means of costly organisation and operations. On the other hand, respect for life vanishes quickly in the face of requirements of traffic or warfare.

**Human rights** — The right to die with dignity seems to have become a privilege. Yet, this right was the very first human right Janusz Korczak claimed for a child: the right to one's own death.\textsuperscript{48} Respect for one's death is the consequence of respect for life. Human rights exist to protect these basic aspects of human life. They achieve an extra dimension in the mother-child relation as a balance has to be found between the rights of both, especially in the period of pregnancy and birth. Respect for life also involves the question of quality of life: life is more than just survival. This interpretation is particularly pertinent to developing countries, but is also true for other countries. Quality of life is exactly what the great traditions stressed as means of ensuring a useful life.

**Lawyers**

**Traditions** — The original idea in most traditions was that law referred to an authority. Nature was ordered by God or gods, and just as nature was ordered by rhythm and law, human life was ordered by natural law. As a result, the early traditions saw a clear and direct relation between law and God. This relationship is revealed in the law texts of Hammurabi, who declared himself King of Justice, because he had received the codes of law from the hands of Schamasch.\textsuperscript{49} In a similar way, Jahweh communicated his law to Moses, engraving them on two tablets of stone.\textsuperscript{50} The whole system of rules and legal institutions was either a result of direct and divine origin or at least the authority of the government was thought to be given by God. Therefore, the orders and rules of the absolute monarchs were treated as the will of


\textsuperscript{50} Exodus 24, 12: 'And the Lord said to Moses: Come up to me into the mount, and be there: and I will give thee tables of stone, and a law, and commandments which I have written; that thou mayest teach them.'
God or the gods. Alexander the Great, who defeated such monarchs let himself be called Son of Zeus. The Japanese emperor was until 1946 considered to possess divine status. Those serving the king, were not only his advisers, but also the defenders and regulators of public order, on the basis of the king’s divine or natural legitimate power. As the function of the king also included the role of a judge, his advisers were likewise called to do justice and to develop the principles and bases for (divinely) inspired judgements. Such legal advisers had of course to be living examples of justice and incorruptibility themselves. These people were well acquainted with human idiosyncrasies and urges, but tried to maintain a balanced order, in which law served the communication of human interchange and referred to an order which went beyond human nature and understanding. As all human beings have their place in this order, they should be respected; their cases should be treated equally. In another tradition, law was not related to an authority but coincided with the discipline for a perfect life, for which the individual was responsible.

Reality — In modern societies, the legal order is no longer related to a divine nature. Christian politicians who relate legislation to the will of the Creator or religious beliefs are hardly taken seriously. Although the defence of old Christian values in Western societies is felt to be necessary, morality seems to be disappearing in a multitude of lifestyles. Legislation appears to be more and more an instrumental of temporary policy, and no longer a guarantee of continuous justice. Laws have become complex and detailed, only decipherable by a limited group. As a result, laws are losing their authority and lawyers only function as the exploiters of legal loopholes instead of defending justice. Although lawyers might prefer it to be otherwise, they are part of the legal system, which includes bureaucracy and the risk of losing the human sense for the heart of the matter: human life. In practice, not everyone is equal before the law, as differences in the behavioural patterns of the social classes are also reflected in legislation and the legal process. Justice has become a question of finance: a case will only be brought to court when financial gain is expected. The best barristers-at-law are the most expensive. Such developments have diminished the image of the incorruptible lawyer, defending a just order and the legitimate rights of others.

Human rights — Whatever legal system might be developed in a society, and whatever legitimation might be presented to defend authority, a basic level of moral in human life in general which includes justice has to be maintained. The foundation of this general morality is the responsibility of every human being in his own life and acts, and is based on the equality of all human beings, and the maintenance of justice. This foundation includes the principle that all human beings are equal before the law and that all cases should be treated equally. The basic recognition of the principles of equality and impartiality reflects the intention of former traditions with

respect to divine or natural order. The formulation of these basic principles as human rights puts the responsibility in the hands of all human beings. Lawyers should be working towards the international acceptance and international application of these basic norms for human life. This goal is also the intention of the Universal Declaration on Human Rights, proclaimed and adopted by the United Nations in 1948.

**Judges**

**Traditions** — In exercising power over his subjects, a king in the great traditions was well aware of his higher calling to maintain a (divinely) inspired order. The exercise of power had to be balanced by the requirement to do justice; the king was a king-judge. The task of giving judgements appealed to other capacities of the king: his sense of fact-finding and truth; and, his sense for the variety of human behaviour and human needs. Above all, the administration of justice meant compassion for the human condition, balancing and counter-balancing each party’s side, until a just solution was found. The solution was never the result of mechanical thought but a creative act in which the actual and the general human condition were considered. Therefore, the king-judge was in fact a king-judge-philosopher. A traditional example is King Solomon, who used his knowledge of human emotions to judge a case in which two women claimed to be the mother of the same child. The real mother revealed herself by preferring that the child be given to the other woman, rather than be torn apart and die. The best interests of the child, his life, took priority over her feelings.

In the great traditions, the judge is dependent upon the law; the law depends on the sense of justice of the community. This sense of justice originates from a divine being as judge. A judge who does not take into account this divine being or the people’s sense of justice is an unjust judge.54 In the Jewish and Islamic traditions, judges are likewise the great defenders and maintainers of the tradition. It is through their work that the tradition remains orthodox and helps people to know right from wrong. Some traditions have their own system of law and justice, apart from the secular legislation in a country.

**Reality** — The dependence of the judge on the law, demonstrates his limited capacity to do justice, where the laws reflect a lower sense of justice. Such is often the case in societies where either a social order has to be established in a background of poverty and difficult socio-economic circumstances, or a social order is established in which material values and therefore instrumental law have superseded traditional perspectives on justice.

Judges, like lawyers, are part of a system. Although judges have to give judgements in individual cases, much of the judicial system is already standardised. This development will accelerate with the further application of information technology. The process by which the story given by a party or witness, is admitted into evidence is thereby speeded up. This tendency is due in part to the increasing appeal of dispute resolution, as parties are less able to settle complex disputes by themselves, especially since

emotional and material satisfaction can be gained from an official judgement. People rely on the judgement, believing they can do as they like, as long as they are not condemned. The large amount of people, who were once guided by the traditions, exercised self-control and maintained a sense of justice, has shrunk to a small minority. Relying on people's sense of justice becomes dangerous when an integrated view is either no longer available or is dominated by the media.\textsuperscript{55}

The maintenance of a high sense of justice depends largely on the degree to which judges find inspiration to do their work, outside the justice-machinery and the media, in a life of high spiritual morality. But how can this be achieved in a fast-moving society, where material gain corrupts human relationships?

**Human rights** — As a counter-balance to intricate legislation and procedures, people should be protected by human rights which uphold a general sense of justice. These rights include the principle of non-discrimination and equal access to justice, the right to be heard and to give one's own version or story of the case before an impartial judge.\textsuperscript{56} Judgements should be rendered in accordance with basic human rights. Such rights take precedence over national law. Only in this way, can even instrumental laws have a moral limit in their effects. The duty of every judge is to creatively defend these highest principles in every dispute, by recognising that the ultimate intention embodied in these principles is respect for human dignity.

**Values and human rights**

**Life as a narrative**

As children have to grow up they have to be educated. To educate them means to tell the story of being a human being. Traditions can be seen as narratives, which stimulate a coherent image. As a human being needs a perspective for his life, he is in need of a narrative which he can transform into his own story of life. This process helps him to balance the inner and the outer world. 'In the same way as a human being, driven by his eccentric structure, attempts to conquer the world indirectly by means of the tool, he also attempts to bring indirectly under his control that part of the world which is invincible, by means of the projection.'\textsuperscript{57} One could think of hu-

\textsuperscript{55} See, e.g., the reasoning of the Constitutional Court in South Africa, rejecting capital punishment because the right to life and human dignity protect everyone, even the most detestable human being, and—although opinions polls opted for continuation of capital punishment—the Constitutional Court as an independent arbitrator of the Constitution should not be guided by a public demand for retribution justice to be imposed on murderers, which only the death sentence can meet. Constitutional Court CCT/3/94 State v. T. Makwanyane and M. Mchunu, 6 June 1995, para. 144-146.

\textsuperscript{56} Such is very often not the case, not even in established, affluent societies, as is shown in a thorough analysis of communication in the court-room. 'Analysis of the interrogation phase shows that the defendant is prevented from telling his/her own story. He/she is forced to agree with already recorded facts and to resign him/herself to his/her guilt and the immorality of his/her actions.' Bal, P., *Draaikommunikatie in de rechtszaal*. Een onderzoek naar de verbale interactie tussen rechter en verdachte tijdens de strafzitting van de politierechter, Gouda Quint, Arnhem, 1988, p. 258 (Dissertation).

\textsuperscript{57} Sierksma, F., *De religieuze projectie*. Een antropologische en psychologische studie over de projectie-verschijnse-
man life as a narrative\textsuperscript{58}; the life of an individual human being is a developing narrative.\textsuperscript{59} As a consequence, a child should be able to write and read his own story and be permitted to tell his own story.

Growing up is a life-long process and the task of every human being. Traditions provide answers to the question of how to fulfil this task. They offer an image of an authentic human being. Such an image applies equally to all human beings, irrespective of age. This image of man, a prototype, is not utopian. It is a story which has to work, which has to become reality. Such an image can help a human being grow up, become full-grown, an authentic human being.

Adulthood, being full-grown can be defined in three ways. Reaching \textit{biological maturity}, is the result of a natural process which occurs by itself, as long as the child is well nourished, exercises himself and learns to feed and care for himself. Reaching \textit{legal maturity} means reaching a certain age fixed by law or other authority. The age of maturity is set by society and depends on cultural and economic factors. In order to be legally competent to participate in society, a person must have reached the age of maturity, called majority. Reaching \textit{spiritual maturity} is not the result of an automatic process nor has it much to do with age. It is here that an image or prototype of an authentic human being can work. A person must be taught how to live as an authentic human being. There has to be a clear explanation of human conditions; of the working of cause and effect in feelings, thoughts and acts; and, the means to self-knowledge.\textsuperscript{60}

The cultural traditions possess a great variety of answers. It is noteworthy that education is not a special or exclusive case for children, but is directed towards all the members of the community, including children. No matter how varied in form and style, the traditions always point to the image of a worthy human being, underlining respect, dignity or holiness of (human) life. Although considered as universal in essence, the uniqueness of every human being is recognised. Therefore, in the teachings of the traditions a variety of methods was used, which related to the capabilities of the pupils. In general, the traditions demanded a serious and honest approach, a disciplined attitude. Such discipline included the insight that true freedom was inexpressible. Therefore, being silent was one of the means and results of a disciplined life.\textsuperscript{61} This attitude of life did not exclude relaxation. Relief was, however, not an end in itself, but considered to be a natural part of the effort to live a disciplined life as a human being.

The traditions offered valuable answers to the fundamental human questions. However, the lesson taught by religious traditions is that even the best story of the most perfect human being does not guarantee a safe and peaceful life in the world. This is not because people are unable to attain this ultimate goal of perfectness, but because in most religions there is a tendency to draw others into one’s religion. This tendency towards conversion creates tension, at least between those who are already convinced believers, and those who are not (yet) convinced, but should be. This practice turns experiences into convictions and convictions into dogmas, which must be propagated or at least defended. Most religions have developed the claim to be world religions, which means that they claim universal applicability, and a defence of universal values. All traditions started in a certain culture which usually envisaged a certain race or ethnic group for their teachings. Their development reveals two means of overcoming crises in their system of values: regression or modernisation. The former refers to orthodoxy or fundamentalism, the latter to universal applicability to all human beings.62

In general, the inclination to convince is stronger than the tendency to invite human beings to search freely for themselves. As a result, human beings can knot because the story in which they are grown up has lost its credibility, while they cannot yet let it loose. They are stuck, because they seek new forms of sense in vain, or because they have not succeeded in integrating a variety of stories, belonging to the various frame-works in which they act, speak and think.63

The need for human values as rights

The values of the great traditions are hardly visible in the current situation of humankind, which shows a lack of respect for children; a lack of life-orientation or consistency in values to be transmitted; and, extreme transgressions which are harmful to children and impede their development as authentic human beings. Authentic is defined as: not relying on institutional decisions and answers; being self-reliant; being a complete and perfect human being; showing respect, loving-kindness, compassion with others; living in attentiveness and equanimity; and, regarding others as competent human beings... just as the prototypes of the great traditions show.

These values should be vivified. However, the attempts to achieve this goal based on strategies, of either regression or modernisation yield only limited results. One of the reasons for these limited results is that as soon as an idea or attitude of life is presented in an organised form, bureaucracy takes over. The original idea becomes subordinated to the service of the bureaucracy instead of the other way around. Another reason stems from the new interdependence amongst nations-states as modern communications technologies have caused frontiers to disappear. The world of isolated nations has become a global world. All individuals, regardless of nationality or ethnicity breathe the same air, live in the same nature and walk on the same earth. Whenever something happens in one part of the world, such as a natural disaster,

pollution, war or revolution, the repercussions are felt in the other parts of the world. This is not only true for political and environmental issues, but also with respect to the economy, science and culture. In such global circumstances the relationships between nations and between human beings have to be reconsidered and revised. As all human beings are inhabitants of this global world, there is no longer space for preferential treatment exceptions or chosen peoples. The exclusivity of rights and duties which was a characteristic in the traditions, referring to a certain race, group or ‘church’ has to yield to a more global approach, in which the equality of all human beings, based on respect for human dignity, is envisaged and guaranteed. Therefore, universal human rights must be formulated. The vivification and application of such rights cannot exclude any political or religious institution, regardless of the efforts that these institutions make to modernise themselves.

In formulating human values on a new basis as human rights, the best and finest of ideas which have been developed by mankind should be used. Therefore, the various traditions should be employed as sources of inspiration. The search should be directed at the common denominator in all great traditions, to save and protect the ‘moral patrimony’ of mankind.\textsuperscript{64} One salient conviction underlies these traditions: a human being is educable, a person can become a more dignified human being; in other words, human beings can live and act non-destructively. The way in which one tries to achieve this dignified life varies with culture. When dignified life is taken as the nucleus of the new content of human rights, it becomes clear that human rights protect individuals and mankind as a whole against deterioration or becoming unworthy or inhuman. The ethical value of human rights is considered by Van Weers: ‘The importance of human rights for intra-state and inter-state relationships is more acknowledged than ever before. They form the building blocks of a modern ethos which cannot be thought away. They are the relevant worldwide principles of political humanity. Due to human rights, man is protected against abuse of power by the state and its organs. Their significance is so highly valued, that one considers them as the first-borns of the ethics of the XXIst century.’\textsuperscript{65}

The foundations of these ethics were laid after the horrendous loss of human life during the Second World War. A new form of narrative was desperately felt necessary. A new story, a secularisation of the traditional myths of normative, natural order, needed to be written in order that people live with each other, and so that states could function in an international community. Human rights, especially as formulated and developed after the Second World War, are based on the restoration of human dignity.\textsuperscript{66} Human dignity is considered to be inherent of the human person and refers to the intrinsic value of the human being. Human dignity involves a complex notion of the individual. It includes recognition of a distinct personal identity, re-


\textsuperscript{65} Weers, A. van, De rechten van de mens en de filosofie van de persoon. Betekenis en perspectieven van een grensoverschrijdende theorie, Kok Agora, Kampen, 1986, p. 7.

flecting individual autonomy and responsibility. Therefore, a human being should be treated as an end in himself not as a means. Coercion, degrading and abusive treatment are contrary to the notion of human dignity. This inherent dignity or value applies to all members of the human community as an inalienable right. Children, the poor, the weak and the sick are often called the touchstone of human dignity. They are the embodiment, indeed the incarnation, of the dignity of all people. (...) It is only when we take the vulnerable seriously that we realize the importance of the relationship between dignity and rights – for human dignity is the mythogenetic prerequisite of human rights. The basis for human rights is the right to life and respect for others. Both make up human dignity, which is a fulfilment of the task of becoming an authentic human being. This goal requires effort. It has to be learned in a life-long learning process. Yet, it is possible because man is an educable being.

The Universal Declaration adopted by the United Nations in 1948 is a catalogue of human rights, based on respect for human dignity. It contains not only the right to life, but also the right to protection from slavery, cruelty and arbitrary detention; the right to a nationality; the right to freedom of expression; the right to freedom of consciousness and religion; the right to privacy; the right to a standard of living; the right to education and to join a trade union; and, the right to equal protection under the law. The Universal Declaration is considered as the fundament to the human rights edifice. 'No one would doubt its significance as the principal articulation of the international human rights idea and the authoritative enumeration of universally recognized human rights. As such, its contribution to the enforcement of human rights is unquestionable and unparalleled. The Universal Declaration has been the principal conduit for bringing the idea of human rights into life of many nations: it is expressly referred to in state constitutions; its provisions are adopted or adapted in others. It is the source of numerous international covenants and conventions. It is commonly and universally invoked as a standard of justice and freedom. It ranks within the U.N. Charter as one of the most celebrated and respected international instruments of our time.'

Human rights help to make life livable. They help to protect a human being against others, especially the state. When human rights are considered as codified human values, they also affect the relationships between people; they must respect each others' rights. This respect, however, will only be possible if such human values do not have to be enforced by authority, but instead are considered as self-evident. As a result, the respect of the very basic human rights is an act of spontaneous recognition of human dignity. Such human values are supposed to be internalised in every human being. This process requires that children have the opportunity to experience such values and meet people who having lived them in their daily life can serve as living examples.

The need for a broad approach to human values and the respect of human rights is deeply felt and expressed by leaders of a nation: ‘Our society shows a tendency to clearly mark out and precisely define responsibilities. But it is not only a question of laws and precisely defined rights and duties. Above all the point that matters is the attitude of human beings to each other. Even when it is not a matter of obligations according to contracts and law, people can still be responsible. In voluntary care and attention for others is the cement that keeps the society together. Neither the market with its value system expressed in money, nor the regulations of the government can sufficiently assure the quality of existence. The question is, finally, whether human beings are prepared to bear and support each other. (...) It has to be assured that young generations get new chances to take their own responsibility for the future. Of the older human beings it may be expected that they set an example for the younger generation of tolerance and respect for fellow-men, nature and things of value. Such an attitude is not only necessary in our own environment. Even far away problems have become very near and concern us. No man can live for himself alone.’

Traditions related to human rights
In solemnly writing down what should be self-evident, human values are caught in words. There is a risk that the values expressed are limited by the words themselves. The human rights in the Universal Declaration and other international instruments are then like framed paintings. They should become living witnesses, spontaneous life, as is shown by this story:

It was told that the painter Paul Cezanne lived for thirty-five years in ignorance and created masterpieces which he often gave to his neighbours, who did not know what they got. He was so totally absorbed in his work, that he had no thought of recognition or appreciation. Even less he would think that he once would be called the father of the modern art. He owed his fame to an art-dealer in Paris who happened to see his paintings, collected them and presented the first Cezanne-exhibition. There was a strong amazement that a great master had been at work.

But likewise the master was amazed. He entered the exhibition-hall, leaning on his son's arm and could hardly hide his amazement when he saw all his paintings suspended. He turned to his son and said: ‘Look, they have framed them!’

Almost fifty years after the Universal Declaration was proclaimed, human rights risk being framed in diplomatic and juridical disputes. Yet, they can only have a function when they become a living story, a narrative which is supported, believed and experienced by as many human beings as possible. The story of human rights was started by people who were unsatisfied by their contemporary narratives. They told the story of the French Revolution and proclaimed freedom, equality and broth-

erhood. In the New World of North America, a similar need was felt and led to the Declaration of Independence, with the words: 'We hold these truths to be self-evident'.

Nowadays again, deep worry about the world situation is expressed. Laszlo, concerned about the meagre results of the Report by the Club of Rome, Limits to Growth, presented in 1972, writes: 'Many great thinkers see our civilization as materially and spiritually on the wrong course. They seek for a spiritual change through education and religion leading to reawakening of our sense of common human compassion. Our moral awareness has clearly not kept up with our material progress in recent centuries.' He delineates values for a global age and states: 'That the perennial wisdom of the great religions, of great artists and great humanists is needed to complement the technical expertise of the sciences because human beings and societies are, and always will be, far more than an assemblage of processes that can be reduced to scientifically determinable "facts".' The ground rules for the orientation of human aspiration must not constitute constraints, but serve as centres of aspiration, based on universal values which permit alternative pathways of achievement. 'Truly universal values do exist. They lie at the core of all the major religions and our most noble cultural traditions. (...) They have fostered social union and amity between people for countless generations, inspired great works of art, and continue to underscore our highest aspirations. Today's world would indeed benefit from a profound affirmation of these essential spiritual truths. The application of such values today involves rising above the religious dogmas, political ideologies and national allegiances which bitterly divide the world. It entails restating the fundamental truths that lie behind all religions, philosophies and traditions."

In all these attempts to formulate general human values as human rights, a political context was of course embodied in the final result to be achieved and presented. As a result, the formulations of human rights are the outcome of political struggle and reflect the compromises and diplomacy. Nevertheless, the formulation of human rights was related to the values already present in different traditions, because the people involved in the drafting process had their different backgrounds and beliefs. Traditions have always inspired people to put their beliefs into practice and to attempt to achieve the best possible result.

Human rights should be related to different traditions for yet another reason. As the Universal Declaration proclaims in its title, human rights are considered to be applicable all over the world, to every human situation. This means that whatever culture one is living in, human rights are accepted either as part or fundamentals of culture or as a framework which has to be accepted as well.

In the relation between great traditions and human rights, an interesting question is to what extent these world religions have contributed or impeded human rights. Several attempts have been made in scientific meetings to provide for an exchange of views by representatives of different religious traditions. The underlying idea was

that the Universal Declaration proclaimed tolerance among nations and among beliefs. Serious exchanges took place which revealed a lack of knowledge with respect to other religious systems. Another result of these meetings was the discovery of the difficulties related to a profound understanding of other religious traditions, as there was always the tendency to compare one’s own system, and also because larger reference frameworks were lacking. A third point was the view of these different traditions on the significance of human rights and their various interpretations.74

The eagerness to come to universal solutions often neglects serious differences in the approach to the facts of life, and in the approach of human rights themselves. Speaking for most Asian philosophers, Hajime Nkamura commented: ‘We don’t usually speak of rights in our tradition’,75 a reference to the dominant concept of duties in for example, the Hindu and Confucian traditions, or the insight in the law of cause and effect in the Buddhist traditions.

The acceptance of human rights attains an extra dimension with regard to the right to religious liberty.76 This right involves various questions, such as the interrelations between the nation-state, the dominant religion and other traditions; and also, the acceptance of the individual’s decision to change from one religion to another or none at all.77 One of the elements which throughout history has played a crucial role in the interrelations of the great traditions is their attitude towards tolerance of other traditions and towards people living other traditions. ‘At all times there have been groups, which have permitted the individual complete freedom of expression, as long as he was prepared to subject himself to taboos, conventions, ceremonies, which were considered indispensable for the existence of the group. This tolerant attitude did not exclude members of such groups from knowing fundamentalism.78 In fact it is the freedom of expression within the traditions, which is an indication for the degree of tolerance towards others. Luijpen notes with a sharp eye: ‘A philosophy does not fail by what it says, but by what it, in speaking, clandestinely eliminates.’79 Speaking about tolerance and fundamentalism, Leertouwer points to the fact that the latter presupposes a sacred text, which serves as an artificial memory of a religious tradition. Not all traditions seek to safeguard their continuity by relying on the infallibility of the literal texts, evolving resistance to modernity or creative interpretation based on thorough study. The consequences of book-based traditions should be studied more with respect to the worldviews and communication actions of their followers.80

The urgency of tolerance towards others has become apparent by the interdependence of the world situation, as described by Hauer: ‘Die Aktualität des Problems

77. Little, D., J. Kelsay, A. Sachedina, Human rights and the conflict of cultures. Western and Islamic perspectives on religious liberty, University of South Carolina, Columbia, 1988.
der Toleranz ist durch die geschichtlichen Ereignisse seit dem Beginn der Epoche der Weltkriege immer offensichtlicher geworden, sowohl im sozio-politische wie im kulturell-geistigen Bereich. Letzlich geht es hier ja nicht nur um biotische und ökonomische Mächte, sondern tiefer gesehen auch um Weltanschauungen. Mis pelblom Meyer discerns that the capability of tolerance is based on two aspects. One aspect of tolerance is the question of truth; tolerance requires a critical capability to consider a different view and also to consider one's own opinion critically, without losing one's basic conviction and recurring to scepticism. The other aspect of tolerance is related to the other human being. Tolerance requires patience, i.e. the capability to sustain the other in his opinions and acts, without becoming weak or indulgent or interfering illicitly. The latter points to the inner force, which is necessary for knowing how one has to behave, and at the same time to show respect and understanding for one's fellow human being.

A broad approach takes Mensching, when he not only considers tolerance and intolerance in popular and world religions, but also points to prophetic intolerance, the intolerance of the sacral organisation; and, the mythical, rationalistic and political forms of tolerance. The motives of intolerance have to be sought in the desire for unity, the craving for power, and the mission for truth. He also discusses the postulates of tolerance, namely truth and symbols, the unity of religions, and the plurality of life fulfilment. Science of religion can be helpful in discerning similarities. ‘Die vergleichende Religionsforschung offenbart Intoleranz als ein typisches Phänomen mit parallelen religiösen Voraussetzungen in den verschiedenen Religionen der Welt, sie zeigt aber auch die tiefe Einheit der Religionen und des religiösen Lebens und Denkens bei all der Divergenz der jeweiligen Lebenssitze der einzelnen Religionen. (...) Der religiöse Mensch, der dem Stadium naiver Unreflektiertheit entwachsen ist und jene objektiven geschichtlichen Sachverhalte kennengelernt hat, sollte sich hinsichtlich der “Wahrheit” der Religion zur Toleranz kommen, ohne darum den eigenen religiösen Standort aufzugeben.’

Human rights are based on human dignity, which in turn is based on acceptance by others and respect for others. The keyword to realise tolerant reciprocal conditions is inner force or discipline. ‘Respect for each other and our life environment begins with not to hinder, not to pollute, not to destroy. Tolerance indeed requires human beings to feel themselves bound by norms. Tolerance which wants that everything is possible, that everything is allowed, that no limits are set, finally leads to intolerance, to injustice to others, to tyranny. (...) Respect for others demands permanent attention and effort. It requires breaking through walls of indifference and conquering feelings of hatred. Just as peoples have to resist tyranny from the outside, so does it apply to every human being that true freedom is only possible after inner liberation.’

The willingness to open up one’s tradition to others and, even more, show interest in the beliefs and practices of others; the need for such conferences and for permanent dialogue seems to be more real than ever before, as the interpretations of the

traditions take on destructive and popular forms, which are contradictory to the original or authentic texts. Thorough comparative studies could bring some enlightenment.

The idea of thorough studies has been the concern of Unesco, throughout its activities. In 1947 Unesco attempted to support the formulation of the Universal Declaration by collecting views of various experts on the general and detailed problems of human rights, among which the value of objective information was noted. At the twentieth anniversary of the Universal Declaration an anthology collected all kinds of testimonies from various cultures reflecting the spirit of human rights. The abundance of contributions and their essential similarity has struck the scientists involved. In 1979, the Unesco’s Division of Human Rights and Peace organised a Meeting of Experts in Bangkok on the Place of Human Rights in Cultural and Religious Traditions. Nine major schools of religious thought were studied, also in relation to the United Nations Draft Declaration on the Elimination of All Forms of Religious Intolerance. This Declaration is the only visible activity of the United Nations in this field until now. No new international conferences have been organised with respect to this issue.

A further elaboration within Unesco took place by inviting scholars from various parts of the world to reflect and react on a working document: Prolegomena to a study of human rights from the standpoint of the international community. Ricoeur comments on the contributions and agrees that ‘the moral message of documents like the Universal Declaration of Human Rights goes beyond the conceptual terms in which it was first formulated.’ Apart from the reason for seeking new terms and a broader basis for the message, a new philosophical basis for human rights seems also needed as new rights, namely cultural and social rights have been added. These rights include ‘the right to work, the right to a guaranteed income, to equal opportunity in education and to reliable information.’ When these rights are confronted with the real situation there is reason for dissatisfaction which dissolves all conflicting interpretations. ‘We must return to the underlying reality, which is man’s suffering over the millennia. What varies is the form of human protest, the modes in which his universal demand for respect has been expressed.’

Human suffering takes many different forms, visible and invisible. It takes place witnessed by the many, and in the loneliness of the heart. Children are not exempted from the human suffering which lies in the resistance against the change of life itself, but they should be exempted from all the suffering caused by others, at home, in the street, in schools and elsewhere, which is due to a lack of respect for the child’s human dignity.

88. UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, GA 36/55, 25 November 1981.
Respect for life and respect for others are the base for human dignity. This respectful attitude places the child in the heritage of the great traditions. A life based on respect for human rights allows the possibility of becoming an authentic human being. This way of life has to be taught, human rights have to be learned. Information is indispensable to this learning process. A right to information would guarantee access of such information and thereby safeguard the respect for human rights.