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Contents

Editorial	iv
Reading the Scriptures with the Spirit: I Transformational Reading: Minding the Spirit Molly Marshall	1
Reading the Scriptures with the Spirit: II Discerning Reading: Winnowing the Harvest Molly Marshall	17
Reading the Scriptures with the Spirit: III Hopeful Reading: Honouring Faith's Promise Molly Marshall	34
Knowing the Risen Christ: The Anabaptist Holistic Witness as Mission Parush Parushev	46
Pilgrims Progressing: Ignatius of Loyola and John Bunyan Tim Noble	64
Toleration and Anti—Toleration in Covenanting Scotland Derek Murray	79
Back to the Future: The Discovery of the Future of Russian Baptist Social Involvement through the Narratives of the Past. Tima Cheprasov	88
Is the concept of human rights a 'nonsense on stilts'? J. Andrew Kirk	100
Human Rights, Dignity and Freedom: An Orthodox Perspective Kameliya Slavcheva	115

secular version of the idea of human rights, that the conviction that human beings are sacred is inescapably religious.³⁵

If, then, Jeremy Bentham has been proved right in his conclusion that the concept of human rights is 'a nonsense on stilts', i.e. a highly exalted nonsense, and Alasdair MacIntyre in his insistence that the concept is a fiction, the question might still be asked, is it a useful fiction? Given the total inadequacy of any description of ethics that begins with the assumption of a closed-order material universe, brilliantly exposed, for example, by Neil Messer in his book, *Selfish Genes and Christian Ethics*,³⁶ does the notion of human rights nevertheless fulfil the aim, even if only in part, of protecting the equal dignity and sanctity of human beings, which are warranted truth claims on non-secular assumptions? Timothy Gorringer argues that 'to insist that the discourse of human rights is inadequate is one thing; to say that we should dispense with it quite another.'³⁷

Given the reality of pluralist societies, is this concept the best we can do? To answer this question adequately would take another presentation. My tentative conclusion to this discussion is that, whatever the case, not to take the concept for granted, but to call it into question, opens up possibilities for fresh thinking in what is proving to be an ethical minefield.

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³⁵ Michael Perry, *The Idea of Human Rights: Four Inquiries* (Oxford: Oxford University Press, 1998), p. 35, quoted in Ramachandra, *Subverting Global Myths*, p.97.

³⁶ Neil Messer, *Selfish Genes and Christian Ethics: Theological and Ethical Reflections on Evolutionary Biology* (London: SCM Press, 2007); see also, Holmes Rolston III, *Genes, Genesis and God: Values and Their Origins in Natural and Human History (The Gifford Lectures, University of Cambridge, 1997-1998)* (Cambridge: CUP, 1999).

³⁷ Gorringer, *Furthering Humanity*, p.231. It has been suggested that the authorities in Nazi Germany were able to carry out appalling atrocities against minorities (Jews, gypsies, homosexuals and the disabled) in part because the German Church had rejected the notion of natural rights for all people. However, it would be better to argue that the Church's failure was in not having an adequate doctrine of creation and salvation. All people, irrespective of their origin, traits, situation in life and behaviour, are of equal value by virtue of bearing the divine image and being the object of God's unconditional love.

Human Rights, Dignity and Freedom: An Orthodox Perspective¹

Kameliya Slavcheva

Abstract: When as Christians we engage with human rights, we can give a new meaning to the basis of this concept. So it is that we must return to these questions: What is a human being? What is their nature? What is their purpose and meaning on earth? In this paper these questions are engaged with based on a revised characterisation of Orthodox anthropology. The purpose is to ascertain what Christian convictions are present in the foundations of human rights and how human rights are influenced and changed by these beliefs. Article 1 of the Universal Declaration of Human Rights states: 'All human beings are born free and equal in dignity and rights.' This paper argues that this is consistent with Orthodox anthropology, where every human being is made in God's image and likeness, and that humankind has been created in God's image and likeness as a conscious, mindful, free and moral personality.

Keywords: Human Rights, Dignity, Freedom, Orthodoxy

Human rights are those rights and freedoms to which all human beings are entitled primarily based on one thing: human dignity. Where does human dignity come from? Dignity is a term that has developed over time. It is used in moral, ethical, and political circles to mean that any human being has an innate right to respect and ethical treatment. How did human society adopt this view? Why is human life valued?

Article 1 of the Universal Declaration of Human Rights declares: 'All human beings are born free and equal in dignity and rights.' My argument in this paper is that this is consistent with Orthodox anthropology, where every human being is made in God's image and likeness, and that humanity has been created in God's image and likeness as a conscious, mindful, free and moral personality. God's image in humans is both in a person's mind and self-consciousness and in their reason and intelligence.²

Whilst noting the complexity of international interpretations of human rights, we can note these ideas in common:

¹ I wish to thank Dr. Jim Purvis and Prof. Glen Stassen of Fuller Seminary for their helpful advice in revising this paper. Dr. Darrell Jackson of Redcliffe College and Doc Dr. Ivana Noble and Doc Dr. Parush R. Parushev of IBTS, Prague were very helpful dialogue partners. I benefitted as well from the penetrating questions of several of my hearers at the conference at International Baptist Theological Seminary (31 January – 03 February 2011), when this paper was first given.

² Ivan Pančovski, 'Bogoslovska argumentatsija na universalnata deklaratsija za pravata na choveka' [Theological argumentation of the universal declaration of human rights], *Duhovna Kultura* [Spiritual Culture: in Bulgarian] 12 (1974), p. 13.

Human dignity is of supreme worth. Human rights come from the dignity that is enshrined in the human personality;³

Human rights have a universal character. From these comes the need of universal acts, which establish and guarantee them;

Human rights are outside any ideological phenomenon;

Human rights are inseparable from world peace and security;

Every human being has international status and human rights and they can seek protection from any international legal system⁴.

The Tenth World Russian People's Council in April 2006 received "The Orthodox Declaration of Human Rights - Declaration on Human Rights and Dignity":

- Each person as image of God has singular unalienable worth, which must be respected by every one of us, the society and state. It is by doing good that the human being gains dignity. Thus we distinguish between human worth and dignity. Worth is given, while dignity is acquired....
- Human rights are based on the worth of the person and should have as their goal the realisation 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.⁵

When as Christians we engage with human rights, we can give a new meaning to the basis of this concept. So it is that we must return to these questions: What is a human being? What is their nature? What is their purpose and meaning on earth? In this paper we engage with these questions based on a revised characterisation of Orthodox anthropology. Our purpose is to ascertain what Christian convictions are present in the foundations of human rights and how human rights are influenced and changed by these beliefs.

Orthodox faith connects human rights to our spiritual nature, the dignity of conscious human nature and freedom of personality. God's image and likeness in humanity is understood in the context of God's universal creative work. God created humans as natural and moral beings, connected with Himself as spiritual companions. Humankind is God's creation, made in complete fullness. This is true for all people, independent of their age, gender, or position in society. This unique dignity with which

³ International Covenant on Civil and Political Rights (1966); International Pact on Economic, Social and Cultural Rights (1966), preamble, paragraph 2.

⁴ N. Nenovski, 'Pravata na choveka - istoricheska evoljutsija' [Human rights - historical evolution], *Pravna Misal* [Legal Thought: in Bulgarian] 2 (1994), pp. 20-35.

⁵ http://www.pravoslavieto.com/docs/human_rights/declaration_ru_en.htm, accessed 1st November 2011.

human beings are freely gifted is the basis of their human rights and their equality in religious and social life.

We need now to examine more closely the ideas of Orthodox Christianity and this issue of human rights. According to His Holiness Patriarch Kiril of Moscow and All Russia, the universality of human rights is valuable. The assertion that human dignity is of important worth and has to be protected from society and government is significant for Orthodoxy. The other important point is freedom, which represents a compulsory condition for achieving human dignity⁶.

When speaking of human rights, we can include different things - the right to life, freedom, safety, free practice of religion, work, food, places to live free of fear of violation, and to participation in the social and economical life of the country. The binding concept is human dignity. I would argue that throughout Holy Scriptures there are examples of undying human dignity, which is the highest value and glory of humankind in God's image and likeness, as well as the divine calling and desire for a moral perfection. It testifies to human dignity as the highest value and the grandeur of humans in their likeness to God, and divine vocation and aspiration for moral consummation.

According to Orthodox anthropology, humans were created by God in His image and likeness, diverted from Him, saved by the death on the cross of Jesus Christ, and called to be more and more like Him in order to earn everlasting life. If we want to find what it is in us that corresponds to God and His eternal image, we have to look first at what the Bible tells us about Him. God is a Spirit - the individual is created as a spiritual creature; God is an Absolute Person - humans are forms of God's endless image; God is free - humans are created with free will to serve God and to fulfil his purpose; God is a Creator, Provider, Master - humans are honoured to rule over the earth and to take good care of it. That is why we can say that God's likeness in us is manifest through the spirit, the personality, free will, and role as masters in this world. Our resemblance to God is an undeserved gift from God as are human dignity and the possibility of being in God's likeness.⁷

Humankind is created in the image and likeness of God. The whole of the human substance shares the character of His figure. As Saint Gregory of Palamas has said, the word for humans relates not only to the body or the soul, but to both of them, because they were created inseparably in the image of God. Mikhail Honea adds: the soul is not separate from the body, so we can call someone a real person. We have

⁶ <http://www.pravoslavie.bg/Право/Човешките-права:-универсалното-и-специфичното>, accessed 1st November 2011.

⁷ Iv. Pančovski, D. Kirov, *Hristijanska Etika* [Christian Ethics: in Bulgarian], (Sofia: Iori-92, 1996), p. 237.

both soul and body at the same time, because God had said: let us make humankind in our own image. Therefore God's likeness in humankind does not belong to a certain part of the human nature but to the entire human essence in its completeness.⁸ Here is how Saint John of Damascus has understood God's image and likeness in us. He says: the term 'in image' – means the wise and free willed man, and 'the likeness' is through virtues, which depend on how possible virtues are for us, as mortal sinners.⁹

Both aspects are talking about human nature: the first one, *Image*, is about intelligence. The second one, *Likeness*, is about the call to a moral ascent so humans can be perfect, or complete. As we are interpreting the holy fathers, there is a big difference between God's image and likeness. The image is basic. God's likeness is assigned to this image as a possibility – it is a human task which we have to strive upon, with the help of God's image inside us. Humanity is the crown of God's creation, gifted with mind, senses, free will in which is placed and hidden God's perfect image. We are called to reach this perfection by shaping ourselves to God, relying on the different virtues. God's image is contained in human nature. It is a reflection of his spirituality; and the likeness is in his developing and promoting his spiritual strength and powers. Therefore we can receive God's image from God Himself all together with our existence but we should look to acquire our likeness. That is the human purpose – to be more and more as the Creator is.

For Saint Gregory of Nyssa, creation by image lifts the person by the dignity of being a co-worker. His mind, wisdom, speech, and love exist by the image in the same characteristics that are in God. According to the understandings of the holy fathers, God's image in humankind is shown by the person's personality, mind, conscience, ways of knowing, obedience and communication with God. It is also present in his desire for moral perfection and holiness, in his creative work, with his immortal soul and his free will. All of these show the high value, inviolability, and unique dignity with which God has gifted us. Humans in their whole personalities are of great value and importance.¹⁰ They are the crown of God's creation – moral personalities who are responsible for their actions and dealings. Through being shaped into God's likeness humankind can perceive divine truth, examine with rapture the good and beautiful, be the bearer of noble striving, and be determined to achieve supreme ideals.

According to Orthodox anthropology the fall has weakened God's image in humans, but it has not destroyed it. The image remains unaltered

⁸ E. Naidenov, 'Bozhijat obraz v choveka' [God's image in humans: in Bulgarian], *Balgarsko Bogoslovie* [Bulgarian Theology], volume 1, pp. 103-109.

⁹ John Damascus, *Tochnoe izlozhenie pravoslavnoj very*, volume 2 [The exact exposition of the orthodox faith: in Russian] (Sankt Petersburg, 1894), p. 79.

¹⁰ D. Kirov, *Vavedenie v hristijanskata antropologija* [Introduction to Christian anthropology: in Bulgarian] (Sofia: University St. Kliment Ohridski, 1996), p. 36.

in its essence. The fall deeply compressed God's image without any distortion. God's image is damaged but it is not lost, it is not changed with anything else, because we are human beings thanks to the fact that we are carrying God's image.¹¹ We can talk seriously about the possibility of likeness, but the miracle of Christ's redemptive acts set the human back to his natural personality. In the Orthodox Christian Creed, we can read (article 14) that even after the Fall, humanity possessed that nature with which it was created and natural power, free, lively and active, so by our nature we could choose to avoid and return from evil.¹²

The value and dignity of the human personality are raised to a new height through the Incarnation. Human beings possess such a high value and dignity that they are the subject of God's unlimited love and care. Humans are worthy of divine love. The incarnation and the voluntary sacrifice of Jesus Christ are free acts and expressions of God's unbounded affection for us. God's Son has accepted flesh just as ours – human nature is worthy for the incarnation of the holy God, to be like Him more and more. Also through the act of the incarnation human nature became divine, sacred, received new dignity and received many new possibilities for attaining holiness. Humanity has, beyond any material comparison, eternal worth, because it is created in the image of the eternal God and also because of the incarnation.

Jesus Christ has respected the dignity of every human soul, has loved all human beings, shown care for all of the undeserving people, given his precious life for the entire humanity. Consequently, the main principle of Christian ethics is that all people are children of our heavenly father as participants of the human nature of the incarnated son of God and deserve respect and love. They are equal among themselves and that is why they have to treat each other with equality.¹³

Like many of the declarations of human rights, Universal Declaration 1 expresses the value of the human personality. In Orthodox theology, human personality has always been interpreted from the passage from Genesis 1:26, 'let us make man in our image, according to our likeness', which refers to the humans as persons and not individuals. In his work 'Individual or a Person' the Russian philosopher Nikolai Berdyaev makes a distinction between the two terms. According to his opinion, the human being as a natural and a social creature is a product of the world and

¹¹ Archimandrite Sarafim Aleksiev, *Sastojaniето na choveka do i sled grehopadenieto ot pravoslavno, rimoktolichesko i protestansko gledishte* [Human Conditions before and after the Fall from an Orthodox, Roman Catholic and Protestant Point of View: in Bulgarian] *Godishnik na Duhovnata Akademija*, volume 12 (1962-1963), No. 10, pp.272-291.

¹² Totjo Koev, compl., *Pravoslaven katahizis i poslanie na iztochnite patriarsi za pravoslavnata vjara* [Orthodox Catechesis and the Message of the Eastern Patriarchs about the Orthodox Faith] (Sofia: Sinodalno Izdatelstvo, 1991), pp.220-221.

¹³ Iv. Panchovski, 'Theological Argumentation...', pp.9-32.

the processes happening within it. But the personality in humans has another origin. The human being is a person, not by nature but because of the spirit. By nature the human being is only an individual. The personality is a microcosm, a complete universe. Human dignity is the personality inside the human being. Only that personality has dignity. The human personality's existence presupposes liberty. Usually Christianity raises humans up, recognizes the spiritual beginning in them, which lifts the natural and social world, acknowledging its spiritual freedom, untouched by the power of Caesar, trusting that God Himself became a person in a way that elevated humanity through the heavens. Only on that Christian basis we can establish a doctrine about the personality and can a personal reappraisal of values be done.¹⁴

Bishop Kallistos Ware also came to the conclusion that the personality, not the individual, is in the image of God, because when we look at human nature in the light of the Holy Trinity we can separate the individual from the personality. When we speak of the individual (from the Greek 'atomon') we mean the human being apart from everyone else, in his separation, as a rival of the others. When we speak about personality, (from the Greek 'prosopon') we describe the human being in relationships, in fellowship, co-working. Taken away from others, guided only by himself, unconnected, everyone is an individual – static singular, but not a real person. We are made real persons only by and through our relationships. One's personality is possible only when others also exist, as long as the world is shared. The relationship in which the persons of the Holy Trinity are connected with each other distinguishes the person from individuals. Every group should therefore represent a gathering of God, God's community and shared love, being against all forms of exploitation, injustice and discrimination. In our fight for human rights we should act in the name of the Trinity.¹⁵

In Christian ethics, the human person is the centre of ethical consciousness and has supreme human value because he is an expression of the divine beginning in the world. That is why man should not humiliate himself or be used in an inappropriate way, and why his rights must be secured.

The high dignity of the human personality arises from the fact that humans are endowed with freedom, with a chance to prove themselves before God, and with the opportunity to hold moral values. Freedom is an important condition for a significant and complete human life. God

¹⁴ N. Berdyaev, *Lichnost ili individ* [Person or Individual, in Bulgarian], www.prozoretz.bg/524.doc, accessed 1 November 2011.

¹⁵ Kallistos Ware, 'Choveshkata lichnost kato ikona na Troitsata' [Human personality as an icon of the Trinity, in Bulgarian], online: <http://www.svnikolay.diocese-ruse.org/rtrrrrr.htm#eku>, accessed 1 November 2011.

approves of human freedom because it is necessary for achieving the perfect image of God. After being made free, a person can accept God's will or deny it.

According to *The Orthodox Declaration of Human Rights*:

The eternal moral law has a solid foundation in the human soul, independent of one's culture, ethnic origin or life circumstances. This foundation is laid down by the Creator in human nature and manifested in human conscience. The voice of conscience however can be muffled by sin. Precisely for this reason the religious tradition that has God as its origin is called to help discern between good and evil.

We discern two kinds of freedom: inner freedom from evil and freedom of moral choice. Freedom from evil is valuable *per se*, while the freedom of choice becomes valuable and the person gains dignity in as much as the chosen alternative is good. Conversely, the freedom of choice leads to self-destruction and loss of human dignity when the choice is evil.¹⁶

The human being is a unique God-like creature who is free and can know spiritual values, self-identify with them, and make conscious choices. He is the possessor of a free spirit and is capable of self-identification. Freedom brings people closer to God. It reveals their God-likeness and the high personal dignity of a reasonable moral creature. From the Christian ethical point of view, to be free means to have a degree of dignity and natural right of choice, given from God. These are characteristics that even God does not take away. People are endowed by God with the freedom both to determine their own status according to the will of God and to fulfil or to reject voluntarily the moral requirements of God's law. This freedom makes a person a reasonable moral creature and also gives them a duty and a responsibility to carry the consequences of their choice.¹⁷

One of the deepest researchers of the issues of freedom in modern philosophy is the Russian philosopher Nikolai Berdyaev. According to him, freedom is bipolar and two-dimensional. It is a precondition of good; and good is only good if it is done without compulsion and violence. However freedom is a condition of evil, too. Because every evil becomes actual only when there is no one who can stand against it, before it happens. Therefore, freedom can come from the devil. There is both evil freedom and divine freedom. This moral aspect of freedom is inseparable from its essence. It is existential, creating a new, better life for the person to whom it is given. However it can also bring harm, which could totally destroy it.¹⁸

¹⁶ http://www.pravoslavieto.com/docs/human_rights/declaration_ru_en.htm, accessed 1 November 2011

¹⁷ Aurelius Augustine, *Za blagodatta i svobodata na voljata* [On Grace and Free Will, in Bulgarian], <http://bgbible.com/library/docs/Articles/avgust.htm> accessed 1 November 2011.

¹⁸ Isak Pasi, 'Opozната neobhodimost li e svobodata?' [Is freedom a realised necessity?, in Bulgarian], *Standart* newspaper, Volume XII, issue 4650 (16.12.2005), <http://paper.standartnews.com/bg/article.php?article=27010>, accessed 1 November 2011.

Freedom is both a right and an obligation. It is possible to be free 'from' and free 'for'. In its original sense, freedom 'from' is defined in the Universal Declaration of Human Rights, when citizens are protected against decisions that have been made by governments. Freedom 'for' finds its reflection in the personal dignity of humans. Only the unanimity of rights and obligations can make freedom whole, full and real, with dignity for all men, acting for the greatest welfare for the entire human race. In the sphere of social freedom, with the fellowship of others, the evangelical dictum remains: do to others what you would have them do to you.

According to Archbishop Anastasios Yannoulatos, taking responsibility for our actions is fundamental for human existence and dignity. This is combined with the chance to insist on and observe our rights. A partial accent on those rights can bring unhealthy individualism and also a violation of rights can easily happen. So if we want to secure them, we must put our focus on our duties and responsibilities. Accountability remains the main component of human dignity.¹⁹ As the crown of God's creation, man's rights and responsibilities ensue from this. Human freedom is inseparable from moral responsibilities; and personal rights are inextricably bound up with obligations.

The Orthodox Church affirms that humans are created by the Creator as sensible, free, spiritual, moral beings, who have inviolable dignity and rights that come from God's law and are His eternal gift. In the human personality is rooted the highest dignity of God's likeness, the ontological source of man's natural rights and the basis for social and political rights. For Christian ethics, personal freedom is inseparable from moral responsibility, and personal rights are inextricably bound up with obligations.²⁰

In The Orthodox Declaration of Human Rights we read:

- 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...
- We seek dialogue with people of diverse faiths and views on human rights and their place in the hierarchy of values. Like nothing else, this dialogue today will help avoid the conflict of civilizations and attain a peaceful diversity of worldviews, cultures, legal and political systems on the globe. The future of people depends on their success in this endeavour.²¹

¹⁹ Anastasios Yannoulatos, *Pravoslaviето i globalizatsijata* [Orthodoxy and Globalization, in Bulgarian], (Silistra: DEMOS foundation, 2005), p. 51.

²⁰ K. Nushev, *Hristijanskoto uchenie za spravedlivostta. Bogoslovsko-etichesko izsledvane* [Christian Teaching about Justice: Theological-ethical Research, in Bulgarian] (Sofia: Verem, 2008), p. 314.

²¹ http://www.pravoslaviето.com/docs/human_rights/declaration_ru_en.htm, accessed 1 November 2011.

The value and dignity of every human being is a main theological thesis, based on the biblical affirmation of man's creation in God's image. Man is a person, capable of shaping his life with responsibility and being conscious before society and God. The personal dignity of every human, rising from God's likeness, is a gift from God. Therefore it should be esteemed by all people, and by all social, state, and international organizations. Every lawful country regulates and protects, through its basic laws and international acts, the inviolable and immutable rights, freedom, and human dignity of its people. Through human rights, the realization of the principles of peace, justice, and solidarity can be fulfilled in human societies.

In conclusion, we can affirm that the concept of human rights relates to Christian concepts of human nature. Out of this, we can see two applications constituting conceptual foundations for political and legal mechanisms for human rights. The first is that every person has irrevocable worth, which belongs to his nature. This has its foundations in the Biblical teaching of creation of man according to God's image and likeness. Secondly, the acknowledgement of people's free will and open choices are one of the main characteristics of human nature. The person has the right, by his or her choices, to determine themselves. The Holy Fathers unanimously regarded human freedom as one of the manifestations of God in humankind.²²

According to Archbishop Anastasios Yannoulatos, Orthodox thought does not agree with other proclamations of human rights in all areas. However, the church has said that human rights undoubtedly exist and approves of the main terms – human dignity, freedom, and equality. Whereas the Western way of thinking underlines the mind and the intellect as the main characters of God's image, Orthodox theology puts great stress on dignity, freedom, and love, accepting as a starting point love and the community of persons in freedom and harmony, as in the persons in the Holy Trinity.²³

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²² Father Grigorii Riabih, 'Pravoslaviето i pravata na choveka' [Orthodoxy and Human Rights, in Bulgarian], report presented at the theological discussions of the Russian Orthodox Church with Evangelical Lutheran Church in Germany, <http://www.pravoslavie.bg/Право/Православието-и-правата-на-човека> accessed 1 November 2011.

²³ Anastasios Yannoulatos, *The Orthodox and Globalization*, pp. 46-53.