

AFRICAN CHRISTIAN DEMOCRATIC PARTY

1. Constitutional Principles

Regarding the Constitutional Principles - the ACDP wishes, at the outset, to make clear that it does not simply accept the Principles face value. The concept of basic rights and having them protected is acceptable, but only as part of a very specific philosophy.

Quite naturally, the viewpoint one holds, dictates very definitely, the effect of applying the ideals spelt out in the constitutional principle

1.2 The Christian Viewpoint

Interpreting the principles from a Bible-believing, creationist, Christian perspective, brings about that only those attributes that God gave to Man, can be considered 'universal' and worthy of protection. The choices that men and women make, that are in direct opposition to the Word of God, are called sin, and not rights, freedoms or civil liberties.

This is where Christianity draws the line - it will accept behaviour that is consistent with the character and nature of God, but not against it. In His divine providence, God gave men and women first set of laws by which to live.

1.3 Impact on the right to Human Dignity

The ultimate indignity that a human can suffer is to be seen as a mere species - no better or more advanced than an amoeba. This means that an amoeba should receive equal protection with a living thinking human being. To top this, humanists believe that the human brain, despite having originated space ships and Macbeth, is potentially less capable than a computer programmed to process information faster and the same more efficiently .

If this is what a human being is, having no absolute rights, no responsibility for his or her own actions, who is no better than amoeba and potentially worse than a computer, then it is inconceivable to Christians what could be done to or ascribed humans in order to detract more from their Dignity.

The Christian sense of Dignity is clear: Man was entrusted by the Creator - God with the responsibility to care for the earth and all inhabitants. He gave laws to Man to regulate society after the reference point in history, known as, The Fall, which is when mankind chose to believe a lie, rather than the truth. Man, as a fallen being, needs these regulations because of his tendency to miss the purpose predestined for every individual, by making choices contrary to God's nature and, therefore, in defiance of Him.

2.1 Nature of the duty to be imposed on the state

The nature of the duty to be imposed on the state in order to preserve the dignity of man, as seen from a Christian perspective is that of being a guardian of Godly Principles, as evidenced in the Bible. Nothing more and nothing less than a custodian of the true universal principles and morality that God has bestowed on them.

2.2 Application of the right to common law and customary law

Ultimately, the constitution must reflect the law of the triune God and from that perspective, differences between customary, and constitutional law must be addressed. The ACDP, however, notes with disfavour the move worldwide to abolish the common law, as it existed for several centuries.

2.3 Should the right under discussion impose a constitutional duty on actors other than the state?

The ACDP imposes those duties on state subjects, that is attendant to their position, as created beings and as custodians of God's laws and principles. Insofar as the constitution has a fixed moral content not capable of arbitrarily being changed and adapted, according to the whims of an elite, by a pseudo legal system of positivism, that conforms to the Biblical Principles mentioned, it is submitted that, as equal subjects of God's law, all citizens should be burdened with the responsibilities and, at the same time, enjoy the benefit of this right.

2.4 Who should be the bearers of the right?

The ACDP holds that human beings have a responsibility - a response first - to choose, in whatever circumstances, between right and wrong. What is right and wrong has already been revealed millennia ago by God in His Word.

Should the right under discussion be capable of limitation by the legislature?

The ACDP holds that the state must have the duty to govern according to God's laws and according to God's principles and this must be the basis for the protection of the dignity of man as set out above. No right should take prevalence over God's law.

Should the notion, however, be to make all laws and rights subject to the tenets of legal positivism, then the ACDP holds that Christians will not accept being dominated in the exercise of their principles by allowing constitution to be enacted that will, in effect, willy-nilly and arbitrarily grant and take away rights as though they were privileges granted to a rat or a blade of grass in the Amazon Jungle.

3 BIBLICAL REFERENCE

Human dignity is a value that cannot be measured and evaluated with secularist, scientific terms, nor understood as an evolutionary process

Human dignity is not an utilitarian concept which expands the idea that human value is dispensable and temporal., and dependent. On the contrary, human dignity finds expression in that spiritual relationship that exists between God and mankind. "The Spirit testifies with our spirit that we are God's children" mans 5:1 .

It is within this unity context that respect and protection of dignity is to be understood. Human dignity is protected on the grounds that it is

critical:it questions all things 1 John 4.-1 -"Dear friends, do not believe every spirit, but test spirits to see whether they are from God, because many false prophets have gone out into the world. "

rational: it discerns all things

Hebrews 5.-14 - "But solid food is for the mature, who by constant use have trained themselves to distinguish good from evil. "

spiritual: humans reflect the image of God

Genesis 1:26 - "Then God said, Let us make man in our image,our likeness, and let them rule over the fish of the sea and the birds of the air, over the livestock, over all the earth and over all the seas

disciplined: it values truthfulness

Hebrews 12:11 - "No discipline seems pleasant at the time, but painful Later on, however, it produces a harvest of righteousness and peace for those who have been trained by it.

righteous it respects the law of God

Matthew 22:37-40 - 'Jesus replied, 'Love the Lord your God with your heart and with all your soul and with all your mind. This is the first and greatest commandment. And the second is like it: Love your neighbour as yourself.

Any deviation from qualities like these brings into question the value of dignity and disturbs the balance that controls the levels between tolerance and dignity.

In other words, intolerance is justified when deviation from an accepted norm is too large and threatens the balance between tolerance and dignity and destroys a value normally understood to constitute human dignity. Here we can include acts of criminality, authoritarianism, all forms of reversions and those acts that are deemed unlawful.

We in the ACDP, therefore, believe that although human dignity is a universal value, the right to uphold that dignity is determined by the degree of tolerance allowed in order for a society to function responsibly and effectively, but should the security of this function be threatened by action that do not constitute a dignity, intolerance against such an action will be justified and will invariably affect the nature of human dignity.

The law will ensure that the dignity of the human being is maintained, while limitations are placed upon the tolerance that will be allowed in order to determine how far the right of dignity is to be protected.

Thus, a limit is Placed upon the right to uphold one's dignity where upon is understood that an unlawful act is punishable and is to be disciplined, yet, where the value of human dignity is kept in check.