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HUMAN RIGHTS

By Fanny Mak

Human rights refer to basic rights and freedoms that every human being is entitled to. The Universal Declaration of Human Rights adopted by the United Nations General Assembly in 1948 marked the first international effort to promote a number of human, civil, economic and social rights of mankind. Article 1 asserts that *'all human beings are born free and equal in dignity and rights'*. It listed thirty-nine articles specifying rights, including the right to own property (Article 17) and the right to education (Article 26). In 1998 Parliament passed the Human Rights Act to introduce the fundamental rights and freedoms contained in the European Convention on Human Rights into British law. Individuals as well as states can now bring their cases to the European Court of Human Rights. While human rights are largely accepted in the Western world, Christians should look at this issue from the Biblical perspective.

Moral Rights and Positive Rights

Broadly speaking, there are two kinds of rights. Moral rights are justified by the moral standard commonly accepted, but they are not codified by law. Positive rights, however, are those that are enshrined in law. The Human Rights Act of 1998 asserts that everyone has 'a right to education' in the UK which makes it a positive right in the U.K. However, this can only be a moral right at present in some countries where food and shelter are far more pressing concerns.

Many people may think that rights are a-moral when in reality all rights require a moral basis to make the judgement of what is good or bad for humans. The moral approach of rights can be classified as either minimal or maximal.

Minimal Rights

The minimal rights approach means that a human being has certain basic rights and freedoms below which life is considered not quite human. The Universal Declaration begins *'whereas recognition of the inherent dignity of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.'*

The American Declaration of Independence justified human rights by referring to the Creator, *'we hold these truths to be self-evident: that all men are created equal: that they are endowed by their Creator with certain inalienable rights.'* This statement is theistic as it does clearly acknowledge a creator. However, the statement is not specifically Christian, though it might sound appealing to Christians. Christians have to be aware that the concept of 'rights' has been broadened over history, from a minimal concept to a maximal approach which is the main concept of rights today.

Maximal Rights

Maximal rights are formed from a utopian view of society. Utopia is a perfect society that everyone would love to live in and where individual rights are protected. Maximal rights express what life should be like in such a society.

There are several problems with this model. The utopian view does not address the reality of human sinful nature that makes our society far from perfect. In reality, the language of right and rights are mostly used when there are disputes, conflicts and breakdown of relationships. The idea is far too idealistic.

Another problem is that different people may demand different rights in order to make their 'utopia'

a reality. Who, then, makes the decision as to what utopia should be? Some are looking for a utopia that everyone would be free to express themselves sexually with anyone, anywhere and anytime they like. For others utopia consists of selfless individuals making a life time commitment to their partner so as to build strong relationships. Both ideas cannot be right and so a moral judgement has to be made.

Inevitably there would also be conflicting demands of rights as witnessed today. For example, the right to life is a human right stated by the United Nations and the EU. However, for euthanasia supporters, the right to die is also claimed as a human right. In the end, maximal rights can only serve individual interests as the ultimate 'right' nowadays is the right to choose.

The teaching from the Bible

The discussion of human rights requires a definition of a human being. How do we define a human being from the Bible?

The Bible speaks distinctively about human beings. Genesis 1:27 says that God created man in his own image, thereby presenting us the dual nature of man: on one hand he is part of the Creation; and on the other hand, he is unique within Creation as bearing the image of God. So man should not be reduced to 'nothing but a highly developed animal'. We do share similarities with animals which demonstrates the integrated coherence of God's creation. Man, however, is different from the rest of the creation as he alone can acknowledge God and have a relationship with God, his Creator. The Fall distorted man's ability to respond to God but did not destroy it. This is where human dignity lies: man has the sense of relationship and responsibility to God that brings him the duty to treat other men differently from the rest of creation. Christians' discussion of human rights has a divine dimension.

Old Testament

In the Old Testament, the Hebrew word *mishpat* means judgement, laid down in laws or manners. In Exodus 21:9-10, the Hebrew *mishpat* does convey the modern sense of the word rights and is expressed in terms of what a wife is entitled to in a marriage or after a divorce, rather than the duty of her husband. Her positive rights come from the fact that she is a wife who has entered into a marriage covenant, rather than from the minimal or maximal concept of human rights.

Another verse, Proverbs 31:5, in the New International Version (NIV), says they should not 'deprive all the oppressed of their rights', whilst in the King James Version (KJV) says they should not 'pervert the judgment of any of the afflicted'. In Isaiah 10:2, both NIV and KJV use the language of rights of the poor and needy, in the context that God's people were showing a lack of social justice. The main focus is to ensure justice to the vulnerable.

In the Old Testament, the law is given in the context of the covenant; God has grace and mercy towards his people and directs them to live in the way that maintains them in the loving (agape) relationship with him. His people who were freed from slavery in Egypt are now free to worship God and must worship him alone. The primary command of the covenant is to 'love the Lord your God with all your heart and with all your soul and with all your strength' (Deut 6:4, NIV). His people are then asked to love their neighbour as themselves (Lev 19:18) because they are accountable to the Lord, their Saviour and their Creator. The maximal concept of human rights contrarily put the focus on 'me', an attitude that feeds the self-interest and greed of man.

New Testament

Jesus summarises the law into two: first and the greatest command, love the Lord your God with all your heart, your soul and your mind; secondly, love your neighbour as yourself (Matt 22:36-40). A Christian's action should express the purpose of pleasing and exalting God.

In the New Testament, 'rights' is mentioned in 1 Corinthians 9 in the NIV whereas 'things' (1 Cor 9: 15) or 'power' (1 Cor 9:18) is the translation in the KJV. Paul and Barnabas had chosen not to be materially supported by the church for the sake of the gospel. Paul said they should be supported as it was laid down by the law, "*Do not muzzle an ox while it is treading out the grain.*" However, he declared the gospel free of charge because he found his reward in the preaching of the gospel itself. His stand does not imply the responsibilities of the Corinthians are nil. '*The Lord has commanded that those who preach the gospel should receive their living from the gospel.*' (1 Cor 9:14, NIV)

Paul's attitude to his civil rights (positive rights) is similar to his material support from the church. His willingness or reluctance to exercise his civil rights is to facilitate the furtherance of the gospel. He claimed his Roman citizenship right to avoid a flogging in Jerusalem (Act 22:25), and availed himself to have a fair trial and appeal to Caesar (Act 15:10-11). In Philippi, however, Paul did not defend himself against severe flogging and imprisonment, thereby leading to the conversion of the jailer and his family (Act 16). His motivation is to fulfil his responsibility to God by winning men to the gospel, rather than the concern of his welfare.

Conclusion

There is a language of rights in the Bible; however, it is not in line with the prevailing concept of human rights, which leads to the increasing number of positive rights. The maximal concept excludes God and Biblical morality by focusing on self-interest. The actions of Christians should have the main purpose of glorifying God, expressing our obedience to His commands and making known the gospel. This sense of responsibility to God leads us to love our neighbour as a duty. Our love should be shaped by the law and commands of our loving God, who knows us, and has our best interests at heart.

Fanny Mak is a full-time mother and an occasional helper in the Church Society office.