

MEMORANDUM ON HUMAN RIGHTS

Presented for the International Federation
of Christian Trade-Unions

by

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Introduction

When totalitarian states assailed the rights of human personality from all sides, the defence of the rights of man were taken up.

The International Federation of Christian Trade-Unions discussed this question at its 1937 Congress at Paris, especially from the point of view of labour. One of the rapporteurs was the well-known French philosopher Jacques Maritain.

The Congress pointed out:

1. That labour which is an act of human intelligence and will and was imposed on man by the law of God as a means to achieve his destiny, should, whenever consciously performed, make possible the free development of human personality in relation both to the individual and his family as well as from a social point of view;
2. That a social conception based on the dignity of human personality and the human character of labour requires that the vocational group be organized on the basis of the right to combine which right should be restricted only by the duties of workers with respect to the commonweal; that the right to combine which is a basic claim of Christian trade-unionism does not exist in the case of legal provisions, or an actual monopoly, imposing unity trade-unions;
3. That economic life should accept labour conditions thus understood as an unrestrictable liability;
4. That human society should be organized in such a way as to

enable the worker's personality to its highest possible development and that it should respect at the same time his freedom as does God Himself, the supreme Lord of man.

In the programme which the I.F.C.T.U. adopted in 1922 at Innsbruck, and which was to be given a new form at the 1946 Congress at Amsterdam, the rights of the human person took the first place.

It was on the basis of its great respect to the human personality that the I.F.C.T.U. opposed fascism in any form, that it resisted any system which annihilated the rights of human persons and treated men like cattle, denying them any right that did not answer their driver's will.

Respect for human rights is essential for mankind.

The population of Western Europe, where the I.F.C.T.U. has the greater part of its membership, has learnt by the bitter experience of the years of occupation what it means to live in a totalitarian state: the thirst for liberty was even more intensive than hunger and famine.

The I.F.C.T.U. therefore welcomes the intention of the United Nations to proclaim human rights. It hopes that the United Nations will find means and ways for preparing an international agreement open to ratification by the Member States which are prepared to fulfill the obligations of such an agreement. An agreement of this kind should contain clauses providing for an interpretation by the International Court of Justice and state the methods for non-governmental organizations to apply to the Court whenever there is sufficient proof that in a given country the rights of man - as defined by the agreement - are not respected. Moreover the agreement will have to provide measures by which the United Nations or any agency set up for that purpose, will be able to check the application of agreements on the basis of reports presented by the Governments.

Human Person

From which side is the human personality menaced?

The greatest dangers come from the State, especially from hypertrophy of the state, and from economic life with its callousness and greed.

In both cases, however, the deeper cause is rejection of the moral law.

Society cannot be cured unless it comes again to respect the moral law, unless it recognizes that the moral law is binding upon all men, all social groups and all states, unless it is well-determined to have relations between men dominated by that moral law.

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We, as Christians, expect the recovery of society from a return to a Christian conception of life, but we are of opinion that the moral law is written in the heart and the conscience of every man and that for those who are no Christians it is all the same possible to know what the moral law demands of man.

Man has rights both as an individual and as a member of society.

He has a right to live and he has, therefore, the right to earn his livelihood either in his own country or by migration to another country. Having a right to live, he has, too, a right to work, and to work under such conditions that his labour enables him to support himself and his family.

He has a right to freedom of association: every man has the right to form associations of his own choice provided they do not use methods contrary to the general welfare or pursue aims in contradiction with moral law.

The free associations of workers shall give them the opportunity, by collective bargaining, to obtain a just treatment in economic life.

Man has a right to fair labour conditions.

If his trade unions are not strong enough to secure him such conditions, the State has to intervene and to make sure that every man who is ready to work for his living gets his full share of spiritual and material welfare for himself and his family.

The worker has a right to labour conditions which respect his personality, which recognize the importance of his contribution to the general welfare. Labour conditions must therefore pay due attention to the health, the safety and the morality of the workers. Labour conditions must guarantee the worker his full share in the increase of productivity.

Labour conditions must be such as to allow for sufficient leisure. A weekly rest day should enable him to fulfill his religious obligations and to enjoy family life. Annual holidays with pay should enable him to restore his physical strength.

The living conditions of the worker must be such that he is able to support himself and his family, to provide them with sufficient food, clothing and housing and to give them a full share in the cultural and material welfare.

The free development of human personality demands the respect for private property. Man must be able to acquire and to own goods in private property.

The proletariat will not disappear unless the right of property becomes a living right for the workers.

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The forms of property may be different according to the conditions of society but property always carries heavy moral obligations. The use and disposal of one's property are always subject to the rights of others and to the limitations which the community imposes in the interest of general welfare.

Man has a right to live and he has therefore a right to be assisted by society in cases of inability to support himself and his family by his own labour.

Family

The free development of the human personality implies that man has a right to marry and to raise a family.

The family is the natural, primary and fundamental unit of society; it is older than society itself and has unalienable rights antecedent and superior to positive law.

The family must therefore be protected by society and have its free development and its security of life ensured.

The family has the right to give its children an education in conformity with their religion and convictions.

The family has the right to be assisted by State services in the education of its children.

The family has the right to maternity protection. Mothers shall not be compelled by economic necessity to engage in labour to the neglect of their duties in the family's home.

The family has the right to be protected by society against all influences that undermine a sound family life.

The family has a right to adequate housing which is a necessity for the good development of family life.

The State

Man has rights and duties with respect to the State.

He has to obey just laws but he may ask that the State respects his rights as a human person and the rights of his family.

The State is the guardian of common welfare.

It has to respect and to guarantee the rights of the human personality and the family.

The State shall not concentrate all tasks in itself but respect and supervise the activities of subordinate groups.

It has to stimulate and to arrange the economic activities of individuals and groups in such a way that production and distribution attain in harmony the ultimate aim of economic life: the satisfaction of the material and spiritual needs of the national community.

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It has, therefore, at the same time to ensure full employment for all its workers.

The International Community

All men are God's own children. They have the same immortal destiny and are equal before God.

The world was created for all men; the world's resources were provided for the use of all men.

The human family forms therefore an organic unit.

The States have the right and the duty to set up an international community in order to promote the common welfare on the basis of common respect of the moral law.

This international community must be so organized that it restrains the stronger and protects the weaker States against unjust treatment and grants every State access to the raw materials and markets on a basis of equal rights and according to the needs of the different States.

This international community must guarantee that competition between the economic forces of different States does not take place on a basis of exploitation of the working classes in the competing nations. It has to restrain the formation of economic powers which are strong enough to dominate states and to use their influence against the common good of mankind.
