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# A Bahá'í Perspective on International Human Rights Law

Brian D. Lepard  
University of Nebraska

Brian D. Lepard is Law Alumni Professor of Law at the University of Nebraska College of Law, where he teaches courses on international human rights law and comparative law, among other subjects. He worked for three years as a human rights specialist at the United Nations Office of the Bahá'í International Community. Professor Lepard has written numerous books and articles on international law, comparative law, human rights, world religions, and ethics. Additional information about him can be found at <http://law.unl.edu/facstaff/faculty/resident/blepard.shtml>.

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## Introduction

Historians generally agree that one of the great achievements of the twentieth century was the establishment of global standards for human rights and international machinery to monitor human rights violations, to encourage compliance by governments with these standards, and to ensure that there is no safe haven for criminals who commit the gravest atrocities against their fellow human beings. The centerpieces of this system are the U.N. Charter, adopted on June 26, 1945, and the Universal Declaration of Human Rights, adopted by the U.N. General Assembly on December 10, 1948. The Universal Declaration affirms in its preamble that it is intended to serve as a “common standard of achievement for all peoples and all nations.”<sup>1</sup> Prior to the adoption of the U.N. Charter and the Universal Declaration governments had been hesitant to recognize that all human beings have certain inalienable rights; instead, the rights of individuals, with a few exceptions, such as rights of women and children not to be exploited, were viewed as primarily a domestic concern.

Remarkably, nearly eighty years before the adoption of the Universal Declaration, Bahá'u'lláh, the Prophet-Founder of the Bahá'í Faith, called for global agreement on human rights protections. He taught, according to his eldest son 'Abdu'l-Bahá, who was the authorized interpreter of his teachings, that an “equal standard of human rights must be recognized and adopted.”<sup>2</sup> He insisted that governments protect the human rights of their populations and ensure their welfare. And most revolutionarily, he urged global leaders to establish a world commonwealth, one of whose primary purposes would be to safeguard human rights, and which would include a system of collective security to protect populations against tyranny and oppression.

In this chapter I will first review the evolution of the modern “secular” system of international human rights law and some of its evident limitations. I will then highlight certain key principles in the Bahá'í Writings relevant to international human rights law and explore the implications of these principles for the reform of the contemporary legal human rights order.

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<sup>1</sup> Universal Declaration, preamble.

<sup>2</sup> 'Abdu'l-Bahá, *The Promulgation of Universal Peace*, 182.

## The Contemporary System of International Human Rights Law

The modern system of international human rights law is anchored in the 1948 Universal Declaration of Human Rights. Yet the concept of universal human rights has much earlier roots. It found nascent expression in the teachings of various world religions, such as Hinduism, Buddhism, Judaism, Christianity, and Islam. These religions all expressed ideals concerning equal human dignity, employing various images – whether of “oneness” or of membership in a single human family – to convey this spiritual truth.<sup>3</sup> Yet they did not explicitly recognize the concept of rights flowing from this dignity that could be claimed against governments, nor the need for international protections of rights.

Beginning in the seventeenth century, European political philosophers such as John Locke began to work out more comprehensive philosophical theories of individual rights.<sup>4</sup> Later, governments entered into treaties to help regulate warfare in the interest of protecting the injured, the sick, and civilians, including the 1864 Geneva Convention and the Hague Conventions of 1899 and 1907. The League of Nations Covenant in 1919 did not recognize the concept of universal human rights, but did contain references to obligations to help secure fair and humane conditions of labor and to help prevent trafficking in women and children. It also required governments serving as “mandatories” of former colonies to treat the native inhabitants justly and protect some of their rights, including a right to religious freedom.<sup>5</sup> The League of Nations also established a system of treaties for the protection of minority rights.<sup>6</sup> These treaties were all aimed at particular human rights abuses and did not recognize the concept of universal rights.

The adoption of the U.N. Charter in 1945 was thus a milestone in the recognition of universal human rights. The Charter declares that one of its principal objectives is to “reaffirm faith in fundamental human rights, in the dignity and worth of the human person, [and] in the equal rights of men and women.”<sup>7</sup> It also obligates member states of the U.N. to take joint and separate action in cooperation with the U.N. to help it promote “universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.”<sup>8</sup> Three years later the U.N. General Assembly approved the Universal Declaration

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<sup>3</sup> For example, the Bhagavad-Gita of Hinduism teaches that the self of the disciplined person should become “one with” the self of all beings (5:7), while the Hebrew Scriptures assert, “Have we not all one Father? Did not one God create us?” (Malachi 2:10). For a more detailed review of these religious teachings, see Lepard, *Hope for a Global Ethic*, 23-31, 65-80.

<sup>4</sup> See, e.g., Locke, *Two Treatises of Government*.

<sup>5</sup> See League of Nations Covenant, arts. 22-23.

<sup>6</sup> See, e.g., Thornberry, *International Law and the Rights of Minorities*, 38-54.

<sup>7</sup> U.N. Charter, Preamble.

<sup>8</sup> *Ibid.*, arts. 55, 56.

of Human Rights, which declares in Article 1 that “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.”<sup>9</sup> It goes on to affirm that everyone has certain particular human rights, including, among others, the right to life, liberty and security of person, the right to be free of torture, the right to freedom of religion or belief, the right to work, and the right to a minimum standard of living adequate for one’s health and well-being.<sup>10</sup> Rights to life and liberty are often described as “civil and political rights,” while those involving economic and social well-being are referred to as “economic, social, and cultural rights.” The legal status of the Universal Declaration remains murky, in part because it is a U.N. General Assembly resolution, which is formally only a recommendation to member states.<sup>11</sup> Nevertheless, many scholars, including myself, have argued that parts or all of the Universal Declaration have now become part of customary international law, which generally binds all states.<sup>12</sup> Treaties, on the other hand, bind only those governments that have ratified them.<sup>13</sup>

The framers of the U.N. Charter envisaged that a declaration would be accompanied by a legally binding treaty and measures of implementation, but the Cold War dramatically slowed work on these latter documents. Moreover, Cold War divergences of opinion led to the decision to create two treaties, one on civil and political rights and the other on economic, social, and cultural rights. These were adopted in 1966 as the International Covenant on Civil and Political Rights (“ICCPR”) and International Covenant on Economic, Social and Cultural Rights (“ICESCR”). As of November 30, 2012, 167 states had ratified the former and 160 states had ratified the latter.<sup>14</sup> These two covenants are the legal underpinnings of the U.N. human rights system, operating in tandem with the Universal Declaration. The U.N. has in the last fifty-odd years adopted scores of additional declarations and treaties addressing particular types of discrimination or particular categories of human rights victims, including the 1966 International Convention on the Elimination of All Forms of Racial Discrimination, the 1979 Convention on the Elimination of All Forms of Discrimination Against Women, the 1989 Convention on the Rights of the Child, and the 2006 Convention on the Rights of Persons with Disabilities.<sup>15</sup>

The U.N. has established a variety of intergovernmental and expert bodies to supervise the implementation of human rights norms, beginning with the U.N. Commission on Human Rights, whose creation was called for by the U.N. Charter itself and which drafted the Universal Declaration under the chairmanship of Eleanor Roosevelt. In 2006 the Commission was

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<sup>9</sup> Universal Declaration, art. 1.

<sup>10</sup> See *ibid.*, arts. 3, 5, 18, 23, and 25.

<sup>11</sup> See U.N. Charter, art. 10.

<sup>12</sup> See generally LePard, *Customary International Law*, 318-27.

<sup>13</sup> See Vienna Convention, arts. 2(1)(a), 26.

<sup>14</sup> See <http://treaties.un.org>.

<sup>15</sup> See generally *ibid.*

replaced by the U.N. Human Rights Council, a move intended to give human rights greater prominence in the work of the U.N. The Council has adopted resolutions on a number of situations.<sup>16</sup> The U.N. General Assembly itself has adopted resolutions on certain human rights situations and on the human rights problems in particular countries, such as Iran.<sup>17</sup> These bodies have often appointed independent experts to conduct impartial studies of human rights violations, though their work has frequently been undermined by recalcitrant governments.

In 1993 the U.N. created the post of U.N. High Commissioner on Human Rights as a focal point for efforts to coordinate the multifarious human rights activities of the U.N. and its organs and to encourage, if not prod, governments to improve their human rights practices.<sup>18</sup> It is also more common now for the U.N. Secretary-General himself to make human rights appeals to governments.

Furthermore, each human rights treaty adopted under U.N. auspices has established a body of independent experts to monitor the compliance of states parties with the human rights obligations enshrined in the treaty. For example, the ICCPR is monitored by a body known as the “Human Rights Committee.”<sup>19</sup> In some cases these bodies are empowered to hear complaints by individual human rights victims and issue views on the appropriate resolution of these complaints.<sup>20</sup> Nevertheless, these views are formally recommendations and these supervisory bodies are not courts. Their observations and conclusions are not legally binding on the governments concerned. In fact, there is no human rights court with global jurisdiction; even the International Court of Justice can only hear contentious cases brought by states, not by individuals.<sup>21</sup>

Meanwhile, regional organizations, including the Council of Europe and the Organization of American States (OAS), have adopted their own human rights declarations and treaties. The Council of Europe, for example, approved the European Convention on Human Rights in 1950, which in turn established a European Court of Human Rights.<sup>22</sup> That court has steadily grown in stature and has now become virtually the supreme court of Europe on human rights matters. The OAS adopted the American Convention on Human Rights in 1969, and also has established an Inter-American Court of Human Rights.<sup>23</sup>

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<sup>16</sup> On the Human Rights Council, see generally <http://www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx>.

<sup>17</sup> See, e.g., G.A. Res. 66/175 (2011) (on the situation of human rights in the Islamic Republic of Iran).

<sup>18</sup> See generally <http://www.ohchr.org>.

<sup>19</sup> See ICCPR, arts. 28-45.

<sup>20</sup> See, e.g., ICCPR Optional Protocol.

<sup>21</sup> See I.C.J. Statute, art. 34.

<sup>22</sup> See European Convention on Human Rights, arts. 19-51.

<sup>23</sup> See American Convention on Human Rights, arts. 33, 52-69.

All of these important initiatives, inconceivable a century ago, represent a tentative effort on the part of the international community to develop that “common standard” of human rights called for by Bahá'u'lláh and to promote universal observance of that standard. When appraised in the grand sweep of history, and contrasted with the ruthless human rights atrocities that were practiced routinely by governments with little or no condemnation from their peers before the advent of the U.N. Charter and Universal Declaration, the evolution of the contemporary international human rights system, including the above-mentioned expanding network of human rights treaties, is a great achievement. In the words of the Universal House, the international governing body of the Bahá'í Faith, the “more than two score declarations and conventions adopted by [the United Nations], even where governments have not been enthusiastic in their commitment, have given ordinary people a sense of a new lease on life.”<sup>24</sup> Yet this system has proved incapable of relieving the intense suffering of human rights victims around the world.

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<sup>24</sup> The Universal House of Justice, *The Promise of World Peace*, 12.

## Some Drawbacks of the Existing Global Human Rights System

Indeed, the evolving contemporary system of international human rights law suffers from a number of endemic weaknesses. One of them is that the entire system, while motivated by high moral ideals, derives from the will of governments and reflects their ambivalence about respecting individual human rights when perceived state interests are threatened. This has led to an endless series of compromises and constant tension within the system as governments attempt to deflect criticism of their human rights practices. Moreover, the system has no coherent ethical foundation, other than the basic ethical norms immanent in the Universal Declaration and related treaties. This leaves it susceptible to charges by purportedly religious governments that the system is biased towards Western secular values and lends credence to arguments that there really are no “universal” rights; according to this “relativist” view, rights necessarily vary with culture, especially religious culture.

Another problem is that the system laudably emphasizes individual rights, which are prescribed in some detail in relevant treaties, but gives less emphasis to specifying the particular duties that governments, organs of society, and indeed individuals themselves have to protect human rights. This leads to lapses in human rights protections, as it is easier for governments and social institutions to claim they have no particular duties or the relevant rights-protection duties belong to some other institution. Individuals may make the same excuse – that only governments must respect human rights and they are free to treat (or mistreat) their fellow human beings as they please.

Perhaps the most important drawback of the current system is how ineffective it has been in providing solace to human rights victims – and preventing them from becoming victims in the first place. The plain, disconcerting, truth is that every day countless human beings suffer gross human rights violations. ‘Abdu’l-Bahá himself observed that “kings and rulers have been able to control millions of human beings and have exercised that dominion with the utmost despotism and tyranny.”<sup>25</sup> Many populations are being brutally attacked and slaughtered by their own governments as well as non-governmental armed insurgent groups. Unconscionable numbers of individuals are starving to death and are deprived of the basic necessities of life. Yet individuals have few avenues of recourse to complain about human rights violations under the current system or seek remedies. There is, we have seen, no global human rights court that can respond to the pleas of individual victims. The situation is intolerable and cries out for reform.

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<sup>25</sup> ‘Abdu’l-Bahá, *The Promulgation of Universal Peace*, 276-77.



This is where Bahá'u'lláh's teachings are so relevant. I now turn to an examination of how Bahá'u'lláh's prescient teachings concerning the imperative of adopting an equal global standard of human rights, but on a divine foundation, can remedy some of these weaknesses and suggest practical legal reforms implied by these teachings. In doing so, I also sketch out a Bahá'í perspective on human rights.

# Developing a Bahá'í Perspective on Human Rights

## The Divine Basis for Human Rights

The Bahá'í Writings make clear that human rights are not merely a political or social concept that is contingent on recognition by governments. Rather, human rights exist with or without governments; indeed, they are a divine endowment flowing from the creation of all human beings with the potential to reflect the attributes of God. All human beings have for this reason an equal spiritual dignity. Bahá'u'lláh's teaching of a divinely ordained equal human dignity is expressed in this Hidden Word: "O Children of Men! Know ye not why We created you all from the same dust? That no one should exalt himself over the other. Ponder at all times in your hearts how ye were created."<sup>26</sup> Governments accordingly have a moral obligation to respect this divine endowment, an obligation that would exist even in the absence of treaties or customary legal norms obligating them to do so. Bahá'u'lláh impressed upon rulers this sacred duty: "For is it not your clear duty to restrain the tyranny of the oppressor, and to deal equitably with your subjects, that your high sense of justice may be fully demonstrated to all mankind? God hath committed into your hands the reins of the government of the people, that ye may rule with justice over them, safeguard the rights of the down-trodden, and punish the wrong-doers."<sup>27</sup> These are divinely-ordained responsibilities that no government can legitimately shirk.

## Human Rights Are Anchored in the Unity of the Family

Bahá'u'lláh also teaches that because of our equal spiritual dignity we are all members of a single human family that ought to be unified. This means we ought to treat one another as brothers and sisters, and in turn honor and respect the rights of all other human beings, not only as co-equals, but as spiritual relatives. He declares, "Ye are the fruits of one tree, and the leaves of one branch."<sup>28</sup> Recognition of this fundamental connectedness is a precondition, according to the Bahá'í teachings, for the full realization of human rights. Bahá'u'lláh asserts in this connection: "The well-being of mankind, its peace and security, are unattainable unless and until its unity is firmly established."<sup>29</sup> Human rights will remain no more than a morally admirable concept so long as they are not anchored in such an appreciation for human unity. That unity provides the impetus, the motivation, the will, to uphold and defend the rights of others. And it implies that human rights are the concern of everyone, not just governments. We all must do our part to help others enjoy their rights; indeed, Bahá'u'lláh counsels each one of

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<sup>26</sup> Bahá'u'lláh, *The Hidden Words* (Arabic), no. 68.

<sup>27</sup> Bahá'u'lláh, *Gleanings*, 247.

<sup>28</sup> *Ibid.*, 218.

<sup>29</sup> *Ibid.*, 286.

us to be “an upholder and defender of the victim of oppression,”<sup>30</sup> and ‘Abdu’l-Bahá says we must “have regard for the rights of others.”<sup>31</sup>

### Equality in Diversity

Another key teaching of Bahá'u'lláh related to international human rights law is that all human beings should enjoy equal rights without discrimination based on religion, belief, race, nationality, sex, class, degree of civilization, or any other distinguishing characteristic. Yet Bahá'u'lláh also teaches that diversity among human beings is to be valued and respected as part of the divine creation. In the *Kitáb-i-Aqdas*, his Book of Laws, Bahá'u'lláh declared: “Let no man exalt himself above another; all are but bondslaves before the Lord, and all exemplify the truth that there is none other God but Him.”<sup>32</sup> ‘Abdu’l-Bahá explained further that “prince, peer and peasant alike have equal rights to just treatment.”<sup>33</sup>

Bahá'u'lláh taught the full equality of women and men and swept away age-old doctrines asserting the superiority of the male sex. He declared: “Women and men have been and always will be equal in the sight of God.”<sup>34</sup> ‘Abdu’l-Bahá, elaborating on these teachings, likened men and women to two wings of bird, which must be perfectly balanced and work harmoniously in order for the bird to soar aloft: “The world of humanity possesses two wings: man and woman. If one wing remains incapable and defective, it will restrict the power of the other, and full flight will be impossible. Therefore, the completeness and perfection of the human world are dependent upon the equal development of these two wings.”<sup>35</sup> ‘Abdu’l-Bahá pointed out that Bahá'u'lláh “made woman respected by commanding that all women be educated, that there be no difference in the education of the two sexes and that man and woman share the same rights. In the estimation of God there is no distinction of sex.”<sup>36</sup>

Importantly, the Bahá'í Writings give preference to the education of women, because, in the words of ‘Abdu’l-Bahá, they will be mothers and therefore they must be “capably trained in order to educate both sons and daughters.”<sup>37</sup> They also declare that world peace will be unattainable unless women rise to positions of leadership in the world: “When women participate fully and equally in the affairs of the world, when they enter confidently and capably the great arena of laws and politics, war will cease.”<sup>38</sup>

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<sup>30</sup> Ibid., 285.

<sup>31</sup> ‘Abdu’l-Bahá, *The Secret of Divine Civilization*, 40.

<sup>32</sup> Bahá'u'lláh, *The Kitáb-i-Aqdas*, 45, K72.

<sup>33</sup> ‘Abdu’l-Bahá, *Paris Talks*, 197.

<sup>34</sup> Bahá'u'lláh, in *The Compilation of Compilations*, 379.

<sup>35</sup> ‘Abdu’l-Bahá, *The Promulgation of Universal Peace*, 318.

<sup>36</sup> Ibid., 166.

<sup>37</sup> Ibid., 175.

<sup>38</sup> Ibid., 135.

Bahá'u'lláh furthermore specifically forbade any discrimination based on race, proclaiming, “Close your eyes to racial differences, and welcome all with the light of oneness.”<sup>39</sup> He abolished the institution of slavery.<sup>40</sup> ‘Abdu'l-Bahá expanded upon Bahá'u'lláh's principle of racial equality, declaring that “there are no whites and blacks before God. All colors are one, and that is the color of servitude to God. . . . Strive jointly to make extraordinary progress and mix together completely.”<sup>41</sup>

Bahá'u'lláh also sought to eradicate every form of prejudice based on religion or belief, and exhorted people of all faiths to “consort with the followers of all religions in a spirit of friendliness and fellowship.”<sup>42</sup> He prohibited religious fanaticism, warning that “religious fanaticism and hatred are a world-devouring fire, whose violence none can quench.”<sup>43</sup>

Bahá'u'lláh taught, in fact, that all the major prophets are educators sent by one God to enlighten humanity – including Krishna, the Buddha, Zoroaster, Abraham, Moses, Christ, Muhammad, and in our days, the Báb and Bahá'u'lláh. He explained that each prophet renewed timeless spiritual truths, while also bringing social laws and principles adapted to the special needs of the age in which he appeared. This means, in the Bahá'í view, that all these religions are in fact part of one unfolding divine revelation – another reason that their followers should treat one another with respect and love. And each prophet brought a message of love and reconciliation, including among people of different faiths. For this reason, ‘Abdu'l-Bahá emphasizes, “religious prejudice is especially opposed to the will and command of God.”<sup>44</sup>

Moreover, Bahá'u'lláh unequivocally upheld a principle of full freedom of conscience and belief. In the words of ‘Abdu'l-Bahá, “just as in the world of politics there is need for free thought, likewise in the world of religion there should be the right of unrestricted individual belief.”<sup>45</sup>

The Baha'i Writings also call for the elimination of social and economic prejudice and for the granting of full rights to economic subsistence to all human beings. According to ‘Abdu'l-Bahá, “Every human being has the right to live; they have a right to rest, and to a certain amount of well-being. As a rich man is able to live in his palace surrounded by luxury and the greatest comfort, so should a poor man be able to have the necessaries of life. Nobody should die of

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<sup>39</sup> Quoted in Shoghi Effendi, *The Advent of Divine Justice*, 31.

<sup>40</sup> See Bahá'u'lláh, *The Kitáb-i-Aqdas*, 45, K72.

<sup>41</sup> ‘Abdu'l-Bahá, *Promulgation of Universal Peace*, 44-46.

<sup>42</sup> Bahá'u'lláh, *Tablets of Bahá'u'lláh*, 22.

<sup>43</sup> Bahá'u'lláh, *Gleanings*, 288.

<sup>44</sup> ‘Abdu'l-Bahá, *The Promulgation of Universal Peace*, 316.

<sup>45</sup> *Ibid.*, 197.

hunger; everybody should have sufficient clothing; one man should not live in excess while another has no possible means of existence.”<sup>46</sup>

### The Responsibility of Governments to Protect Human Rights

As already noted, Bahá'u'lláh emphatically called upon government leaders to recognize that they exercise power as part of a divine trust and must ensure full respect for the human rights of their citizens. He also advised, “O ye the elected representatives of the people in every land! Take ye counsel together, and let your concern be only for that which profiteth mankind, and bettereth the condition thereof.”<sup>47</sup>

‘Abdu’l-Bahá said that governments must ensure “the free exercise of the individual’s rights, and the security of his person and property.”<sup>48</sup> He also clarified that governments could not treat human rights violators with kindness; instead they must be dealt with justly, and punished, for the protection of the community and their own moral reform: “Kindness cannot be shown the tyrant, the deceiver, or the thief, because, far from awakening them to the error of their ways, it maketh them to continue in their perversity as before.”<sup>49</sup> In short, the Bahá'í Writings do not permit governments to avoid, through any type of excuse, their sacred obligations to ensure the human rights of all their people and prosecute human rights violators.

### Empowerment of Individuals Through Moral Education

Bahá'u'lláh not only taught that a common standard of human rights must be adopted and enforced by governments, but also indicated the means by which this standard can be realized. Most importantly, he emphasized moral education. Bahá'u'lláh affirms, “Regard man as a mine rich in gems of inestimable value. Education can, alone, cause it to reveal its treasures, and enable mankind to benefit therefrom.”<sup>50</sup> Through education that is grounded in the spiritual truth of human oneness, children, youth, and adults can learn to become advocates for the rights of every other member of the global human family.

Moreover, moral education can help individuals learn to demand respect for their own rights. In this connection, ‘Abdu’l-Bahá indicates that when ordinary people become educated they will have the self-respect to insist that their rights be honored, including by bringing appropriate legal actions:

Close investigation will show that the primary cause of oppression and injustice, of unrighteousness, irregularity and disorder, is the people’s lack of religious faith and the

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<sup>46</sup> ‘Abdu’l-Bahá, *Paris Talks*, 167.

<sup>47</sup> Bahá'u'lláh, *Gleanings*, 254.

<sup>48</sup> ‘Abdu’l-Bahá, *The Secret of Divine Civilization*, 115.

<sup>49</sup> ‘Abdu’l-Bahá, *Selections from the Writings of ‘Abdu’l-Bahá*, no. 138.1.

<sup>50</sup> Bahá'u'lláh, *Gleanings*, 260.

fact that they are uneducated. When, for example, the people are genuinely religious and are literate and well-schooled, and a difficulty presents itself, they can apply to the local authorities; if they do not meet with justice and secure their rights and if they see that the conduct of the local government is incompatible with the Divine good pleasure and the king's justice, they can then take their case to higher courts and describe the deviation of the local administration from the spiritual law. Those courts can then send for the local records of the case and in this way justice will be done. At present, however, because of their inadequate schooling, most of the population lack even the vocabulary to explain what they want.<sup>51</sup>

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<sup>51</sup> 'Abdu'l-Bahá, *The Secret of Divine Civilization*, 18.

## Necessary Reforms of the Contemporary System of International Human Rights Law in Light of Bahá'í Teachings

These human rights principles have a number of important implications for how to remedy the weaknesses in the current international human rights system that I earlier identified. Many of these represent my own interpretations and understandings of how the Bahá'í teachings may help reform international human rights law.

First of all, Bahá'u'lláh's emphatic call for a global standard of human rights, coupled with His teaching of human unity, implies that notions of cultural relativism must be firmly rejected. All human beings are entitled to the same rights no matter where on the planet they happen to reside or into what culture they have been born. These rights are a divine trust and cannot be derogated from by one's culture or community. In the words of Dr. Suheil Bushrui, the "knowledge and practice of human rights must be made universal."<sup>52</sup> Calls to water down human rights protections in the name of protecting this or that culture, including religion-based culture, must be firmly rejected. The Bahá'í teachings thus fully support the Universal Declaration's goals and its assertion that human rights are, indeed, universal entitlements.

Second, we have seen that the Bahá'í teachings underscore the duty of governments to respect human rights, including through the adoption of appropriate legal protections for them in national constitutions and other laws. These laws, in turn, must protect rights recognized in uniform global human rights standards. The international human rights system needs to continue to encourage governments to strengthen their national laws relating to human rights, especially in an age in which governments seem eager to dilute these laws in the interest of protecting state "security" broadly defined.

Third, the Bahá'í Writings point to the imperative of providing legal recourse for human rights victims. 'Abdu'l-Bahá asserts that appropriate laws protecting human rights must be adopted under which individuals who believe they have been mistreated "may justly demand human rights but without resort to force and violence."<sup>53</sup> He also says that victims of human rights violations must be given legal rights to appeal their human rights violations, as we have already seen in the passage quoted above.<sup>54</sup> Indeed, this passage underlines the need to establish an effective system of administrative and judicial review of human rights complaints at the national level as well as a system of appeals courts. The global international human rights

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<sup>52</sup> Bushrui, "The Spiritual Foundations of Human Rights."

<sup>53</sup> 'Abdu'l-Bahá, *The Promulgation of Universal Peace*, 238.

<sup>54</sup> See 'Abdu'l-Bahá, *The Secret of Divine Civilization*, 18.

system must demand that governments implement these measures and continually monitor their effectiveness. It must also provide support to governments to improve their existing complaint and appeal procedures and make them more accessible to aggrieved individuals, especially those who are uneducated. Existing efforts to achieve these goals, such as those led by the Office of the U.N. High Commissioner for Human Rights, need to be strengthened and expanded.

Fourth, these same teachings strongly suggest the need to develop judicial remedies for human rights victims at the global level, so that no human being is bereft of a remedy for violations of an equal standard of human rights. An “equal standard” implies equality in implementation and remedies, and not merely equality in rights proclaimed on paper. At present, we have seen, there is no global human rights court. The International Court of Justice is empowered only to hear disputes between states, and U.N. treaty bodies cannot issue binding decisions in individual cases. A logical reform of the global international legal system would be to create a world human rights court to serve as a constitutional court of last resort for all human beings. This court could play a role similar to that played in Europe by the European Court of Human Rights. And it could be charged with fairly applying global standards like the Universal Declaration and applicable international human rights treaties. Such a court is not explicitly called for by the Bahá'í Writings, but it would appear to be in keeping with the spirit of the Bahá'í teachings on international law and human rights.

Finally, the Bahá'í teachings urge, consistent with Bahá'u'lláh's emphasis on the unity of humanity, the development of a worldwide system of enforcement of international human rights law that would coexist alongside domestic human rights enforcement mechanisms. Bahá'u'lláh exhorted world rulers to establish a global collective security system in which all nations would arise in unity to defend and protect each nation and its inhabitants from armed attacks by other nations.<sup>55</sup> Furthermore, he implied that this system might also be used to defend people who are the victims of gross human rights violations, calling upon world leaders to unite “to shield mankind from the onslaught of tyranny.”<sup>56</sup> Shoghi Effendi explained that Bahá'u'lláh's teachings call for the “establishment of a world commonwealth in which all nations, races, creeds and classes are closely and permanently united, and in which the autonomy of its state members and the personal freedom and initiative of the individuals that compose them are definitely and completely safeguarded.”<sup>57</sup>

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<sup>55</sup> See Bahá'u'lláh, *Gleanings*, 249.

<sup>56</sup> *Ibid.*

<sup>57</sup> Shoghi Effendi, *The World Order of Bahá'u'lláh*, 203.



## Conclusion

From a Bahá'í perspective the realization of the “equal standard of human rights” called for by Bahá'u'lláh will require multiple social and legal reforms that move us beyond the limitations of the existing international human rights system. It may, at the present hour, appear unlikely that world leaders will implement many of these reforms. However, the Bahá'í writings assure us that the universal enjoyment of human rights will ultimately be realized through the efforts of both citizens and leaders who recognize and are inspired to act upon the reality of the oneness of the human family.

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