

Archbishop Iakovos and Dr. Martin Luther King, Montgomery, Alabama, March 1965.



EAST MEETS WEST

On the Righteousness of Rights

Susan R. Holman

¹ The underlying principles of liberation theology are sometimes linked with Paulo Freire's influential *Pedagogy of the Oppressed*, first published in 1970; see Paulo Freire, *Pedagogy of the Oppressed: 30th Anniversary Edition*, trans. Myra Bergman Ramos (New York: Continuum, 2000). On the tradition of liberation theology in Freire's work, see, Shari J. Stenberg, "Liberation Theology and Liberatory Pedagogies: Renewing the Dialogue," *College English* 68:3 (2006): 271–90.

Some years ago I was teaching a continuing education course at Providence College on the history of Christian responses to poverty. A fresh-hatched PhD, I could reflect at length on the early Church and a small collection of Cappadocian sermons. But when it came to subject matter after, say, the sixth century, I was at best a running half-step ahead of my students. One day mid-semester, lecturing on what I had learned only days earlier, I found myself praising liberation theology and its ideal of human rights within biblical principles as a near-perfect ideal when, from the back of the room, a veteran nun raised her hand. She had recently returned from years among the poor in Central America.

"I know it sounds great when you read the priests and intellectuals," she said, "but I've been there. The reality for ordinary people is not as empowering or positive as all that." She was voicing more than just her personal observa-

tions from the field; she was also reflecting, I later learned, an underlying hesitancy of Catholic authorities (before Pope Francis) about the politics of liberation theology.¹ Our conversation opened my eyes to the complexities of solidarity and human rights, and the equally complex interactions between religious power and talk about liberation. Indeed for some Christians today, a focus on human rights is dismissed as a secular or relative and therefore meaningless construct, or demonized, often (paradoxically) by the same sectors of faith communities that are also most active in global missions and aid activities.

Asked why Christians should care about the poor, few may think of human rights. For many ordinary citizens around the world today, Christianity more often evokes concerns about human rights abuses, particularly (for example, in missions aid) an evangelical zeal that runs roughshod over human

dignity and the validity of respect for agency in a fragile incarnation. Yet rights play a huge role in global and public health, and an estimated 40 percent of health care services around the world have faith-based roots. Poverty-relevant rights in such contexts are usually about the basic provision of food, clothing, safe shelter, legal economic justice, and adequate and effective health care delivery. These are known as *economic, social, and cultural* (ESC) rights.

Why does it matter that Orthodox Christians take such rights seriously? In this essay I suggest three reasons why Christian ethics support a mindful affirmation of ESC rights. Two of my reasons are largely pragmatic; the third is theological.

First—most obviously—basic human moral ethics call us to an other-centered maturity that, for Christians, engages a journey into understanding our fellow human beings as persons who bear and reflect the essential image of God. This view of the human person makes it all the more important to remember that people tend to feel appalled or insulted when treated as objects of “charity.” As C. S. Lewis once put it, “‘I don’t want any of your darned Christian charity’ is a very familiar sentence... because of course much that is called charity contains so much vanity, self-applause, and veiled contempt that it cannot but be resented.”² For example, the Russian poet, Marina Tsvetaeva, was so ashamed by the unequal power dynamics of living on alms from friends after the 1917 Revolution that she felt even saying “thank you” would be a demeaning expression of “paid love ... an outright offense to the giver as well as the recipient.”³ Charity as kneejerk response to “help a worthy cause” also

risks dehumanization when it fails to prove effective delivery, as such gifts are often misdirected, blocked by inattentive, ineffective, or corrupt administrators, or irrelevant, resulting in a partial or total waste. In contrast, if we are committed to ensure someone’s entitlement (both a right and obligation) to realize and enjoy certain essential resources and capabilities, we may be more attentive to following the need for accountability and equity at every step in the chain of resource delivery. And rights talk may counter arrogant patronage by reminding us that giving is a mutual exchange tied to common vulnerabilities, including our own. So the first reason is behavioral: seeing others’ needs through a human rights lens may help prevent well-meaning Christians from acting like jerks.

Second, human rights awareness can help foster constructive collaboration. As the journalist Nicholas Kristof put it, “[R]eligious people and secular people alike do fantastic work on humanitarian issues—but they often don’t work together because of mutual suspicions. If we could bridge this ‘God gulf,’ we would make far more progress on the world’s ills.”⁴ Those engaged in fighting homelessness, humanitarian crises, epidemic and infectious disease, and the life-crippling effects of infant and childhood malnutrition might be more effective if they played together well. To play well, it helps to know the language.

Rights vocabulary in aid and development settings commonly assumes two different but related meanings. One is that of *legal* rights. Most countries’ governments (the U.S. is an exception) have “ratified” or agreed to treat as law the International Covenant on Economic, Social and Cultural Rights (ICESCR). This means that in any one

² C. S. Lewis, *The Four Loves* (audio CD) (Nashville: Thomas Nelson, 2004). The passage given here is found only in the radio talk, recorded in London by the Episcopal Radio-TV Foundation in 1958.

³ Aafke Elisabeth Komter, “Gratitude and Gift Exchange” in *The Psychology of Gratitude*, ed. Robert A. Emmons and Michael E. McCullough (New York: Oxford University Press, 2004), 207.

⁴ Nicholas Kristof, “Evangelicals without Blowhards,” *New York Times* blogpost, July 30, 2011, http://www.nytimes.com/2011/07/31/opinion/sunday/kristof-evangelicals-without-blowhards.html?_r=0, accessed 2/25/14.

⁵ See Alicia Ely Yamin and Siri Gloppen, eds. *Litigating Health Rights: Can Courts Bring More Justice to Health?* (Cambridge, Harvard University Press, 2011).

⁶ Johannes Morsink, *The Universal Declaration of Human Rights: Origins, Drafting, and Intent* (Philadelphia: University of Pennsylvania, 2000), xi.

⁷ What follows here is expanded substantially in Susan R. Holman, *Beholden: Religion, Global Health, and Human Rights* (New York: Oxford University Press, 2015), 83–122. On the use of various patristic terms, see also idem, “Healing the world with righteousness? The language of social justice in early Christian homilies,” in Miriam Frenkel and Yaacov Lev, eds., *Charity and Giving in Monotheistic Religions* (Berlin: De Gruyter, 2009), 89–110; and idem, “Out of the Fitting Room: Rethinking Patristic Social Texts on ‘The Common Good,’” in Johan Leemans, Brian Matz, and Johan Verstraeten, eds., *Reading Patristic Texts on Social Ethics: Issues and Challenges for 21st Century Christian Social Thought* (Washington: Catholic University of America Press, 2011), 103–123.

⁸ Gregory of Nazianzus, Oration 14. My translation.

⁹ Lactantius, *Divine Institutes* 5.14.16–17, in *Lactantius: Divine Institutes*, ed./trans. Anthony Bowen and Peter Garnsey (Translated Texts for Historians; Liverpool: Liverpool University Press, 2004), 310.

¹⁰ *Ibid.* 311.

of those countries (including very poor nations), international human rights lawyers can rightly enforce change concerning inequities in food, housing, health care, employment, and so forth, although such legal efforts are often immensely difficult, with daunting opposition.⁵ At the same time, rights language is also used as an appeal to less actionable but equally influential *moral* ideals. In this context, most governments (including the U.S.) affirm the similar claims found in the Universal Declaration of Human Rights (UDHR). Although the UDHR has shaped a number of international documents that do have legal power, the UDHR itself is not a legally binding agreement but rather “a statement of more or less abstract moral rights and principles.”⁶ Whether Christians agree on these principles and laws or not, there is value in knowing how to speak about these texts—and their rules and nuances—if we want to have a voice in the conversation.

The two reasons outlined above are largely utilitarian. A third reason helps to ground ESC rights more solidly, as having a legitimate place, in a Christian rhetoric of aid: They belong, theologically. That is, both Christian sacred texts and the exegetical patristic tradition that together inform Christian ethics contain clear statements supporting such rights language and principles.⁷

Take for example Matthew 25:31–46. This parable of the sheep and goats has shaped most views of Christian philanthropy through the ages, not least for its central theology of Christ in the poor. The actions mandated in this text—feeding, water, clothing, attending, medical care to those who are hungry, thirsty, sick, in prison—are sometimes called “works of mercy.” But while

other biblical texts certainly speak of mercy (or pity), compassion, and kindness as virtues that reflect God’s nature and among the reasons we should treat others likewise, the Matthew parable does not. There is nothing of mercy in this text. The actions it names are criteria for (or against) divine judgment, mandating divestments as acts of “righteousness” or *tzedakah*, that useful Hebrew word that means both alms and righteousness in the sense of social justice for the other. What is right is to give others their due, whether we see Christ in them or not, and no matter how we feel about it.

Patristic texts can be equally clear. In his well-known Oration 14, “On the Love of the Poor,” Gregory of Nazianzus uses the term *isotes*, which one translator renders “the justice of God,” and *isonomia*, a Greek political term that could mean either “equity” or “equality of rights.” Appealing to the Garden of Eden before the Fall, Gregory says, “I would have you look back to our primary equality of rights [*isonomia*], not the later diversity...” (Or. 14.26)⁸

Lactantius, a Christian convert and tutor to one of the emperor Constantine’s sons in the early fourth century, also appeals to human rights, explicitly and at length, in his *Divine Institutes*. As “God divides his unique light equally between all, makes springs flow, supplies food,” says Lactantius, and “if ‘he is the same father to everyone,’ so are we all his children with equal rights.”⁹ Indeed, he adds, “the whole force of justice lies in the fact that everyone who comes into this human estate on equal terms is made equal by it.”¹⁰ Lactantius knew firsthand the civil and political violations that stripped Christians of property, legal recourse, and often life itself under the Diocletian persecutions. So it is perhaps notable that he does *not*

use the new freedoms under Constantine to push for a Christian rhetoric of civil rights. He focuses instead on what he regards as true justice, providing for “the needy and the useless”¹¹ with health care, hospitality, food, decent burial for paupers and strangers, and ransom for captives.

John Chrysostom may also be understood as an advocate of such entitlements. The Protestant ethicist Nicholas Wolterstorff, reflecting on Chrysostom’s call to address human need, writes,

*I see no other way to interpret what John is doing with his powerful rhetoric... than that he is reminding his audience, rich and poor alike, of the natural rights of the poor... The recognition of natural rights is unmistakably there: The poor are wronged because they do not have what is theirs by natural right, what they have a natural right to.*¹²

And the Dutch diplomat, Bas de Gaay Fortman, admitting that “[f]aith-based approaches to human rights cannot be of universal character,” nonetheless argues that through biblical sources “the connection with religion may provide the necessary cultural basis for the struggle for economic, social, and cultural rights.”¹³

We also find a cautious affirmation of rights in the 2008 Russian Orthodox Bishops’ Council on human dignity, freedom, and rights. This document affirmed the justice of ESC rights in a statement supporting property rights, the right to work, the protection from employers’ malpractices, the legitimacy of the right of free entrepreneurship, and the right to a decent quality of life. Noting an episcopal wish to “keep their ‘moral dimension’ central, and hence to assert the inferiority of rights to religious goals,” the bishops

nonetheless insisted that “The crucial issue of these rights is ‘to prevent confrontation and disparity in society.’”¹⁴ Despite the thick qualifiers in this statement, it clearly confirmed human rights as valid for Christian efforts to counter social inequities.

Certainly human rights have limits. They are social tools. Whether as judiciable laws on the books or as moral principles, rights cannot, even at their best, solve the world’s problems. “We need to stop thinking of human rights as trumps,” wrote the public intellectual Michael Ignatieff. They are rather, he suggested,

*not a secular religion, but something much more limited and yet just as valuable: the shared vocabulary from which our arguments can begin, and the bare human minimum from which differing ideas of human flourishing can take root.*¹⁵

If we agree that “the Christian gospel can support a theologically valid discourse of rights,”¹⁶ it may be useful within Christian ethics to think of it as a “dialectical boundary discourse.” This is the view of Ethna Regan, another Roman Catholic nun who has worked first-hand with liberation theology in Central America. That is, Regan notes, “Human rights can never be the centre and goal of ethics but rights discourse is positioned on the margins of ethics as a discourse of protection of the more to which we are called as persons and communities.”

In conclusion, in explaining why they believe it is important to help others, people typically appeal to ideas such as justice, community identity (neighbor, kinship, kingdom), the virtue of imitating God’s goodness, and human rights. While all of these motives or ethics can be found in biblical and patristic texts,

¹¹ Ibid., 355.

¹² Nicholas Wolterstorff, *Justice: Rights and Wrongs* (Princeton: Princeton University Press, 2008), 62.

¹³ Bas de Gaay Fortman, *Political Economy of Human Rights: Rights, Realities, and Realization* (London: Routledge, 2011), 129.

¹⁴ “The Russian Orthodox Church’s Basic Teaching on Human Dignity Freedom and Rights, Bishops’ Council of the Russian Orthodox Church, 2008 (Osnovy 2008), IV.8,” <http://www.mospat.ru/ru/documents/dignity-freedom-rights/>, as cited in Alfons Brüning and Evert van der Zweerde, eds, *Orthodox Christianity and Human Rights* (Eastern Christian Studies 13; Leuven: Peeters Publishers, 2012), 280.

¹⁵ Michael Ignatieff, *Human Rights as Politics and Idolatry*, ed. Amy Gutman (Princeton: Princeton University Press, 2001), 95.

¹⁶ Esther D. Reed, *The Ethics of Human Rights: Contested Doctrinal and Moral Issues* (Waco, TX: Baylor University Press, 2007), 167-8.

¹⁷ Ethna Regan, remarks at Mater Dei Institute, Dublin, Ireland, June 8, 2010, at a launch event for her book, *Theology and the Boundary Discourse of Human Rights*, <http://www.materdei.ie/index.cfm/page/newsarchive/id/61>

I have focused in this essay on human rights because it is the most controversial. Happily, this is not always the case, and human rights—both ESC rights and civil and political rights—play a crucial role in many faith-based NGOs. But where they do exist, such tensions over the use of human rights language may aggravate an already tragic alienation between polarized but

well-meaning people or service groups. I suggest that precisely because human rights ideals—described as “rights”—have a legitimate place within patristic and biblical tradition, Christians who care about these issues may take up such language fearlessly, albeit with a listening spirit of humility, to engage in synergies with global partners for the health and healing of body and soul. ✱

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LOOKING AHEAD

The Orthodox Church Facing Up to Its Own Challenges

Metropolitan Stephanos of Tallin and All Estonia

Translated by Michael Berrigan Clark

Note: What follows is the transcript of a talk, translated from the original French. Met. Stephanos was speaking to a group of Orthodox publishers in Paris, in April 2014. The conference was organized by Les Mutuelles Saint-Christophe and the website orthodoxie.com. Met. Stephanos' remarks have been abbreviated here to fit within our

I come to you from the far north of Europe, from the shores of the Baltic that were until very recently “beyond the iron curtain,” in order to share some ideas with you on the theme: “The Orthodox Church facing up to its own challenges” in today’s world.

What indeed will become of the Great and Holy Council of the Orthodox Church which, by the grace of God, will meet in Constantinople in 2016, which is already nearly upon us?

In order for the Great and Holy Council of the Orthodox Church to clarify the great questions which have troubled, preoccupied and even divided the Orthodox world for fifty years, it is essential that the council address frankly the Church’s greatest internal challenge, which is its unity. A unity to which a certain “but” is attached, concerning which one must engage in an open, direct, and if possible, loyal debate on the governance of the Church and territorial churches in particular.