

CHRISTIANITY AND HUMAN RIGHTS

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In many ways the politics of ideology has given way to the politics of identity in our world. In terms of ideology the 20th century came to an end in 1989 when the Berlin Wall came down and there was only one superpower left in the world. This is something, which we are only now coming to terms with, not least in terms of human rights.

The process of globalisation has meant that we have got two processes taking place at once. Firstly, the tendency for cultures to merge as they become interconnected and particularly as Western economic and market values infiltrate the others. All kinds of goods and services can be found in countries which would not have given rise to those goods and services, were globalisation not taking place. Secondly, there is a new seeking after identity, which we can call the process of localisation. This is the battle for the locally 'distinctive'.

Since the cold war the world has become more unstable. We have gone back to our tribal wars fighting over issues which more local than before. These are sometimes about ethnicity or religion, and sometimes about resources or territory. But while the great powers may be drawn into these through historic or treaty commitments they do not usually have their origin in global ideological tensions.

The breakdown of the great ideological conflict has meant a rush to pragmatism and also a search for a new story with which to give meaning to the world. In some areas this has led to a resurgence of religion. In others, such as the former Soviet Union, there has been an upsurge of democratisation. But there has been a search for a 'meta-narrative', an overarching story, through which we can make sense of life, which provides us with a reference point and a legitimacy for our actions. This search has also been one, which the development agencies have undertaken for slightly different reasons. As the world has globalised the development community has needed to find reasons why it should, and I use this word pejoratively, 'interfere' in the cultures and lives of other countries. Western agencies are adept at making use of the mechanisms and techniques of globalisation and could, therefore, be seen either to be promoting Western values through aid and development or being patronising by giving handouts on the basis of "we know better than you". In an age where advocacy is meant to facilitate local peoples by enabling them rather than external agencies to effect change in their communities, there had better be a good reason why Western agencies continue to do what they do. So there has been increasing urgency for the discovery of a meta-narrative, which will legitimate the actions of the Western development community.

At the same time, there has been a search for a common moral language globally; a language of the 'ought' rather than the 'is'. Religious language has in the past been one of the primary, but not the only, vehicles for this but it is now suspect because in a globalising and pluralistic world it may be one of the problems rather than part of the solution. But we do need to foster a moral vision. What are we seeking to become as a 21st century global community? What are the relationships between the rich and the poor, east and the west, north and the south? Human rights is one of those languages that has come to the fore as a possible replacement, as some would see it, for the language of religion. Michael Ignatief, who is Professor of Human Rights at Harvard, has commented that,

Human rights has become the major article of faith of a secular culture that fears it believes in nothing else. It has become the lingua franca of modern thought, as English has become the lingua franca of the global economy.

So human rights is increasingly used as a universal moral language. To use it gives an urgency to the subject under consideration. I can say that I want something, I can say that I need something, but if I say that I have a right to something, there is an urgency about that which the others do not share. It creates bonds between people expressed in terms of rights and responsibilities. It is a powerful language. We can say that the traditional way of stating the goals of the development community has been poverty reduction and that is the language of meeting needs. But now there is a shift towards the language of human rights and that is a completely different ballgame. It presents us with new possibilities and problems. It brings in not only economic need but also international law. It considers not only economic progress but also good governance. The consequences of such a shift for the development community could be immense.

Ignatieff is insistent that the language of human rights and the vision attributed to it should not reach the level of a secular religion. The tendency, he says, is for those involved in the human rights community, to see human rights as an alternative to religious language. This would be a disaster in his view, and mine, because when people from different religions do what we are doing today, which is to take back that language to their religious context and say, 'is it OK for us to use this language', they don't go back to the secular context, but to their sacred writings and traditions. The Muslims have done this – there has been a lot of work on human rights in the context of Islam. Each of us goes back to our sacred texts and asks, 'is this language; is this vision *consistent* with the sacred revelations to which we are committed historically'? If it is not then a tension will exist between that religious community and the secular human rights community. This is sometimes the case between Islamic views on women and the demands of the Western liberal paradigm. Or another illustration could be Christian views on abortion and liberal views on reproductive rights.

If then we see human rights as a series of absolutes, then it becomes a competitor to religion and that means that there will be a defensiveness, a suspicion of human rights and human rights language from those in the religious community. That is one of the reasons why Christians are often suspicious of human rights language. Not only is it a moral language but also it can sometimes be seen to be a competitor to religious language and therefore there is caution expressed about its use.

One of the other issues is the extent to which human rights language is Western language. It has often been said that what we regard as universal the rest of the world sees as Western. From an Islamic perspective, or from that based on Confucianism human rights is seen as an overtly individualistic and not sufficiently community orientated approach, because some of the other cultures in the world value community values more highly than the West. We are becoming more self-critical about an overemphasis in our own cultures on individual autonomy, and therefore we need to listen to such criticisms even though we wish to defend our stance in many instances. It is the case that many different countries and cultures signed the United Nations Declaration on Human Rights and therefore they knew what they were doing, but it is still a major debate as to the extent to which those who generate human rights language, are actually doing so from a Western position.

Also, and this is a slightly different issue, is it the case that taking on board the language of human rights involves you in a pro-capitalist position? Many Christians, including myself, look at human rights and the theology of rights as being rooted in creation and in the dignity of the human being as made by God. But in some writing recently by Joan Lockwood O'Donovan, the Oxford theologian, she has criticised that as naïve, saying that doing so, does not address sufficiently the way in which human rights can actually be the vehicle of free market capitalism.

In other words, she says that when we think of human rights today, we think of human rights as being good in themselves. But what is the difference between the goal of economic rights being the generation of wealth for the individual and the teaching of Jesus on wealth? Isn't there a difference between meeting the needs of poor people so that they have enough and the idea that I have a right to resources and that that right is a claim over and against someone else in a competitive world? Most of us see it as unproblematic to be committed to

civil rights and to democracy but may not realise that contained within it is a view of wealth creation which at the very least we have to recognise and come to terms with as Christians. We may support democracy but be more equivocal about free markets. The issue then becomes, as DFID has put it, 'how can we make globalisation work for the world's poor'?

For Lockwood the whole notion of rights has shifted 180 degrees. In the medieval period rights belonged to God – they were objective rights. God had the right to demand that people acted in a particular way and we had a responsibility to act in that way. But over hundreds of years and particularly through the Enlightenment, the idea of the individual became more important and the idea of subjective rights came to the fore – the idea that I should have, as an expression of my freedom, control over resources that belong to me over and against somebody else. This is essentially at the heart of free market capitalism. I control my own resources in a competitive world. It is no longer God who has a right to demand and I who have a responsibility to obey. There is now no need for God, only for individual freedom.

What we want to see is people having a quality of life by virtue of the fact that they are human which is secure and sustainable and gives them an enjoyment and a fulfilment of what it means to be human. We believe in the free society but do we believe in the free market? If we do then I would suggest we may see other societies having to embrace the values dominant in the market economies in order to compete. We may feel that is no problem or that it is a price worth paying for the alleviation of poverty. (Although market economies have relative poverty built into them)

We now move on to some of the theological issues. Human rights should have four characteristics. Firstly they should be possessed by all human beings, as well as only human beings (we are not looking at animal rights here); secondly, because it is the same right that is possessed, it must be possessed equally by all human beings. Thirdly, because human rights are possessed by all human beings, we could rule out as possible candidates any of those rights that we enjoy by virtue of a personal relationship or status - parenting, president, or a contract – all kinds of rights which are special to signing a contract to being a particular person in role. Fourthly, if there are human rights they have the additional characteristic of being what is known as 'assertible'. You can speak against the whole world, they can claim that you can have them. Human rights then are a description in theological terms of what it means to be a human being and we come across human rights not only when we destroy people, through genocide and the abrogation of human rights through torture, but also when we propose to create people. Human rights are central to the debates on genetics and cloning. The identity of the human being is at the heart of the concept of human rights.

Human rights has a religious dimension in that the human right to express oneself religiously is contained in charters and agreements already. But what is distinctive, if anything, about a Christian perspective on human rights? Essentially what is Christian is that the relationship with God – the Judaeo-Christian God - must be at the heart of the issue. It is not enough to say that human rights are contractual, that they are between people who acknowledge and implement rights and responsibilities. It is, of course, important to balance rights and responsibilities but the thing, which is distinctive, is the introduction of the person of God into the issue.

All too often in the last couple of hundred years Christianity has presented God in a distorted way. Because of the impact of individualism on our culture, we have often presented God as an individual who can be understood by virtue of reason and tradition. In fact God is Trinity, and God is also mystery precisely because God is Trinity. What happens here is that Trinity, three persons in community, or communion, shows that individualism is not a strong enough description of human identity. The only thing not good before the Fall is the person of dust alone, and the reason is not just loneliness, it is that that one person cannot represent the Trinity, cannot represent three persons in one. The image of God is only there when the man and the woman are there. God is only love before the creation of the world because the love flows between the three persons of the Trinity. There is no love on a desert island, there is only love when people are there to love one another and that means that community and communion are essential to human identity. We are not linked with people across the world by virtue of contract, or by virtue of claims to rights. We are linked to people across the world

by virtue of being people in communion. There is a link between us, a link that exists by virtue of our very human identity, because we are made in the image of a God who is Trinity.

We are to treat people as we would treat God because we are all, without exception, made in the image of God. To insult a deaf person or to trip up a blind person is to do it to God according to the Old Testament. He who insults a poor person insults their maker. Jesus takes that up when he says that 'inasmuch as you did it to the least of these my brethren, you did it to me'. We are to behave towards others as if they are Christ and we are also to behave as if we are Christ, the heart of the Gospel. So whether we are looking at work, or marriage, or human rights, we start with the image of God, with the dignity of the person, reflecting the Trinity, person in community, denying that the concept of the individual is adequate in the Judaeo-Christian worldview. We always must keep the person and the community together in order to be able to reflect the dignity of God and people made in the image of God.

Cathy VanderGriff from World Vision in Canada has said, that those who lack the capacity for self-realisation may end up being considered less than fully human. But an approach based on human dignity emphasises the inherent worth and high status of every person regardless of capability because God gives the gift of human life and we owe to God respect for what God has created. It puts emphasis on the importance of sustaining the life that God gives and living with dignity in community with others. So you may find that the person with learning difficulties is not given the recognition and respect that they should receive as somebody made in the image of God.

As someone who has had epilepsy all my life, I am interested and concerned about those with epilepsy throughout the world. Many of them are treated more as animals than they are as human beings. They are thought to be carrying a curse or a stigma, and are sometimes cast out from communities. A dignitarian approach – an approach that says every person, whether they are disabled, or, indeed, whether they are a terrorist, has human rights, because they are made in the image of God.

When Adam comes round from the operation, he cries out, "Bone of my bone, flesh of my flesh!" He recognises in the woman somebody who shares a common humanity, but he also respects difference, that this is woman and not man and that link between recognition and respect runs not only through marriage but also through every human relationship. In the majority of human conflicts (such as in Rwanda or the Balkans) this balance of recognition and respect is missing. People turn their backs on the common humanity of the enemy who was their neighbour. They cease to respect the differences in culture, gender or religion. Human relationship breaks down.

It is important then to start with creation, but also to move onto justice because human rights, though not mentioned in the Bible under that name, are at the heart of the picture of justice that the Bible talks about frequently. The idea that God is biased towards the poor is at the heart of the Old Testament narrative. This not the kind of bias that says that God prefers Nottingham Forest supporters to Nottingham County supporters, but the bias that says that if God doesn't champion the cause of the poor, nobody else will. God is implacably hostile to the powerful who do not take up the cause of the poor and who oppress them and deprive them of what is theirs by right. By right because God has said, "This is the way that I want you to live and therefore you have a responsibility to live in that way if we are to please God, To please God, is to be pro-poor and pro-vulnerable.

So although rights do not exist in the contemporary sense in Scripture, rights are there throughout scripture because a poor person has a right to expect the kind of life that God has ordained that they should have. The King is there, as someone who is to carry out what God would do in the situation in which the King finds himself. Now if poor persons only receive resources because of love and generosity, this does nothing to solve problems of status, it means that I, as someone who is wealthy, can choose to give money out of generosity and that may do a lot for me and it may do a lot for them but it does not change the power relationship between those who are rich and those who are poor. John Stott has said, 'What love desires, justice demands'. We must move on from love to justice, we must look to the

systems of justice to provide redress for people. And the responsibility to others arises out of our responsibility to God. Chris Wright the theologian has said this, 'It is not so much that I am under the obligation to my fellow human beings, but that I am under obligation to God for my fellow human beings'. My responsibility is to do what God requires me to do in obedience to behave justly towards others. It is this that is the distinctive of a Christian view of human rights. Christians see themselves as responsible to God and look to Scripture to speak to them about what they should do if they are obedient to God

Another strand of a Biblical perspective on human rights is the incarnation. Jesus was pro-poor and pro-vulnerable. He lived with people who were marginalised and restored to them their sense of dignity and self-worth. He was somebody who spoke out against the oppressive practices of the religious establishment. He himself had his human rights denied him and lived among people who lived on the margins of society. Yet Jesus introduces the theme of giving up one's human rights in order to be a disciple. He, of course, did this in his death on the cross. But his belief that there are more important things than material possessions lead to an emphasis on sacrifice in his teaching. How can this be consistent with claiming one's human rights.

Throughout history people from different religions have lived lives of voluntary renunciation. They have lived lives of poverty and celibacy in order to express their religious faith. Where culture becomes fixated on the rights of the individual to live life as they please, such commitments become important. They show another way of living. It is not that human rights do not exist so much as in giving up some rights for oneself one can show that there is a way of living which is fulfilling and which is not dependent on, say, opulent lifestyle. This is not to say that we should not fight for the rights of others. There is a world of difference between choosing to be poor and not having the option of being poor. We may earn money but choose to give it away; we have redress in the courts but choose to forgive. We show that there is another way of living, which draws its source from a way of living, which is beyond the dictates of international law and economic benefits. At the same time we fight for people to have access to those resources and the protection of that law.

We live in a society characterised by dutiless rights. An example of this is young people who want to be judged in court by a jury consisting of their peer group but are not prepared to serve on that jury – in other words, they want their rights but do not want to exercise their responsibilities. Many Christians would say, there is not such thing as human rights; there are only human responsibilities. Shirley Williams signed a charter of human responsibilities to emphasize that point. Responsibilities do not always arise out of rights; they can arise out of love. But claiming rights without acknowledging responsibilities fractures community. We literally become unstuck.

The issue of human rights has become very important in the development community recently. When Mary Robinson became United Nations High Commissioner for Human Rights she said the following, 'Listening carefully I discerned two different strands of these complaints – the first alleged that the agenda of human rights amounted to finger pointing by the Western countries largely at developing countries for their failure to uphold civil liberties and that this was done selectively. The second strand concerned the narrow emphasis of this finger pointing exercise. Human Rights was seen to be largely confined to civil liberties such as fair trial, freedom of expression, association of religion and the absence of torture and ignored economic, cultural and social rights such as the right to food, education and basic healthcare'.

Our discussions are now centred on how these different sets of rights – negative and positive – can be brought together. There are still those who emphasize one group against another. There are some Christians who say that rights to economic and social goods do not exist, only civil rights exist. Other decisions should be left to the market. They do not have a right, a claim on others that they might have food and education.

Now there are three tensions over rights, which need to be addressed:

Firstly rights may be cultural and not universal. There are many people who say that the reason that there is no such thing as universal human rights is that they are culturally relativistic, that in each country rights are different. The question is, are they interpreted differently, in different cultures or are some rights ignored in some cultures because it is not convenient to do so?

But how are we as Christians who want to claim that human rights is an important universal concept, because all humans should enjoy human rights, to cope with the fact that cultural relativism is real and something we must deal with.

We can say that human dignity is the basis for human rights and but we still have a problem because definitions of human dignity could be different in different cultures. So, for instance in some cultures female circumcision could be seen as a rite of passage into womanhood which is meant to confer dignity. For that reason there needs to be careful discussion and leading to cross-cultural understanding of how human dignity should be expressed.

So rights may be cultural and not universal, and we've got to come to terms with the fact, that this tension exists. Prof Robert McCorquodale, a human rights expert, like Joan Lockwood O'Donovan says that we go to the Bible find human dignity in creation and go straight from there to human rights. We don't see that we have to take the nuance on board of the many cultures in which people are trying to explain and interpret what human rights mean. Conformity to human rights instruments does not mean uniformity and therefore there is always a need for cross-cultural sensitivity, for continual conversation where we hope we can get uniformity without sacrificing diversity.

Secondly, rights may be hierarchical and not equal in status. Again capitalism focussed on civil rights and communism used to focus on economic and social rights, wanting to see as its vision the foundation of equality and the distribution of wealth and there is still a tendency even in some development agencies and government departments to value one set of rights over another.

Thirdly, rights may be selective and not indivisible. Human Rights are in many senses a compromise. There is a vision of where we want to get to, but we know that we can only get there progressively and in one situation it may be more important to emphasise one human right than another, because we cannot get there in one go. But this doesn't mean that we should be selective in the vision we portray of human rights. Mary Ann Glendon, the great Harvard lawyer, went to the Beijing conference, to head up the Vatican delegation. While there she saw the emphasis on rights from the feminist perspective as displacing emphases from other perspectives. I was in Cairo for the UN Population conference and there was a battle between selective groups of rights. People who wanted their own agenda and were pressing that agenda and not actually giving weight to the rest of the discussion even though when you talked to them about the UN Declaration they would support it.

One delegation at Beijing, she said, was so focussed at getting its own way, that it actually didn't see that some of the things it was arguing for were against the actual UNDHR, so focussed was it on a particular ideological perspective.

The moral framework of human rights is increasingly being used as a reference point within the development community. Julia Hauserman has said that poverty is no longer income poverty, but rather poverty imposed by a lack of opportunity and choices. A human rights approach to development is one that will deliver the choices and alternatives, which are the basis for human development. As you know, Clare Short, in 1998, talked about 'all human rights for all' as being the basis for an approach to human rights. Freedom from want as well as freedom from fear.

So economist like myself have been at home with poverty reduction approaches. I suspect that lawyers are more at home with human rights approaches. One of the tricks will be how to integrate the two so that what is desirable is economically feasible. It is one thing to state that countries should have particular standards of education. It is quite another to find the resources for them to be able to deliver that standard of education. Unless the two can go

together the exercise becomes pointless. You cannot impose standards by law while ignoring the ability of an economy to deliver. Because the language of human rights expresses our global moral vision it has become the language, which is meant to restrain the dominance of the language of economics. All communities need moral boundaries which curb self-interest. Without a commitment to religion we are sometimes at a loss to know how to do this. Many now look to the concept of universal human rights to constrain an increasingly dominant economic paradigm. That is why this relationship between the concepts of human rights and those of free market economics will be so important as the intensity of globalisation gathers pace. However if contemporary human rights generate free market behaviour then those who look to human rights as a restraint on free markets will be frustrated. In that case rights-based development will consist of trying to get countries up to speed so that they can join in the process of globalisation without suffering from it in the process.

However, a rights-based approach to development doesn't mean that all rights must be realised immediately. It does mean that we can allow for the progressive realisation of rights over the period of time, but at the same time it does mean that we will not give up on a minimum essential framework of rights within each country. It may well be that the levels of education that we would like to see, cannot be delivered, given the state of the sources in that economy at that time, but we would want to see a movement in that direction and the resources of that country being used towards those kinds of goals. Its important for us to realise as Christians that people only enjoy their rights where they are implemented not where they are promised. God is not concerned about legislation but about implementation. We have to keep an eye on the relationship between the proliferation of rights claims in international charters and the fact that an enormous amount has been achieved since the signing of the UNDHR. Where human rights language is used as a reflection of a Christian worldview then I have no hesitation in saying that human rights language can be part of the agenda of Christian agencies. As with all such paradigms we need to be concerned about whether people use it because of vested interests; whether it has become a fashion trend rather than a moral; commitment and whether it is a Trojan horse for ideologies (of whatever sort) which may not be Biblical.

When you want something, for instance, as an NGO, it is very easy to demand it as a right, and to campaign for it as a right, and therefore we need to be very clear to relate what we believe about human rights with a Biblical view of ethics. Discussions about gay rights, animal rights or reproductive rights are all deeply affected by Biblical ethics and Christians will want to do their Biblical work first before making any pronouncement on rights. It may mean that Christian NGOs find themselves embarrassed when they sit round the table with other agencies because that they cannot agree with the agenda of the others. But the thing we have got to do is to stay close to the Biblical vision of humanity, stay close to the Biblical vision of justice and to the mission of the Gospel.

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