



Protection of human rights in liberation theology

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ABSTRACT

In history, especially in philosophy, there is a lot that tells about liberation in various forms, such as eastern and western philosophy where thoughts about liberation with religious movements and are also in harmony with the historical trajectory that developed until the creation of regulations which we call law. Liberation theology also explains the form of liberation by using theological thinking and adding ontological thinking that draws action from reality.

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1. Introduction

In the context of liberation theology, the protection of human rights (HAM) is also closely related to the concept of social justice. Liberation theology emphasizes the importance of creating a more just society, where the interests and rights of all individuals are respected. Therefore, human rights protection in liberation theology is not only limited to political and civil issues, but also includes economic and social rights such as the right to education, housing and decent work.

Legal philosophy is a science, some say it is theoretical philosophy, some say it is applied philosophy and practical philosophy, some say it is a subspecies of ethical philosophy, and so on. In several literatures, legal philosophy is described as a modern discipline which has the task of analyzing perspective concepts related to jurisprudence.

Theology is a science that studies everything related to religious beliefs or the knowledge of God. which we often refer to as the philosophy of God, where this science covers everything related to God and so on. Most of which discuss religious customs or traditions which help someone to better understand their religion. Theologians attempt to use analysis and rational arguments to discuss, interpret, and teach a range of religious topics.

Liberation theology is a theological thought that was born in Latin America and third world countries, and is a completely new approach to theological tasks whose starting point refers to the experience of the poor and their struggle for liberation in the Bible. The liberation discussed in liberation theology is an expression of justice and truth that was felt at that time, expressing the cries of people who were mutually oppressed.

Ontology is a branch of philosophy that discusses the nature of life in relation to existence, including the existence of everything that exists and can exist. In this case, ontology is used as an object to show the social struggle for liberation from problems that arise with the evidence of the thoughts it contains.

Liberation theology emerged as a response to the social, economic, and political injustices experienced by many people in developing countries, especially in Latin America, in the mid-20th century. This theology seeks to combine religious teachings, especially Christianity, with the struggle against oppression and inequality. In this context, protecting human rights becomes a strong ethical foundation in efforts to fight for social justice. Liberation theology emphasizes the dignity of humans as God's creation, which must be respected and protected. This view is in line with human rights principles which emphasize that every individual has inherent rights that must not be violated by the government or other parties. In liberation theology, human rights protection is seen as a concrete form of love for others,

Most thinkers in liberation theology consider social and spiritual liberation as one. They believe that liberation from social injustice is also part of spiritual liberation. In this context, human rights protection includes the right to live a meaningful and meaningful life, which is not burdened by social, economic or political pressures that rob people of their dignity. It is important to note that liberation theology does not only apply to certain religions. Although it originally emerged in the context of Latin American Christianity, its principles have been adopted and adapted in various religious and cultural contexts throughout the world. In this case, human rights protection in liberation theology can be a point of unity between religions and cultures,

Thus, the protection of human rights in liberation theology not only functions as an ethical foundation, but also as a source of inspiration and motivation for individuals and groups to play an active role in creating a more just and humane world. This is a valuable contribution of liberation theology in promoting human rights values and the struggle for social justice throughout the world.

2. Method

Normative legal research is used in this research. The objects of normative research are norms, concepts, principles and legal doctrine. In this research, the object in question is the protection of human rights in liberation theology, other materials related to the problems studied. In carrying out legal research, there are several types of approaches. Through this approach, the author obtains information from various angles regarding the issue for which the answer is sought. The types of legal approaches used in this research are an approach based on legislation (The Statute Approach) and an approach based on facts (The Fact Approach). Materials from parties related to the issues discussed. Legal materials were used as research sources in answering legal issues in writing this research. Legal research sources can be classified into primary legal legal materials, namely legal materials that have an authoritative nature or have authority. These materials include, among other things, legislation, official records or minutes in making legislation and judges' decisions. The collection of legal materials in this research uses library research techniques. This literature study was carried out by collecting data by reviewing books, laws and regulations and media that discuss copyright which is used as a scientific guide in discussing issues. The complete data obtained will then be processed qualitatively.

3. Wetting

3.1. Thomas Aquinas Thought and History

One of the theological and scholastic philosophers was Thomas Aquinas who wrote a number of important commentaries on Aristotle's works such as *On the Soul*, *Nicomachean Ethics* and *Metaphysics*, where if we talk about *Metaphysics*, we are of course also talking about *Ontology*. In fact, Thomas Aquinas considered theology or sacred doctrine to be a science whose raw

materials consisted of the holy books and traditions of the Catholic Church. These data sources were created through revelations or revelations from God to specific individuals and groups in Church history. Faith and thought are two different but interdependent things and are the two main tools for processing theological data. In Thomas' mind, the primary goal of theology was to use the power of reason to understand the truth about God and experience salvation through that truth.

If we indirectly talk about morality, we are also talking about law, which according to Thomas there are four types of law, namely eternal/eternal law, natural law, human law, and divine law. Eternal law is God's decree that governs all creation. Natural law is human "participation" in eternal law and is discovered through reason or the ability to think. The first legal principle is that good must be done and encouraged, evil must be avoided. All other principles of natural law are based on this principle. Thomas concludes in *The Laws of Man* that, such is the power of speculative thought, from unprovable but naturally known principles, we can draw conclusions together in many other sciences. Human rights are positive rights, natural law that the government applies to society. Natural law and human law were considered insufficient, while divine law was necessary to guide human behavior. Divine law is a law that is specifically revealed in the holy books.

Theology in Greek is "theology". This term comes from a combination of the two words "theos, God" and "logos, logic". The basic meaning is a story or story about God or Allah. For some Greeks, poetry such as the works of Homer and Hesiod was called "theologoi". Their poetry about the gods was classified by Stoic writers as "mystical theology." The Stoic school of thought founded by Zeno (c. 335-263 BC) had a vision of "natural or rational theology", which Aristotle called "theological philosophy", a term used to describe general theological philosophy or metaphysics.

The tension between theology and philosophy became increasingly real and important when during the time of al-Farabi, a patrician philosopher, he placed theology (and also jurisprudence) in last place after other philosophical disciplines, in his hierarchy of sciences. compiled. . Al-Farabi organized his hierarchy of knowledge by including philosophical sciences; metaphysics, mathematics, physical/natural science, and political science. Theology and fiqh are at the bottom of the ranking and are part of political science.

3.2. Christian Theological Thought in Liberation

As a science, theology reflects the relationship between God and humans. People do theology because they want to better understand and take responsibility for their faith:

"I know in whom I have believed" (2 Timothy 1:12). Theology is not a religion and is not the same as religious teachings. In theology, the element of "intellectus quaerens fidem" (reason that studies the contents of faith) must make a significant contribution to the integration of reason and faith, science and technology and imtaq, thereby providing great benefits for human life today."

The reason is that, methodologically, theological conclusions are not based on sound and well-tested logical principles, so they cannot be justified. Or according to al-Farabi, theology cannot provide convincing knowledge but only approaches belief so that it is only suitable for consumption by ordinary people, who have no philosophy and nothing more than that.

The first aspect that comes to mind is the method of "positive theology" (ponere = deposit). Theological perspective refers to the function of theology which systematically explains and restates revealed facts which are the basis of faith. Here, the characters are confronted with the roots, the texts (Scripture, Tradition, Magisterium) which are said to play a fundamental role in

the transmission of revelation. Furthermore, these experts do not just state that (narrative theology alone is not enough) about what is contained in the sources of revelation, and clearly explain the consequences of what is said, both explicitly and implicitly in the events of revelation.

Philosophical understanding of texts (philosophy of language) can identify the principles of interpreting revealed texts; philosophies regarding the value of Tradition (for example the debate between Gadamer and Habermas) have also been an inspiration in determining the attitudes of several theologians towards tradition; Some systems of thought (philosophy) can help express the rich facts of revelation in a way that is timeless and meets the standards of scientific reflection that have been achieved (e.g. in the past: Neo-Platonism, Aristotelianism), challenging theologians to deepen and renew their understanding of the events of revelation (e.g. Kant criticized the atonement on the cross of Jesus Christ).

The second aspect relates to the famous saying that theology is “*fides quaerens intellectualum*”. This aspect refers to the theological effort to understand (to a certain extent) why a revelation event is actually like this or that, as well as what consequences the revelation event has. life. and history, etc. The starting point of true theology is the event of revelation (first aspect). This second aspect emphasizes the task of theology, namely trying to find the reason for the revealed mystery. For example: “*Cur Deus Homo*”/Why did God become human? Why do we want to believe in the resurrection when there is no proof?

The church played a role alongside the military and political regime. The political relations that exist between the three subjects are often mutually beneficial but also antagonistic. The creation of harmonious relations which often occurs in the regime's relationship with the military results in the formation of a military government. The position of the Church itself is also experienced by opposition actors who create informal movements in society. In fact, liberation theology has existed since the Old Testament, where the struggle to defend the poor was carried out. They fight for the rights of the poor and oppressed, for example: Malachi 3:5; Isaiah 58: 6-7; Jeremiah 7:6; Zechariah 7:10; and also Luke 4:18.

3.3. Islamic Theological Thought in Liberation

We can see theological liberation in Islam from history alone, where Islam came at a time when the people in the Makkah area were experiencing dark times with all their bad deeds. Islam came to bring many changes in the conditions of social order towards perfect Islam, even though Islam itself was initially opposed by the community. The process of improvement requires various kinds of values and norms as a basis.

Seeing changes in conditions in the process of Islamic theology which have led to the emergence of critical thoughts on Islamic theology. What previously developed in *wahdaniyyah* doctrine began to shift to *taharruriyyah* *aqidah*, namely a theology that leads to the liberation of the people from all forms of oppression. The emergence of this new theological school is actually the result of a dialectical struggle with the presence of theology as a form of solving social problems in the world.

In discussions of theology, it is certain that there is liberation, like natural law, where indirectly humanity has a conscience that is moved when it sees an act of injustice in any case, one of which is oppression, where a person's right is to have freedom in the absence of certain standards. And

the proof is that theology can provide a breakthrough/resolution in the social problems that occur.

The earliest Islamic thought regarding the discussion of Islamic liberation theology was given by Ali Ashgar Engineering in his book entitled *Islam and Liberation Theology*. The essence of the book is to focus attention on changes in intentions that emerged from the Islamic revival movement to return to the past. The khittah is like in the time of the Prophet. Over time, these changes led to the formation of an authoritarian government controlled by rulers and ulama.

3.4. Liberation Theology According to Gutierrez

Liberation theology According to Gutierrez's thoughts, this liberation movement emerged in the 16th century as a religious movement that fought for the liberation of indigenous tribes, blacks, mestizos, poor rural communities and urban residents. They are marginalized and considered stupid and unlucky.

The birth of liberation theology must also be seen in the socio-political situation of Latin America. In this region, in the 1950s and 1960s, populist leaders emerged who developed a strong nationalist spirit, but were trapped in the current of corrupt development. The birth of Latin America created economic dependence on capitalist countries, benefiting rich countries, did not bring prosperity to society but only created a new middle class to compensate for existing socio-economic gaps. Looking at this situation, it is almost similar to the current situation in Indonesia, where Indonesia is currently focusing on infrastructure development to be able to keep up with other countries by keeping up with current developments.

3.5. Aspects of Liberation According to Gutierrez

Economic dependence on capitalists where owned companies are opened with the help of conglomerates in the country by investing in state-owned companies where the investment system is that the investor will always get his share no matter what the ups or downs are, where if there is a minus, It is clear that this will cause losses to the company and investors.

It is clear that economically and socially there is still much more to be improved than infrastructure. We can use human rights as our reference to be able to carry out the state's mandate contained in the Constitution, especially general welfare, we can see it in the Rights of Indonesian Citizens which consist of 8 Rights. The poverty of a country can be seen from a social perspective, where Indonesia's situation was almost the same as Latin America at that time. Gutierrez said Latino poverty is structural poverty where people are in poverty. Gutierrez explained that he strongly criticized the private sector. an ownership that always directs profits to a small group of people, to the detriment of the welfare of the entire community.

Basically, we can understand liberation theology as the liberation of people from religion or belief in God, where in religion, indirectly, there are many implied and explicit statements that talk about the liberation of human rights, because humans have the will to live their own lives according to law. cannot regulate someone in all human actions, but basically the law regulates or provides rules for wrong actions but does not prohibit them.

We know that behavior is the same as norms, norms are rules that apply in society which regulate attitudes/behavior towards fellow humans in a social environment. According to Bellebaum, a sociologist from Germany, social norms are a tool used to regulate each individual in a social environment to act or behave in accordance with certain attitudes and beliefs that apply in that environment.

There are four types of norms, namely, moral norms, civility norms, religious norms, and legal norms which regulate or inform our attitudes with causes and consequences according to our own actions. Norms themselves have a function, for example, to regulate people's actions so that

they are in accordance with existing and applicable values, used as instructions or guidelines that can be used to live life in society as individuals, and so on.

3.6. Ontology point of view

Ontology is a science that is part of the study of metaphysics. The definition of ontology is a branch of philosophy that discusses the nature of life, existence, including the existence of everything that exists and can exist. Ontology is defined as two parts in Greek, "ontos" and "logos". "Ontos" is "what is" while "Logos" is "knowledge". Ontology is often equated with metaphysics, even though the two sciences are almost identical. However, in general, ontology studies reality or reality, based on rational principles originating from the study of "existence" theory, because it discusses what we want to know and how curious we are.

Ontology is often equated with metaphysics, even though the two sciences are almost identical. However, in general, ontology studies reality or reality, based on rational principles originating from the study of "existence" theory, because it discusses what we want to know and how curious we are.

We can look at the protection of human rights in liberation theology from an ontological perspective, where this discussion examines the protection of human rights in liberation theology, where currently human rights are the protectors of humans living in a state. As explained/elaborated above regarding liberation theology, which was initially freedom regarding religion/godliness with the freedom of humans to have critical thinking at that time, with the prohibition on people from thinking critically. If we look at the times before Christ, when this world already had life, there were already things that were done to protect someone's rights, and we can see this in our holy books.

Someone who takes action or fights against things that are no longer true or is concerned with someone's rights can be known as an activist. During the New Order era, many unexpected things happened, with the rapid silencing of the voices of truth that resounded and ended with the disappearance of activist figures whose whereabouts until now we did not know. Cases of disappearances or murders of activists were very loud at that time, this is one of the human rights cases that is still being asked by students to be thoroughly investigated by the government regarding the disappearance of activists at that time who were suspected of being murdered because they were considered dangerous even though clearly in law and human rights are regulated the rights of citizens regarding the right to live and defend life,

Judging from the human rights cases in the new order, there were many human rights violations that occurred. We can see from the Law concerning the Rights of Indonesian Citizens: The right to work and a decent living: "Every citizen has the right to work and a living that is decent for humanity" (article 27 paragraph 2). The right to live and defend life: "everyone has the right to live and the right to defend their life and life." (article 28A). The right to form a family and continue offspring through a legal marriage (article 28B paragraph 1). The right to survival. "Every child has the right to survive, grow and develop. The right to develop oneself and through the fulfillment of basic needs and the right to receive education, science and technology, arts and culture to improve the quality of life for the welfare of human life. (article 28C paragraph 1). The right to advance oneself in fighting for one's rights collectively to develop one's society, nation and state. (article 28C paragraph 2). The right to recognition, guarantees, protection and fair legal certainty as well as equal treatment before the law (article 28D paragraph 1). The right to own private property The right to life, the right not to be tortured, the right to freedom of thought and conscience, the right to religion, the right not to be enslaved, the right to be recognized as a person before the law, and the right not to be prosecuted on the basis of retroactive laws is a human right that cannot be reduced under any circumstances. (article 28I paragraph 1). The right to advance oneself in fighting for one's rights collectively to develop one's society, nation and state. (article 28C paragraph 2). The right to recognition, guarantees, protection and fair legal certainty as well

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The social situation at the moment is in an uncertain direction, starting from the large number of crimes that occur, the declining economy, and so on. Looking at it from a welfare perspective, we can now say that currently our country is far from being prosperous, starting from the large number of human resources who do not have jobs, the many cases of unilateral termination of contractual relations, and the justice crisis that has occurred. Regarding labor in article 27 paragraph 2, it is written that citizens have the right to work and a decent living,

The Omnibus Law has been passed regarding regulations governing foreign investment, which is considered by the public to only benefit companies or the upper class. The Omnibuslaw was issued at a time when Indonesia was experiencing a very visible economic downturn due to the Covid-19 pandemic which resulted in many workers being forcibly dismissed from their jobs, in order to reduce expenses for companies. The economy, which was increasingly declining, has begun to recover after the end of this pandemic, but there are still many people who have not received justice in terms of welfare for living. Looking at the welfare aspect, many foreign countries also experience inequality in life, but this is covered by aspects that are more viewed by other countries.

Indonesia could be like them but there is still a lot of confusion among its own people because nowadays many smart and genius people are taken by foreign countries and work for their country. From the past until now, if we talk about industry, Indonesia is still an input country for raw goods which are sent to foreign countries to be managed with Indonesia's large natural wealth. If you think about the economy, why doesn't the government prepare Indonesia to be ready to fight for industry by forming a separate industry that will fight product wars with other countries. With one example of a discovery made by an Indonesian citizen who said that there was no support from the government which forced him to collaborate with foreign countries, and make supplies private. Lack of government attention to all the actions of its people.

The importance of protecting human rights should be upheld, because of the broad perspective of human rights in this world, there are many things that we can relate to a person's rights. Therefore, the science of theological philosophy has also talked about protecting rights from different perspectives, for example, from liberation movements for oppressed people, liberating someone to think, liberating people from poverty, and so on.

4. Conclusion

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