

The Theological Vision of Human Rights: Political Traditions and Realities

Archpriest Vsevolod Chaplin
Chairman of the Moscow Patriarchate's
Department for Church-Society Relations

We can only be glad that in both the East and West of Europe discussion is once more unfolding on the topic of the philosophical and theological foundations for human rights and their limits, testimony to which is this present encounter. I am convinced that this discussion has not only exhausted itself, but is only just beginning. We can hardly take seriously the endeavour to state that the understanding of rights, freedom and dignity of the human person, strengthened over several decades in one political tradition and one political system, can be termed as definitive, widely accepted and unworthy of further discussion. The more varied world development becomes, the greater the soil for discussions such as ours and for the practical conclusions drawn from them.

Today in Russia, Italy, Poland, Ireland, Turkey, and the majority of the other European countries a heated polemical debate is taking place on the question of the place of religion in the army and school, its partnership with the state, on the Christian influence on economic ethics, on the limits of contemporary artists' 'playing' with religious symbols, and on the possibility of expressing the Church's values in politics. Supporters of radical secularism at times literally burst out shouting when they sense that their arguments are losing their conviction. So it was that at the round table on the arguments concerning the 'Careful, Religion!' Exhibition, the exhibits of which Orthodox Christians believed to be blasphemous and were destroyed by parishioners from one of Moscow's churches, certain human rights defenders had their say. The president of the Institute for Human Rights Sergei Kovalyov in particular said the following: 'Traditional Russian Orthodoxy is an anti-Christian sect. I do not know of what and how to speak to a person wearing camouflage who calls himself an Orthodox priest in the active regiments of our army and says that he has come to support our troops.'

Such utterances, unfortunately, have become typical for those human rights defenders who see it their mission to implant secular humanism. Polemical debate with those circles which propagate such views and their accusations that the problem of the defense of human rights is alien to Orthodox has prompted many in the Russian Orthodox Church to assess fundamentally the topic of human rights in the modern world.

The View of the Russian Church

As far back as 2000 the Jubilee Bishops' Council of the Russian Orthodox Church adopted a fundamental document on social problems called the "Bases of the Social Concept of the Russian Orthodox Church." It contains the 'embryo' of our Church's doctrine on human rights. Thus, the section entitled Christian Ethics and Secular Law states: "As secularism developed, the lofty principles of inalienable human rights turned into a notion of the rights of the individual outside his relations with God. In this process, the freedom of the personality transformed into the protection of self-will (as long as it is not detrimental to individuals) and into the demand that the state should guarantee a certain material living standard for the individual and family. In the contemporary systematic understanding of civil human rights, man is treated not as the image of God, but as a self-sufficient and self-sufficing subject. Outside God, however, there is only the fallen man, who is rather far from being the ideal of perfection

aspired to by Christians and revealed in Christ («*Ecce homo!*»). For the Christian sense of justice, the idea of human freedom and rights is bound up with the idea of service.” (IV.7)

An important contribution to the church-society discussion was the Declaration on Human Rights and Dignity adopted at the 10th World Russian People’s Council (WRPC) in April 2006. The document says that each person as the image of God has singular unalienable worth, which must be respected by each of us, by society, and by the state. And yet, the worth of which the document speaks is not characteristic of each individual from birth: ‘it is by doing good that the human being gains dignity.’

The central idea of the document is the need to achieve a harmonious unity between human rights, moral values, obligations and the responsibility of the human person: ‘Human rights are based on the worth of the person and should have as their goal the realization of the person’s human dignity. Therefore, human rights essentially involve morality. Any separation of these rights from morality means their profanation, for there is no such thing as immoral dignity... Rights and liberties are inseparable from human obligations and responsibilities. The individual in pursuit of personal interests is called to relate them to those of the neighbour, family, community, nation, and all humanity.’

In June 2007, the Bishops’ Council unanimously approved the ‘Russian Orthodox Church’s Basic Teaching on Human Dignity, Freedom and Rights’ adopted as a follow-up of the Bases of the social concept of our Church.

Human dignity is equated in the document with the human person being created in the image and after the likeness of God. Moreover, the document states: ‘It is the only ground which makes it possible to assert that human nature is an inherent dignity.’ (I.1). Such concepts are quite characteristic of Western theological thought. However, in the Eastern tradition the notion of ‘dignity’ means not so much a value given once and for all but the moral condition of the person which can change for the better or for the worse. In connection with this it is interesting to note that in Orthodox liturgical and theological texts the word

‘unworthiness’ is encountered more often than the word ‘worthiness.’ The former relates to the human person, while the latter is considered to be a gift of God who ‘makes us worthy’ of something that we ourselves are unworthy of. The document quotes the prayer of St. Basil the Great read by Orthodox Christians before communion of the Holy Mysteries of Christ: ‘Therefore, although I am unworthy both of heaven and of earth and of this passing life, having wholly yielded myself to sin and defiled thine image, I do not despair of my salvation in my wickedness. But made bold by thy infinite compassion, I draw near.’

Thus in the Eastern Christian tradition the concept of ‘dignity’ has in the first instance a moral meaning, while the notion of what is worthy and what is unworthy is linked strongly to the person’s moral or immoral actions and the inner state of his soul. ‘It is important that things dignified and undignified should be clearly distinguished in the life of a person’ (I.2). ‘A morally undignified life,’ the document further states, ‘does not ruin the God-given dignity ontologically, but darkens it so much as to make it hardly discernible’ (I.4).

Another part of the document concerning anthropology is the discussion on freedom. Freedom is named as one of the manifestations of the image of God in human nature. At the same time, the subjugation of the human will with the aid of manipulation or violence to an outward authority is viewed in the document as a ‘violation of the order established by God’ (II. 1). ‘At the same time, freedom of choice,’ we read in the document, ‘is not an absolute or ultimate value. God has put it at the service of human well-being. Exercising it, a person should

not harm either himself or those around him. But due to the power of sin inherent in the fallen human nature, no human effort is sufficient to achieve genuine goodness.’ (II.1)

Like the aforementioned Declaration of the WRPC, the document speaks of two freedoms – the freedom of choice (*antexousion*) and freedom from sin, the freedom of a life in good (*eleutheria*). At the same time, the Council expresses the conviction that the ‘social order ought to be oriented towards both freedoms, harmonizing their realization in the public sphere. It is impossible to defend one freedom while neglecting the other. Freedom to abide in the good and the truth is impossible without freedom of choice. Just as free choice loses its worth and meaning if it is turned towards evil’ (II. 2). The document also states that freedom of choice, when used in the cause of evil, becomes lost since evil enslaves the human person. The Russian Orthodox Church emphasizes that freedom of choice may be used for evil, which can lead to the loss of all freedom. The worth of freedom of choice in the eyes of the Orthodox Christian is not unconditional. This freedom far from always leads to beneficent results and therefore is not a value in itself but rather a neutral thing.

The document firmly underpins the priority for the Christian of religious norms before any human ordinances. Moreover, these norms ought to be taken into consideration when talking of the construction of the social order. ‘In Orthodoxy,’ the document says, ‘there is an immutable conviction that in ordering its earthly life a society should take into account not only human interests and wishes but also the divine truth, the eternal moral law given by the Creator and working in the world no matter whether the will of particular people or people’s communities agree with it or not. For an Orthodox Christian, this law, sealed in Holy Scriptures stands above any other rules, for it is by this law that God will judge the individual and nations standing before his Throne’ (III. 2). Thus, law and the social order ought to be based not only on human opinions and interests but on the ordinances of God. Hence, according to the document, ‘human rights cannot be superior to the values of the spiritual world. A Christian puts his faith in God and his communion with Him above his earthly life. It is inadmissible and dangerous therefore to interpret human rights as the ultimate and universal foundation of societal life, to which religious views and practice should be subjected’ (III.2). Moral principles, including love of neighbour and one’s homeland, also ought to be taken into account when defining the norms and rules according to which society lives. ‘The development and implementation of human rights – we read in the document – should be harmonized with the norms of morality, with the ethical principle laid down by God in human nature and discernible in the voice of conscience’ (III.3). ‘Human rights should not contradict love for one’s homeland and neighbours’ (III.4).

When speaking of freedom of creativity, the document calls for the legal protection of holy objects, the desecration of which “cannot be justified by references to the rights of an artist, writer, or journalist. Modern law normally protects not only people’s life and property but also symbolical values, such as the memory of the dead, burial places, historical and cultural monuments, and national symbols. This protection should be applied to the faith and things held sacred by religious people.” (IV.5)

The adoption of the Russian Orthodox Church’s Basic Teaching on Human Dignity, Freedom and Rights evoked a noticeable public reaction. On the whole, the document was received positively by the majority of politicians, scholars, public commentators, and representatives of non-Orthodox and non-Christian religious communities. Criticism in the main was reduced to accusing the Church of vindicating the rights of Orthodox Christians only, which of course should not be inferred from the text, as well as to the negation of the Church’s own right to express its opinion on socially important problems.

A more serious criticism reflects the principle divergence between the Orthodox view of the human person and society and the ideology of 'post-Enlightenment' humanism which rejects the notion of sin and declares the human person to be 'good from the beginning,' while all social problems are the result of various structures and institutions that crush the human person, which would appear to have been set up by people 'not good from the beginning.' Thus, the head of the 'For Human Rights' Movement Lev Ponomarev writes: 'The task of human rights defenders is to protect the human person and not concern ourselves whether he is a sinner or not.' And yet, it would be reasonable to ask whether we ought to separate the work of defending human rights from a profound assessment of the life of the human person and society. If the opposite is true, then we can easily arrive at the defense of clearly destructive and criminal phenomena, which the Church calls sin.

The discussion on the topic of human rights with representatives of the secular humanist position will continue, and the document adopted by the Bishops' Council gives a good basis for this. The course of the discussion has highlighted a number of key problems which I would like to dwell upon below.

The discussion raises questions of social order

In the Orthodox Christian consciousness there has always been present the notion of the worth of the human as his being cloaked in the image of God. And yet the ontological worth of the human person does not abolish a realistic view of the earthly world as subject to sin and the person as suffering from sin and in need of salvation. Orthodoxy does not share the 'Enlightenment' view of the human being as a being freely and forever striving towards the good and as a social entity oriented, again freely, towards 'progress.' Orthodox Christians are not social optimists. They take very seriously the prophecies of the Apocalypse that humanity, ever more removed from God and left to its own devices, will increase evil, which will eventually reach its extreme limit and after which there will be Armageddon and the Second Coming of Christ.

The human person and society cannot by themselves attain the moral ideal. For this they need divine grace, which is given in the true Church. The person and society cannot be moral without education and being taught, without supporting the good and limiting evil, including that evil which the Church considers to be sin yet is recognized in contemporary law as a 'normal thing.' It is no coincidence that there are many arguments between Orthodox Christians and those who out of considerations of political correctness try to deprive them of their right to label as sin and evil such things as homosexuality, abortion, pre- and extra-marital sex, blasphemy and sacrilege, the desecration of holy objects, and so on. For the true Christian, unlike the secular anthropocentric, the cycle of unrighteous, sinful actions is in no way limited by crimes against the other person or society. For us sin is the violation of God's commandments, immutable as the Lord himself. Even if these commandments are not reflected in secular law or social customs, Orthodox Christians insist that they be observed by both the human person and society. Yes, there are many sins which it would be strange to curtail through the application of the power of the law and the state. But they can and should be healed within the family, the church community and civic associations. The Church is called upon to expose publicly sinful deeds by calling people to repentance and correction.

Human rights are inextricably linked to obligations and civil responsibility, without which the self-realization of the person risks being changed into an egotistical and consumerist attitude towards his neighbour, towards the work of past generations and the vital interests of future generations. It is no coincidence that the mutual connection between rights and obligations has been so clearly affirmed in the Russian political tradition.

The majority of human rights known to contemporary legislation, including economic, social and cultural rights, are fully consonant with the Orthodox notion of the conditions necessary for the unhindered life of the human person. Many even think that in recognizing the same rights Orthodox Christians and people of other worldviews are capable of uniting around 'common human values.' However, we ought to look especially at the question of the hierarchy of values in which, unlike secular humanists, Orthodox Christians far from consider the priority the earthly life of the human person and all that is connected with it.

The values of faith, of holy objects and of one's homeland for Orthodox Christians are higher than human rights, even the right to life. It is precisely for this reason that in times of war the bishops and hermit elders would bless the people to take up arms against foreign and especially non-Christian invaders. During the times of the godless attacks on the Church she readily surrendered her wealth that was not used for worship to her persecutors, yet called upon people to resist unto death the confiscation of sacred vessels which cannot be touched by the layman.

And so, in the Christian tradition there are things far more important than earthly life – first of all one's own and then that of others (especially if we are talking about an aggressor). This is faith – for it is better to die than to lose it. These are the holy objects - for under no circumstances should the Christian allow them to be desecrated. These are the life and well-being of one's neighbour – of one's family, community, nation, and of any person enduring calamity and suffering. The anthropocentric politico-legal system, which protects merely the earthly interests of the human person and society, can hardly ever be fully approved by the true Christianity precisely because in this system the values of faith and of one's homeland, for which the Christian is capable of dying, are placed much lower than the values of human survival in this world, as well as of comfort, plenty, health and success. It is not surprising that in the course of our polemic with secular human rights defenders the hierarchies of values clash: we say that the defense of holy objects from blasphemy is more important than freedom of speech and creativity, and we are then faced with objections. We are told that for the sake of the lives of the soldiers and fighters in Chechnya we may sacrifice the territorial integrity of Russia. We cannot agree with this.

I would like to hope that the modern world will at least learn to respect equally and harmonize the various hierarchies of values by renouncing the attempt to establish the monopoly of anthropocentrism on the law and the social order. It is only by overcoming the temptation of such a monopoly; it is only by renouncing 'liberal totalitarianism' that we can avoid a conflict of civilizations.

Where Is The West To Go?

In my view, Western theological and philosophical thought many centuries ago took the wrong route by separating the religious and 'worldly' spheres. The words of St. Augustine on 'the city of God' and 'the city of man' were interpreted by Western philosophers in an exaggerated fashion. The doctrine of 'two swords,' which was not far from juxtaposing religious and 'secular' ordinances, gradually formulated the sense of a seemingly inevitable conflict between the religious life and the life of state and society. At one time the Roman Catholic Church tried to resolve this illusory conflict by subjugating the secular sphere to the religious sphere. Replacing this approach and the fully going into it principle of 'those in power define the religion' came the striving to divide radically the religious and secular spheres, the religious and secular rules by depriving religion of any right to set the parameters of the social order.

However, this tradition has been confronted by new challenges today. This is primarily the challenge of a mutual lack of understanding with a significant part of Europe that is part of the Orthodox world, as well as with many believers of the Catholic Church and of a number of Evangelical movements (primarily American) that do not tend to separate religion from politics. Secondly, this is the challenge of Islam, for which the separation of religion, law and the state sounds as absurd as the separation of the sun from light. Thirdly, this is the challenge of the absence in a number of nations of the vital strength essential to guarantee its future under the conditions of complex world processes. The low birth-rate, the concentration on consumption, personal comfort and health (now curtailed by the economic crisis), and the absence of the religious-moral imperative can only lead nations which once sent their knights on the Crusades to being the silent victims of external expansion.

There may be several ways out of this situation apart from one – to leave things as they are, for ‘things as they are’ is already the inheritance of the past.

The first outcome is the further expansion of secularism realized by military, political, propagandistic or ‘educational’ methods. It may for a limited period of time enjoy success, but it is obvious that a great many people and societies will want to have nothing to do with it and will resist it. This type of expansion will ever forcibly remind us of the attempt of the minority to dominate the majority, that is, a liberal totalitarianism secured by obligation to observe tolerance and political correctness by means of electronic control over the human person, as well as by the money and weapons which the western world has amassed in no small amount. However, the logic of history has demonstrated that economic and military advantage is far from eternal and periodically is transferred from hand to hand. Moreover, weapons and money and the propaganda apparatus may turn out to be meaningless if the West loses its human resources by sacrificing them to the needs of egoism, comfort and consumption.

The second way is, as the political system of the West develops, to turn our attention to traditions that do not separate religious and public life. We mean not only the principles of Islam but also the Orthodox doctrine of the symphony of Church, state and nation. Today many in the West, in spite of the harsh reaction of the ultra-secularists, admit that the adherents of such views on the role of religion in society can order the life of their communities according to their will and their own rules – including by setting up their own sub-societies in Western countries. And yet the West could sooner or later ask itself: would it not be better to examine the working models of a society based not on the permanent rivalry of the branches of power, political forces and social groups but on the harmonious unity of power, the nation and one or a number of religious communities? The most important thing is that the contemporary West can once again recollect its own glorious Christian tradition in its best manifestations. This will help us to find in the past the way to the future and also attain a commonality and mutual understanding with Orthodox Christians – the custodians of the most ancient Church Tradition.