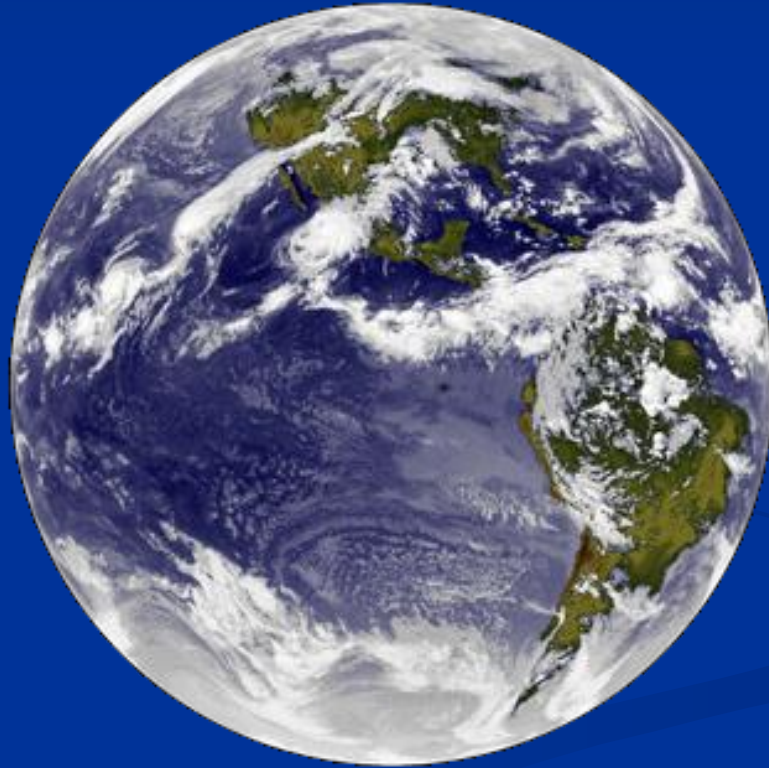


A Biblical View of Human Rights



God is the Creator and is thus the author of all rights and responsibilities (duties) we owe Him

Then God said, “Let us make man in our image, according to our likeness...” – Genesis 1:26a

The rights God gives are *inalienable* – a part of our human nature

Biblical Rights - *Mishpat*

- Strong's #4941 - *“judgment, right, that which is just, lawful, according to law.”* It can mean *to do justice or decide a case, bringing equity (punishment that fits the crime)*
- Webster's 1828 – *just... accordant to the standard truth and justice or the will of God. That alone is right in the sight of God, which is consonant to his will or law; this being the only perfect standard of truth and justice... just claim... all men have a right to the secure enjoyment of life, personal safety, liberty and prosperity.*

Gary Amos on *Mishpat*

The Biblical use of the word mishpat...

First, mishpat is justice; an objectively ordered relationship between God and man, and between men and men, including a body of legal and moral precepts and the right order itself. (lawful)

Second, mishpat is a subjective personal right inherent in one's being, part of what it means to be a person since man is created in God's image... Men, created in God's image, have been given similar rights, appropriate to their created nature... To deny this right is tantamount to denying what it means to be a human being. (inalienable, or unalienable)

A Biblical View of Rights

GOD

INDIVIDUAL receives God-given rights and responsibilities

THE CHURCH

THE HOME

THE STATE

Foundation – Members

Foundation – Marriage

Foundation – Law

Fruit – Disciples

Fruit – Child Training

Fruit – Justice

Discipline –
Excommunication

Discipline – Corporeal
Punishment

Discipline – Capital
Punishment

*Voluntary Association of
Churches to impact the
culture*

*Voluntary Association of
Families to produce
businesses*

*Voluntary Association of
Nations to defend the law
of nations*

The Right to Life

- Genesis 1:26 – *...be fruitful and multiply*
- God has a positive view of children – the world is overcrowded; not over-populated
- Psalm 51:5 – life begins at conception
- Rus Walton - *the more science learns through study and research, the more science affirms the Scriptures. Life begins at conception.*
- All human beings, regardless of race, are given the right to life (equality)
- We can give it away lawfully or unlawfully

The Right to Liberty

- Genesis 1:26 – ...replenish the earth
- Hebrew word mala – *to make full, to be filled, of the thing to be filled and that which fills*
- Not re-populate, but to fill empty space with action or ideas, hence improve – technology
- Being made in His image, we are creative, and can replenish natural resources
- Webster's 1828 - replenish – *to fill, to stock with numbers or abundance... to finish, to complete*
- When liberty is abused (license), we lose it

Noah Webster on “liberty”

- *... natural liberty, so far only abridged and restrained, as is necessary and expedient for the safety and interest of the society... A restraint of natural liberty, not necessary or expedient for the public, is tyranny or oppression... Hence, the restraints of law are essential to civil liberty.*
- *Almost all the civil liberty now enjoyed in the world owes its origin to the principles of the Christian religion... and civil liberty has been gradually advancing and improving as genuine Christianity has prevailed... genuine Christianity, and to this we owe our free constitutions of government....*

The Right to Property

- Genesis 1:26 – ...and subdue (the earth)
- Hebrew kabash – bring in bondage (steward)
- Dominion (rahdah) – Amos; ...meaning property or lordship over possessions and lands... property, an attribute of lordship, was given to man before the Fall into sin and is part of the original law of nature.
- Psalm 24:1 – God owns the earth, but we are stewards with responsibility for property
- Garden of Eden first real estate before sin
- The 6th and 10th Commandments affirm property
- Violations of others' rights causes property loss

“Conscience is the most sacred of all Property” – James Madison

“Property... In the former sense, a man’s land, or merchandise, or money, is called his property. In the latter sense, a man has a property in his opinions and the free communication of them. He has a property of peculiar value in his religious opinions, and in the profession and practice dictated by them.. He has an equal property in the free use of his faculties and free choice of the objects on which to employ them. In a word, as a man is said to have a right to his property, he may be equally said to have a property in his rights.... Government is instituted to protect property of every sort...” – March 29, 1792

Allodial vs. Feudal Property

Allodial

- Allodium - ...*land which is the absolute property of the owner; real estate held in absolute independence, without being subject to any rent, service...*
- ...*In England, there is no allodial land, all land being held of the king; but in the United States, most lands are allodial.*”

Feudal

- Feud - “*a fee; a right to lands... held in trust... the right which a vassal or tenant has to the lands or other immovable thing of his lord... the property of the soil always remaining in the lord or superior.*”

God-given Rights are Self-evident

- Self-evident means “truths known intuitively”
- General Revelation – Romans 1:18-20 – the word self-evident is derived from Scripture
- Special Revelation – Scripture alone (Ro. 10:9)
- God-given rights are given equally
 - Each individual is made in the image of God, though marred by sin spiritually and morally
 - Man’s reason is a gift from God and thus able to discern the law of nature and self-evident rights
- Can’t discern the Redeemer without divine aid

Thomas Aquinas *Summa Theologica*

1274 AD - *The precepts, therefore, contained in the Decalogue are those the knowledge of which man has in himself from God. They are such as can be known straightway from first general principles... and those which are known immediately from divinely infused faith... (T)wo kinds of precepts, the primary and general, which inscribed in natural reason as self-evident, need no further promulgation... These two precepts are primary and general precepts of the law of nature, self-evident to human nature*

William Blackstone's Commentaries

This will of his Maker is called the law of nature. For as God... when He created man... laid down certain immutable laws of human nature, whereby that free will is in some degree regulated... and gave him also the faculty of reason to discover the purport of those laws... in compassion to the... blindness of human reason, hath been pleased... to discover and enforce its laws by an immediate and direct revelation. The doctrines thus delivered we call revealed or divine law, and they are to be found only in the Holy Scriptures.... Upon these two foundations, the law of nature and the law of revelation, depend all human laws; that is to say, no human laws should be suffered to contradict these.

Israel and the Ancient Empires

- Hammurabi's Code (1750 BC) – though inspired by the law of nature, statist in nature
- Nations reject a Creator, State granted rights
- Greeks and Romans all had Statist rights
- Medieval Rights were not God-given...
- God-given rights are given equally (Tierney)

The doctrine of individual rights was not a late medieval aberration ... Rather, it was a characteristic product of the great age of creative jurisprudence that, in the twelfth and thirteenth centuries, established the foundation of the Western legal tradition

From Rights to Privileges

- Webster's – *a particular right granted by law or... an exemption from some burden to which others are subject.*
- Privileges were “titles of nobility” – forbidden in Congress (AI.S9.C8) and States (AI.S10.C1)
- Transition from inalienable rights to “civil” ones
 - Unalienable – God-given – people conscious of rights
 - Redefined as “civil” – subtly granted by civil govt.
 - Licenses (permits) for what you once had a right to do
 - “Exemptions” or “exceptions” – toleration of rights
 - Elimination of God-given rights due to the excess of those who violate them – necessity for safety/security

Schaff on Church-State Relations

"What is the distinctive character of American Christianity in its organized social aspect and its relation to the national life, as compared with the Christianity of Europe? It is a free church in a free state, or a self-supporting and self-governing Christianity in independent but friendly relation to the civil government... Civil liberty requires for its support religious liberty, and cannot prosper without it. Religious liberty is not an empty sound, but an orderly exercise of religious duties and enjoyment of all its privileges. It is freedom IN religion, not freedom FROM religion; as true civil liberty is freedom IN law, and not freedom FROM law..." – Philip Schaff, 1888

Schaff on Liberty and Toleration

There is a very great difference between toleration and liberty. Toleration is a concession, which may be withdrawn; it implies a preference for the ruling form of faith and worship, and a practical disapproval of all other forms. It may be coupled with many restrictions and disabilities. We tolerate what we dislike but cannot alter; we tolerate even a nuisance, if we must... In our country we ask no toleration for religion and its free exercise, but we claim it as an inalienable right... Freedom of religion is one of the greatest gifts of God to man, without distinction of race and color. He is the author and lord of conscience, and no power on earth has a right to stand between God and the conscience. – 1888