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# The Right Balance

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*Ian Shaw*

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It is hard to find any field of human activity which is unaffected by talk of rights. The right to leisure, free education, work, liberty, life and equal pay jostle with rights of appeal, welfare rights, animal rights, women's rights and children's rights.

Evangelical Christians often feel a dilemma at this point. They are against tyranny and oppression, but for self denial and the laying aside of rights. "Your attitude should be the same as that of Christ Jesus, who being in very nature God did not consider equality with God something to be grasped." (Phil 2:5,6)

Christians have not been alone in their misgivings about talk of human rights. Associated with the concept of natural law, 'rights of man' talk has been mistrusted by conservatives — from Edmund Burke onwards — for stimulating revolutionary sentiments, and by radicals for producing meaningless manifestos and declarations which take the place of effective legislation.

British Christians have not been helped by the fact that, despite a large literature, the solidly evangelical contribution is very thin and almost entirely American.

As a backcloth for Christian thinking about rights, we need to explore briefly secular ideas of legal and moral rights. This will enable us to see more clearly the common ground and points of contrast with a Christian approach, particularly as it is shaped by the doctrine of creation, and the connection of rights and duties.

## **Thinking About Human Rights**

There is an important distinction between human (or natural) rights and rights which are actually enjoyed (positive rights). For example, the United Nations Universal Declaration of Human Rights, drawn up in 1948, is not a legally enforceable document. By way of contrast, the Council of Europe has made more progress, producing the 1950 European Convention for the Protection of Human Rights, and the European Court of Human Rights, which has full judicial powers. A clearer understanding of the topic follows if we distinguish between different kinds of legal rights and moral rights.

### **Legal Rights**

Some legal rights, e.g. the right to a fair trial, are enjoyed in principle by all people under a given constitution or jurisdiction. Similarly, there are traditional rights, the violation of which may lead, as in seventeenth century England, to civil war.

There is an important difference between generally enjoyed legal rights, and merely nominal legal rights. Nations may "guarantee" certain rights, but not enforce them. The actions of Christians and other minority groups in Russia have often been along the lines of campaigning for nominal rights to be made genuine, legally enforced rights. One reason for this problem is that there are two traditions in thinking about rights. There is the tradition going back to John Locke, associated with western individualism, and there is the tradition following from Rousseau's Social Contract, which stresses the sovereignty of the people, and the yielding of rights to the state. Countries with widely varying political and religious traditions are signatories of the Declaration of Human Rights, which includes a right to freedom of worship. Yet some Moslem countries, following the collective tradition, in which individual rights are yielded to the state, interpret the freedom of choice associated with religion as a **national** rather than an **individual** choice. Hence, however repugnant the result may be, such countries are not necessarily practising political hypocrisy by signing the Declaration of Human Rights and yet excluding Christians from freedom of worship.

Legal rights need not be universal rights. Some legal rights are limited to certain classes of persons or professional groups, for example the well known legal exemption from jury service enjoyed by clergymen.

### **Moral Rights**

A parallel set of distinctions can be made about moral rights. Beginning with the most specific, there are moral rights enjoyed by one person only, which arise from doing certain deeds or paying money. The crucial question here is, "Have I a just claim?" Rather more generally, there are rights which persons have by being in particular situations, such as parents, or occupants of certain institutions. Take, for example, elderly residents in a Christian home for the elderly. It is a clear violation of an elderly person's right to respect, if a young Christian staff member presumes to address residents by their Christian names.

Finally, there are moral rights which are enjoyed by everyone, at all times and places, such as the rights to life and liberty. These are highly general and likely to be understood in different ways.

The dictionary defines a right as "a justifiable claim on legal or moral grounds, to have or obtain something, or to act in a certain way".<sup>1</sup> It is obviously difficult to talk about rights in the context of nebulous things like welfare or liberty. Legal rights, in this context, have to be of an indirect character, e. g. a right to the benefits which may be expected in turn to produce welfare. Legal rights and duties are closely connected at this point. For example, universal education is a right in our society, yet the legal implementation of that right carries with it certain duties, in that education is compulsory up to a certain age. However, a duty does not always imply a right. In England and Wales, a **duty** to care for the poor, although long accepted, has not always been seen to entail a legal **right** of the poor to be cared for. Under the English Poor Law it was seen as a duty owed to society, not to the poor

person as such.

However, for both rights and duties, practicality is a crucial test. As it cannot be our duty to do something beyond our ability (exempting here the spiritual obligation resting on the unbeliever to repent and believe), so to claim, as the United Nations declaration does, that “holidays with pay” is a right of many millions in Asia, Africa and South America, is vain and idle.

## **Christian Thinking About Rights**

The evangelical unease about talk of rights is understandable on a number of counts. First, although what we would describe as infringement of human rights was as much an issue in New Testament times as now, the Bible has little or nothing to say directly on this issue. How are we to be faithful to Scripture when the debate, on the face of it, appears to be conducted in terms of categories which are outside of biblical teaching? Second, there is a danger that Christians will be solely taken up with religious rights. There are two dangers here: it may give the impression that we are only concerned with rights when it is **our rights** that are under attack. Also, it suggests that God is not interested in the wider sphere beyond the Church. Finally, recent evangelical thinking on this issue may seem to have confusing practical implications for the Christian. For example, the biblical teaching that man is made in God’s image has been used to justify all kinds of positions. Take the following:<sup>2</sup>

“Man is created in the image and likeness of God and has been given a vice-regency dominion over the earth. Accordingly, man(1) has a **right** to be free because he is an image-bearer of God, Who Himself is free ... (2) Man thus has a duty to remain free so that he can act responsibly as God’s vice-regent here on earth.”  
(Rose, p.53)

These arguments are taken by Rose to justify the central principles of free market capitalism. “Nowhere in the Bible”, he claims, “is the civil ruler given authority to engage in charitable works or economic intervention and regulation.” Such state activities he castigates as “legalised theft”.

### **God’s Claims and Ours**

Ill-founded dogmatism, of whatever hermeneutical or political hue, should not, however, prevent us from seeing that the Bible does provide us with teaching which is relevant to human rights. Its teaching is no less relevant for being presented indirectly, in the context of justice, righteousness and human nature.

For the humanist, human rights derive from claims we have as human beings, and often, though not always, entail an argument about desserts.<sup>3</sup> Not so for the Christian. The Christian’s position is always three-dimensional: created in the image of God, God has a claim on me. Our obligation to each other is really an obligation **under** God. As A.A. Hodge — no friend of the notion of human rights — once said, all rights are really duties to God “The only ultimate right is his right to us”.<sup>4</sup>

This distinctive Christian three-dimensional approach comes out frequently in Scripture. In the face of God’s questioning about his murdered brother, Cain

attempted to deny that Abel had any rights over him — “Am I my brother’s keeper?” But “The Lord said, ‘What have you done? Listen! Your brother’s blood cries out to me from the ground’ ” (Gen. 4:10). This threefold pattern — the rightful claims of others upon us; our rightful claims upon others; all subsumed under God’s comprehensive claim upon us all — is enriched for the Christian by the knowledge of their salvation. God’s grace shown to the Israelites was usually the reason appealed to by Moses in support of the requirement that God’s people should respond to the welfare claims of vulnerable members of society. The requirement not to oppress the foreigner but to love him as themselves is repeatedly reinforced with the recollection that “you yourselves know how it feels to be alien, because you were aliens in Egypt” (Ex. 23:9; cf. Lev. 19:34; Deut. 10:19). Precisely similar reasoning is employed to govern their attitude to servants and other people at risk of exploitation — “remember that you were slaves in Egypt, and the Lord redeemed you from there” (Deut. 24:17,18; cf. Deut. 16:11,12; 24:21,22).

Does this mean that the Christian will always have a different view of human rights from the non-Christian? Put rather differently, why is that, while starting from a fundamentally different motive, the Christian may end up fighting the same corner with the atheist? The answer is that, precisely because the law of God is written on his heart the Muslim, agnostic or Marxist has points of contact with the Christian. As David Field aptly remarks, “the atheist ... derives his knowledge of human rights and values from the God he says he does not believe in ... He shares my knowledge of God — derived human responsibilities and values because he is created in the image of the God he rejects” (Field, p.15). So, to return to the example given earlier, wisely conducted negotiations with political authorities in Muslim countries over the rights of Christians are being undertaken from a real point of contact.

### **Rights and Responsibilities**

While the Bible has very little to say directly on rights, Scripture is full of teaching about responsibilities. For example, the letters of Paul have much to say, about marriage, the family, parent/child relationships and employer/employee relationships, and the framework of such teaching is mutual responsibilities in submission to Christ. When, as a result of the Fall, relationships are broken, rights and responsibilities become significant whether within marriage (“The husband should fulfil his marital duty to his wife, and likewise the wife to her husband” 1 Cor. 7:3), family relationships (Genesis 4), criminal and civil jurisdiction (“They beat us publically without a trial, even though we are Roman citizens” Acts 16:37), and between nations (Deut. 2:4-6, 18f., 26-29). Possession of rights creates special duties on all sides and new obligations to God.

It may be worth pursuing a particular example at this point. When a Christian becomes a member of a local church, a network of rights and responsibilities is created. In terms of responsibilities, a Christian is a “responsible” person answerable to Christ for all that he/she does (1 Cor. 16:20). The Christian has a responsibility of loyalty to the truth, which includes but is by no means

exhausted by, a biblical orthodoxy (1 Pet. 3:15). The Christian, in every sense of the word, carries Christ's name (Acts 9:15). Mutual ministry is a further responsibility (1 Thess. 5:11,14) through which we are to "refresh the hearts of the saints" (Philm. 7,20). Paul's whole letter to Philemon illustrates the interacting claims and privileges which should permeate the church. The exercise of gifts, giving, attendance at the gatherings of the church, responsibilities to those who have spiritual oversight and to the world are all included within such responsibilities.

If we have a firm theology of the grace of God, we will see that everything we are called to as Christians is a privilege, including those things we have identified as responsibilities or duties. For example to believe in Christ and to suffer for him are among God's gifts to us, granted as divine favours (Phil. 1:29). Thus rights and duties from a Christian perspective should never be balanced against each other in a series of trade-offs.

These are, however, more direct rights of church membership. While in one sense it may be correct to say that "rights" language is unnecessary, and can be thought of solely in terms of "duties", the rights of church membership do need explicit statement. For example, church members have the right to participate in church business, to speak on matters of finance, to elect church offices, and to contribute to decisions about relationships with other churches and within their own. Again, they have a right to pastoral care — to expect that their pastors will pay every possible attention to their needs, both collectively and individually. In this sense it is not true that the Church is the only organisation existing solely for the benefit of non-members. Furthermore, just as mutual ministry is a responsibility, so the love and ministry of fellow members is the right of all members (Acts 2:44; Mk. 3:31ff.).

## **Biblical Authority and Rights**

Immediately we recognise that Scripture teaching relevant to any sphere of Christian ethics is presented to us indirectly rather than explicitly — as in the case of human rights — we are faced with a painstaking outworking and application of biblical principles.

Yet, one might reasonably ask, if Scripture has no direct teaching, in what ways can we test that a given applicaiton of Christian ethics is faithful to the Word of God? We need to take particular care to avoid an unwarranted separation between the text of Scripture and the Word of God. The recent Testimony on Human Rights from the Reformed Ecumenical Synod<sup>5</sup> leaves the door open to this very danger. We could have wished for a clearer statement of the precise authority of the "down to earth concrete ways" in which Scripture is said to exemplify the "central love-command" (p.12). The report's talk of "salvation-history" is unhelpful.

This neo-orthodox concept can be used to replace verbal inspiration with a stress on the inner coherence of Scripture. "Proof words replace proof texts; holy history replaces biblical narrative".<sup>6</sup> Scripture becomes witness to the truth, with all the ambiguities of that position (Schrotenboer, p.13).

The issue is a complex one, and it would be out of place to enter the debate here. It includes questions of the unity of Scripture, the relation of the Old and New Testaments, the relation of the permanent and temporary, cultural relativity within Scripture and the perspicuity of Scripture.

This may appear to leave one open to the apparently stigmatising charge of "extreme biblicism"<sup>7</sup> However, the quest for a biblical and evangelical appreciation of human rights will eventually founder, without an equally biblical hermeneutic.

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## References

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God is a Spirit infinitely happy, therefore we must approach to him with cheerfulness; he is a Spirit of infinite majesty, therefore we must come before him with reverence; he is a Spirit infinitely high, therefore we must offer up our sacrifices with the deepest humility; he is a Spirit infinitely holy, therefore we must address him with purity; he is a Spirit infinitely glorious, we must therefore acknowledge his excellency in all that we do, and in our measures contribute to his glory, by having the highest aims in his worship; he is a Spirit infinitely provoked by us, therefore we must offer up our worship in the name of a pacifying Mediator and Intercessor.

To render our worship spiritual, we should, before every engagement in it, implore the actual presence of the Spirit, without which we are not able to send forth one spiritual breath or groan; but must be wind-bound, like a ship without a gale, and our worship be no better than carnal.

One spiritual, evangelical, believing breath, is more delightful to God than millions of altars made up of the richest pearls, and smoking with the costliest oblations, because it is spiritual; and a mite of spirit is of more worth than the greatest weight of flesh.

*Stephen Charnock on John 4:24*