

# Imputed Rights

An Essay in Christian Social Theory

Robert V. Andelson



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## Foreword

Robert Andelson seemed much too young when he passed away unexpectedly while recuperating from minor surgery in November 2003. To friends and family, he was a loving companion, a devoted teacher, and a faithful Christian, ordained in the Congregational Christian Church. Andelson was dedicated to justice causes and active in advancing the views of Henry George. He had traveled the world and enjoyed friendships with people from different cultures. He had a sparkling sense of humor and flair for dramatic recitation, especially in verse. Colleagues remember him also for his powerful ideas in the area of Christian social philosophy. In this regard, insights found between the covers of *Imputed Rights*, first published by the University of Georgia Press in 1971, have outlived the author and continue as fresh today as the when first penned half a century ago.

The proposition that all human beings should enjoy certain fundamental freedoms exploded across the world's consciousness during the middle years of the twentieth century. With the embers of World War II still smoldering in memory, the United Nations General Assembly in December 1948 adopted the Universal Declaration of Human Rights expressing the growing consensus to the 'the right to life, liberty, and security of person' (Article 3), the right not to 'be subjected to arbitrary arrest, detention or exile' (Article 9), 'the right to own property alone as well as in association with others' (Article 17.1), 'the right to freedom of peaceful assembly and association' (Article 20.1), and many other freedoms.<sup>1</sup> In all, the Assembly adopted thirty articles specifying rights which were amplified and made more specific in numerous local, national, and international instruments. In 1966, the General

Assembly further expanded the original declaration by adopting two additional detailed covenants: The International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights.<sup>2</sup>

Not all assaults on freedom could be traced to the Axis powers, of course. Gradually the Soviet Union went through a period of de-Stalinization, followed by the Cold War, Détente, Glasnost, Perestroika, until the collapse of the USSR and its replacement with a Commonwealth of Independent States in 1991. Greater openness in China has been slower, but nevertheless spurred inexorably forward by a desire to participate in Western markets. The desire for freedom is a human longing. In the Caribbean and Latin America, in country after country, in Argentina, Brazil, Chile, the Dominican Republic, Nicaragua, Peru, *caudillo* dictatorships have given way to modern representative governments. In Africa, August 1962 marked the date of Nelson Mandela's imprisonment for leading the opposition to South African apartheid. Greater equality among South Africans came when President Frederik Willem de Klerk released Mandela from prison in February 1990, followed by multi-racial elections in April 1994.

And in the United States and Great Britain? The issues most hotly debated in our societies likewise concern our rights as citizens and as humans: the right to privacy, the right of the unborn to live, the right of the woman not to carry the fetus to term, the right to health care, the right of the terminally ill to terminate life with dignity, the right to carry arms in public, the right of aliens to asylum, the right of citizens to refuse certain taxes, the right for a just wage, the right to select what school one's children will attend, etc. Oftentimes, the right of an individual is juxtaposed to the rights of others or to claims of the common good.

Establishing what are and are not rights (and the limits of these rights) has proved a process worked out mainly through political

means and in national and international courts of law. For example, the late 1950s saw the coming of age of the Civil Rights Movement in the United States, with legislation of 1964 outlawing racial segregation in schools, at the workplace, and by facilities serving the general public and attempting to ensure equal standards for voter registration among Blacks and Whites.<sup>3</sup> Title VII of the Civil Rights Act proved liberating also for women as it prohibited discrimination on the part of employers not only for reasons of race and color, but on account of religion, sex, and national origin. Across the Atlantic, the United Kingdom's similar Equal Pay Act went into effect in December 1975 and since then has been adopted in modified form throughout the European Union.<sup>4</sup>

One of the influential voices for human rights leading up to the publication of *Imputed Rights* was Pope John XXIII, who introduced his April 1963 encyclical *Pacem in Terris* (Peace on Earth) by listing many rights, the right to live, to food, to clothing, to shelter, to medical care, to rest, to freedom of speech and publication, to education, to profess religion, to worship God, etc.<sup>5</sup> The list is extensive. These rights arose from God's creation of a moral order, the Pontiff affirmed, and it would be only by respecting those rights that peace would come to earth. Toward the end of the encyclical, John XXIII identified the United Nations Declaration of Human Rights as 'a solemn recognition of the personal dignity of every human being' and 'a step in the right direction . . . toward the establishment of a juridical and political ordering of the world community'.<sup>6</sup>

Robert V. Andelson's *Imputed Rights* fits against this backdrop of, on the one hand, a germinating global acceptance of the concept of human rights in mid-twentieth-century and, on the other, attempts to designate what are and are not specific human rights through political consensus, secular legal briefs, and Christian documents rooted in natural law. To Christians of the Reformed

tradition, Andelson's book has provided much clarity to a difficult subject. That this important work will continue in print through the auspices of Shephard-Walwyn is reason to rejoice.

While convinced that the only true foundation for human rights is to be found in theology, Andelson dismisses the possibility of discovering such rights through a Christian concept of natural law (as thought by John xxiii). The problem is epistemological. Given the fallen nature of humans, how can we know the universal, absolute, and immutable (in its principles) order established by God? Any affirmation that the divine order was stamped on the human conscience at creation, and can be recalled by us, crashes against the evidence of history.

On inspection, the record between Christianity and human rights is equivocal at best. While the notions of human equality and freedom appear in the letters of Paul and other New Testament writings (cf., Gal 3:27-29, 5:1), so do expressions in support of slavery, the subjection of women, and other activities considered abusive of human rights today (cf., Eph 6:5-8; I Tim 2:11-15). The age of Constantine ushered in a long period where the church more often than not participated with government in persecuting those who pursued many of the freedoms affirmed by the Universal Declaration of Human Rights: the right of assembly, to worship, to express opinions freely. While the Reformation brought some greater freedoms, especially as concerns worship and church polity (the possibility of reading the Scriptures in the common language, English, German, or French; the birth of congregational assemblies with less centralized authority; the notion that the petitions of believers do not need to be mediated through priests), it took away others. The birth of Fundamentalism strengthened certain forms of intolerance. And individualized interpretations of the Word provided easy means to rationalize racial and cultural prejudices. While Northern abolitionists preached against slavery,

an equal number of Southern ministers affirmed the rights of slave owners through their Sunday sermons.

When *Imputed Rights* first appeared, the ambiguous posture of Christianity toward human freedoms had been a decade in the news through the marches, Church meetings, boycotts, and letters to the editors of newspapers, both in support and in opposition to the Civil Rights activities. The April 1963 letter Martin Luther King, Jr. wrote from the Birmingham City jail illustrates a non-romanticized view of Christianity's relationship with human rights. The open letter was a reply to other clergymen, White Southerners, who had criticized his work as 'unwise and untimely', the efforts of an outsider who did not fully understand conditions in Birmingham.<sup>7</sup> In answer, the Reverend Dr. King placed himself in line with the prophetic tradition of the ancient Hebrews. Freedom must be demanded by the oppressed for it is never voluntarily given. Nonviolent civil disobedience is a proper way to fight unjust laws. His actions were not extreme but a response to Christian faith. Toward the end of that same year, the great Civil Rights leader expressed further disappointment in the church. 'We must face the fact', he said in response to a question following a speech at Western Michigan University, that 'the church is still the most segregated major institution in America. At 11:00 on Sunday morning when we stand and sing that Christ has no east or west, we stand at the most segregated hour in this nation'.<sup>8</sup>

No, the notion that human rights are known to Christians because God's sense of justice was inscribed on the human conscience at creation crashes against the evidence of history. The problem is, as Andelson so clearly perceived, human sin. The Fall was such that the unredeemed human conscience provides no reliable guide to what are and are not just freedoms. The idea that human rights can be discerned and elucidated through natural law proves a dead end.

Do human rights simply represent the mores of an age, then, a political consensus? Or do they exist as timeless truths? And if they do exist, can we identify and define them? Andelson focuses on the Atonement. All values are rooted in divine grace. Human freedoms are undeserved, but nevertheless given to us by a loving God. In spite of our fallen state, they were imputed to us by the death of Jesus on the cross.

God had a purpose in giving us rights. Freedom is necessary to Christians, if we are to pursue our purpose of glorifying God and enjoying God forever. In keeping with the central paraenesis of Christian writings, including *Pacem in Terris*, rights exist only in relationship to concomitant duties.<sup>9</sup> The freedoms allow believers to love God, be useful to God, and love the neighbor. And what of non-believers, do they enjoy rights too? Andelson answers, Yes, and explains why so.

Andelson's attention to the Atonement offers an innovative answer both to the sticky problems of explaining the provenance of human rights in sinful creatures and to specifying what are and are not those rights. One review from 1971 called Andelson's book 'a great one', adding that the section where he grounded rights in the Atonement provided 'an outstanding service to the reading public'.<sup>10</sup> The review was prescient. And the seeds that Andelson planted in Part I of *Imputed Rights* continue to offer great possibilities for concrete development by Christian scholars.

There was some misunderstanding of *Imputed Rights*, especially of Part II, immediately after publication. The Foreword had been written by the noted conservative Russell Kirk, and Andelson too tended in his personal views more toward libertarian than liberal stances. That simplistic polarity, conservative-liberal, however, does as great injustice to Andelson's thinking as it does to most Christian thought. That the book is being republished after other of Andelson's writings are well known, provides us an opportunity

for deeper appreciation of its prophetic message. The gospel always strikes the hearer as an unexpected truth. And Andelson's approach to rights will surprise conservatives as much as liberals.

For example, Andelson affirms that humans have a right to the fruit of their labor. At first, this view appears to fit with typical arguments against taxes, especially the income tax. But for human labor to produce fruits, Andelson argues, labor must be applied to the bounty of nature, what God has provided for all in society. He explained this wonderfully in the speech 'The Earth is the Lord's', delivered in 1979 in San Francisco.<sup>11</sup> Land, air, water, petroleum, minerals, and other gifts of nature belong to all people, not only to a handful of individuals. God intended them for the benefit of humanity as a whole. Thus, land taxes and natural resource taxes should be much higher than is commonly the case, he thought, sufficiently high, in fact, for society as a whole to recover all but a fair wage for the labor of the individuals who claim ownership of these natural rights. In effect, it is as if the owner leases the right to use the bounties of nature. Any monetary gain to the individual should accrue from the value of his or her work, not the despoliation of what God intended to benefit all. Moreover, the payment of higher land taxes causes decreased property speculation. Also, by increasing land value taxes and diminishing taxes on improvements, cities would be beautified, the environment protected.

As with other powerful thinkers, Andelson's thoughts changed over time. *Imputed Rights* focused on the individual. But with the passage of years, Andelson came more and more to understand the structural nature of sin. His later writings, especially our jointly written *From Wasteland to Promised Land: Liberation Theology for a Post-Marxist World*, show growing realization for the necessity to take sides in justice issues, for commitment, and for what Liberationists call God's option for the poor.<sup>12</sup> Standing on the sidelines is actually like siding with the powerful against the powerless.

God's actions, as recorded in the Old and New Testaments, show him as the one who brings freedom to the oppressed. As followers of Christ, whose rights shall we fight for?

In *Imputed Rights* and in other writings, Andelson distinguishes between charity and justice. He argues that charity is a voluntary activity that grows from the Christian's response to God's command to love one's neighbor. Justice, however, is demanded of all and should not be considered voluntary by society. Laws should be so structured as to bring about equal justice.

Should our discussion of rights be limited to matters of justice and laws and not to issues of charity? The recent encyclical *Caritas in Veritate* raises a cogent point. It is true, Benedict xvi writes, that charity goes beyond justice, in the willingness through love 'to offer what is "mine" to the other'. But it is also true that 'justice is inseparable from charity, and intrinsic to it. . . . On the one hand, charity demands justice: recognition and respect for the legitimate rights of individuals and peoples. It strives to build the *earthly city* according to law and justice. On the other hand, charity transcends justice and completes it in the logic of giving and forgiving. The *earthly city* is promoted not merely by relationships of gratuitousness, mercy, and communion. Charity always manifests God's love in human relationships as well, it gives theological and salvific value to all commitment for justice in the world'.<sup>13</sup>

Would Andelson hold a different opinion today than in 1971 concerning the relationship of rights to charity? The passage of time has led me to think also what Pope Benedict argues, namely that justice and charity are inseparable categories in Christian experience. Maybe as a mental exercise we can separate the notions, but even in that, I am now uncertain. In the reality of day-to-day living, however, whether called justice or charity, the two equally represent a response to the divine command to love God and one's neighbor.

For the Christian, Andelson argues in the pages that follow, human rights cannot be separated from the duty of loving God and neighbor. Can justice and charity be compartmentalized? Yes, he thought in 1971. That was still his thought (and mine) when we published *From Wasteland to Promised Land* in 1992, but our argument was more nuanced by then.<sup>14</sup> And now, in 2010? I wonder if my friend would not have made the same pilgrimage I have made and agree that it is not so easy as once considered to separate issues of justice and charity. I miss my conversations with Andelson. Justice, Christian charity, and universal human rights: those are topics worth pursuing with such a friend.

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May 2010

## Endnotes

1. The text of the Universal Declaration of Human Rights is readily available on the Internet at <http://www.un.org/en/documents/udhr/>. Site accessed May 5, 2010.
2. The text of the International Covenant on Economic, Social and Cultural rights can be accessed at the homepage of the Office of the United Nations High Commissioner for Human Rights at <http://www2.ohchr.org/english/law/cescr.htm>. The text of the International Covenant on Civil and Political Rights can be accessed through the same office at <http://www2.ohchr.org/english/law/ccpr.htm>. Sites accessed May 5, 2010.
3. The text of the Civil Rights Act of 1964 can be accessed at <http://www.ourdocuments.gov/doc.php?flash=true&doc=97&page=transcript>. Site accessed May 5, 2010.

4. The text of the Act of Parliament (Sex Discrimination Act of 1975) can be accessed at <http://www.pfc.org.uk/node/297>. Site accessed May 5, 2010.
5. *Pacem in Terris in Proclaiming Justice & Peace: Papal Documents from Rerum Novarum through Centesimus Annus*, ed. Michael Walsh and Brian Davies (Mystic, Connecticut: Twenty-Third Publications, 1991), pages 125-156.
6. *Pacem in Terris*, page 150.
7. Martin Luther King, Jr., 'Letter from Birmingham City Jail (1963)' in *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, ed. James M. Washington (New York and San Francisco: Harper Collins Publishers, 1986), pages 289-302.
8. The interview was conducted on December 18, 1963 as part of a 'Conscience of America' lecture symposium on racial prejudice and race relations at Western Michigan University. The text can be accessed at <http://artlucero.wordpress.com/2009/01/19/the-most-segregated-hour-in-america/>. Site accessed May 5, 2010.
9. *Pacem in Terris*, pages 131-133.
10. Rene deVieme Williamson, 'A Foundation for Rights', *American Journal of Economics and Sociology*, vol. 32, no. 2 (April 1973), page 215.
11. The text of the speech is available on the Internet at [http://www.cooperativeindividualism.org/andelson-robert\\_earth-is-the-lords.html](http://www.cooperativeindividualism.org/andelson-robert_earth-is-the-lords.html). Site accessed May 5, 2010.
12. Robert V. Andelson and James M. Dawsey, *From Wasteland to Promised Land: Liberation Theology for a Post-Marxist World* (Mar-yknoll, NY and London: Orbis Books and Shephard-Walwyn Publishers, 1992 ).

13. *Caritas in Veritate*, section 6. The text in English is available on the Internet at [http://www.vatican.va/holy\\_father/benedict\\_xvi/encyclicals/documents/hf\\_ben\\_xvi\\_enc\\_20090629\\_caritas-in-veritate\\_en.html](http://www.vatican.va/holy_father/benedict_xvi/encyclicals/documents/hf_ben_xvi_enc_20090629_caritas-in-veritate_en.html). Site accessed May 5, 2010.
14. *From Wasteland to Promised Land*, pages 34-40.



## Foreword to the First Edition

In our modern confusion about the meanings of words, most people are at sea when they come upon such terms as “natural rights,” “natural law,” “rights of man,” “human rights,” “chartered rights of men,” and “higher law”. Yet justice cannot be attained until a proper understanding of these terms is restored. Professor Robert V. Andelson’s book is a courageous endeavor to renew the metaphysical foundations of natural rights. Knowing that all differences of opinion are theological at bottom, Mr. Andelson reaffirms the religious understanding of human nature, natural law, and natural right.

For natural rights to be recognized, there must be postulated an immutable human nature and a body of moral law pertaining to that nature. Some writing on this large subject has appeared in recent years — the books of A. P. d’Entrevès, Leo Strauss, John C. H. Wu, and Peter Stanlis, among others. Robert Andelson relates the doctrine of natural rights to the Christian teaching about man and to many of our present discontents. Concerning the interpretation of natural rights, men always will differ: I happen to agree with many of Mr. Andelson’s particular interpretations, but to dissent from other interpretations of his. However this may be, it is Andelson’s achievement to remind us of the sound and true basis for those rights which are not conferred by positive law.

Natural right flows from natural law. As a term of jurisprudence and politics, natural law may be defined as a loosely-knit body of rules of action prescribed by an authority superior to the state. These rules are presumed to be derived from divine intent, from the nature of man, or from the long experience of man in community.

On the one hand, natural law and natural right must be distinguished from positive or statutory law, decreed by the state; on the other, from the “laws of nature” in a scientific sense — that is, from propositions expressing the regular order of certain natural phenomena. The most cogent early treatise on natural law and the rights derived from that law is Cicero’s *De Re Publica* — although those concepts may be found in Plato and earlier writers. This Ciceronian understanding of natural law, mingled in later centuries with Christian thought, was well expressed in the nineteenth century by Froude: “Our human laws are but the copies, more or less imperfect, of the eternal laws so far as we can read them, and either succeed and promote our welfare, or fail and bring confusion and disaster, according as the legislator’s insight has detected the true principle, or has been distorted by ignorance or selfishness.”

As interpreted by the Roman juriconsults, and later by the medieval Schoolmen and Canonists, the legacy of the classical *ius naturale* experienced little challenge until the seventeenth century. From Sophocles’ *Antigone* and Aristotle’s *Ethics* and *Rhetoric*, through the Stoic philosophers of Hellenistic and Roman times, a continuity runs until the beginnings of secularism and rationalism in the seventeenth century. Until the middle of that century, in the Christian world, the natural law was believed to be a body of unwritten rules depending on a transcendent insight of the human race, on universal conscience, and on common sense; it was closely connected, from the triumph of Christianity onward, with Christian moral teachings. In the words of Sir Ernest Barker, “This justice is conceived as being the higher or ultimate law, proceeding from the nature of the universe — from the Being of god and the reason of man. It follows that law — in the sense of the law of the last resort — is somehow above law-making.”

Natural rights, derived from this body of natural law, were understood to be immunities and privileges essential to the fulfill-

ment of divine intent for man: rights enabling the human creature to realize full humanity, in the image of God. (In the phrase of a twentieth-century writer, Stefan Andreas, “We are God’s Utopia.”) If denied these rights, the human being would be something less than what divine wisdom intended him to be.

Late in the seventeenth century, however, a secularized and rationalistic interpretation of natural law appeared, conspicuous in the works of Hugo Grotius and Samuel von Pufendorf. This latter concept of natural law was embraced by many of the *philosophes* of the eighteenth century, and took flesh during the French Revolution, when it was popularized by Thomas Paine. So were conceived the abstract “Rights of Man,” unrelated either to divine providence or to historical experience.

Yet the older understanding of natural law was not extinguished. In part, Immanuel Kant sustained it. It was ringingly asserted by Edmund Burke, in his distinction between the “real” and the “pretended” rights of men. Here Burke stood in the tradition of Richard Hooker, and, more remotely, of the Schoolmen and of Cicero.

During the nineteenth century, concepts of natural law and natural right were overshadowed by the powerful utilitarian system of Jeremy Bentham, by the theories of John Austin and the Analytical Jurists, by legal positivism, and later — particularly in America — by legal pragmatism. The collapse of the Enlightenment’s structure of rationalistic “natural law” was thought by many to involve in its ruin the earlier natural-law and natural-right tradition from which the Enlightenment’s “natural law” had deviated.

In the United States the older and newer schools of natural law theory have contended confusedly against each other since the latter half of the eighteenth century, and both have been strongly assailed by positivistic, utilitarian, and pragmatic interpretations of law. Yet appeals to the “natural law” and “natural right,” or to

a “higher law,” have recurred often in American politics and jurisprudence; both conservatives and radicals, on occasions, have invoked the rights ordained from nature.

The difficulty of defining natural law and natural right, and of discovering clear sanctions, involves these doctrines in controversy. A. P. d’Entrevès writes, “The doctrine of natural law is in fact nothing but an assertion that law is a part of ethics.” Yet, he concludes, “The lesson of natural law [is] simply to remind the jurist of his own limitations . . . This point where values and norms coincide, which is the ultimate origin of law and at the same time the beginning of moral life proper, is, I believe, what men for over two thousand years have indicated by the name of natural law.”

Robert Andelson agrees with Professor d’Entrevès that values and norms coincide in natural law and natural right; but he affirms a more coherent metaphysical foundation for this justice than does d’Entrevès. Rejecting the rationalists’ and the utilitarians’ theories of the foundation of law and right, Mr. Andelson offers us a renewed apprehension of the transcendent consciousness of ordered freedom. The service of God is perfect freedom: this is no paradox, for both our personal and our social nature proceed from God.

Mecosta, Michigan  
November 1970

Russell Kirk

# Prolegomena

Today insistent forces press for social change, demanding ascendancy in the name of human rights. The civil rights movement, the anti-poverty crusade, the assault upon colonialism, the campaigns for academic freedom, military disengagement, birth control, all engender passionate involvement and give frequent rise to admirable impulses of self-sacrifice and courage. Yet all this activism has not been accompanied by any corresponding effort to clarify intellectually the concept which it claims to serve. Concern for rights animates heroic combat volunteers not less than those who march in peace parades, last ditch resistance to the power of centralized authority not less than the employment of that power to lift the status of aggrieved minorities, opposition to compulsory unionism not less than agitation for workers' solidarity, zeal for strengthening law enforcement not less than fastidiousness for due process, the *National Review* not less than the *New Republic*. Plainly, there is confusion somewhere! All honor to the motives of those who sincerely demonstrate for rights as they best understand them. But perhaps what is most needed now is less demonstrating and more hard thinking about precisely what it is that constitutes a right.

The modern temper is not friendly to theoretical disquisitions on the nature of justice. One hears it said that such efforts are a waste of time, that mankind is in fundamental accord as to what is meant by justice, and that the area of disagreement lies in the question of what means are to be utilized in attaining it. If one takes seriously the sloganry of propagandists, this contention has a degree of surface plausibility: freedom, security, and the good life are proclaimed as human rights by politicians of every ideological

stripe and hue. But the vacuity of such sloganry becomes quickly evident when one considers that for Hitler the term "human" had a racially delimited sphere of application, that by "freedom" Mussolini meant self realization through submission to the state, that the "security" enforced by Trujillo was that of a prison or a graveyard, and that the Marxist concept of "the good life" is best epitomized by the symbol of an ant-heap.

The fact is that theoretical considerations are of crucial importance in determining both ends and means in politics and jurisprudence. When an Ataturk decrees the abolition of the fez, or a Nehru the extirpation of untouchability, decisions have been made which reflect a profound revolution in ends. When the United States Constitution is amended to allow for a graduated federal income tax, or interpreted to outlaw racial segregation in the public schools, dramatic changes in philosophic world-view have become manifest.

Frank Knight has remarked, "The differences between men which give rise to serious conflict rest in differences of opinion about rights rather than mere clashes of individual 'selfish' interest."<sup>1</sup> While this is perhaps an overstatement, it rests upon a sound and valid insight.

This essay is an attempt to get at the heart of the problem of just what it is that makes rights rights. This is a problem which has been surprisingly neglected.<sup>2</sup> Much has been written about specific rights but relatively little with any philosophical pretension about rights in general. Such technical literature as does exist is mostly of the critical variety which seeks to undermine the theory of natural rights but which does not substitute for it any kind of criterion not subject to the vagaries of time and place.

My approach assumes quite frankly a theological frame of reference. It will not convince, nor was it intended to convince, positivists or humanists; it was undertaken to provide serious

Christians with a doctrine of rights rigorously in keeping with the theocentric basis of their piety. On first consideration, such an effort may appear superfluous, for invocation of the name of God is scarcely rare in proclamations of the rights of man, nor is Christian literature affirming human rights unusual. Yet such invocation cannot commonly be understood as more than honorific, and such affirmation cannot commonly be clearly seen as something which follows logically from the premises asserted. Christian affirmations of the rights of man betray, almost monotonously, a rationale which contradicts fundamental Christian tenets, a rationale unconsciously borrowed from humanism, whether of the Classical or the Enlightenment variety.

Since even Christian theories of human rights have, in fact, for the most part depended upon essentially secular arguments, the question may be raised as to why a theocentric view of human rights is needed. Can this topic not be adequately dealt with from a frame of reference based on common ground, one which does not require any more ultimate agreement than a shared concern for human welfare? My answer to this question is two-fold: first of all, it must be said that although a concern for human welfare is indeed implicit in the Christian faith, any effort to translate it directly into the language of rights will founder on the doctrine of the Fall of Man, which renders untenable any simple deduction of rights from the order of creation. Despite Mr. Jefferson's rhetoric, there is from the Christian standpoint nothing self-evident in the proposition that all (or indeed, any) men are endowed with unalienable rights. No view of human rights which fails to take thoroughgoing account of man's fallen nature can be considered consonant with the demands of normative Christian theology, or, for that matter, even of psychological realism. Secondly, as I shall now attempt to demonstrate, only a theocentric position can provide a really secure anchor for the concept.

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