



BOSTON COLLEGE
School of Theology and Ministry
CONTINUING EDUCATION

Transcript of: The Bible and Human Rights

**Presented on September 23, 2021 by
John J. Collins, Ph.D.**

Dean Thomas Stegman, S.J: Good evening. It's my great pleasure to welcome all of you at this wonderful event which I think very appropriately is being held in the School of Theology and Ministry Library - not where it usually is, given what we're going to be celebrating. I also want to give a shoutout, I know we have at least 200 people watching forever, all around the country and the world through live stream, including my parents who are watching out from Elkhorn, Nebraska. Hi, Mom and Dad.

Tonight promises to be a wonderful and engaging event with Professor John Collins, Emeritus Holmes Professor of Old Testament at Yale University, who is here to present his lecture on the Bible and Human Rights - certainly a very relevant topic for us. This annual lecture in honor of Father Richard J. Clifford of the Society of Jesus, is made possible through the generous support of the Kitz family. And it's a great honor for us to have Ann-Marie Kitz and Fr. Clifford here with us this evening.

Before we begin the lecture, I am very excited to share with you news that, because of an extraordinary bequest intention from Ann-Marie, a new chair will be established at the School of Theology and Ministry in honor of Fr. Clifford. The name of that chair will be the Clifford and Kitz Chair in Hebrew Bible/Old Testament.

Now here comes the tricky part. I'm going to do something in which I have to provide a lot of finesse - so pray for me.

This is an especially important moment for us at the school. As this commitment is the first of its kind for STM. For a religious scholar, researcher, and author herself, not to mention, being a Double Eagle, one who earned a Master of Arts in Teaching and a Master of Divinity here at BC, Ann-Marie has a deep appreciation for the work that we do - making her investment in the future of this school all the more meaningful to us. Scholars are our single greatest resource at Boston College, and an Endowed Chair is the highest recognition that the university can bestow on a faculty member. On Ann-Marie's part, it represents an investment in the intellectual capital needed to transform future generations of leaders who will serve Catholic and Christian communities, both within and beyond the church. On behalf of the university, I want to give my heartfelt gratitude to Ann-Marie for her extraordinary dedication to the School of Theology and Ministry. It is wonderful to count on friends like her who are truly committed to our shared mission at the STM. Her generous investment plays an important role in upholding the Jesuit Catholic heritage of Boston College and helps us to ensure an even brighter future for the school. We are deeply grateful for her leadership and philanthropy.

Ann-Marie has graciously agreed to share her thoughts with us this evening, but before she does so I want to take a moment to invite both Ann-Marie and Dick to join me on the stage here, so that I may present each one of them with a small token of our appreciation for their remarkable efforts, and to commemorate this special occasion.

Thank you, Ann-Marie for your unwavering commitment to Boston College and School of Theology and Ministry. Now I ask that we have you join me in welcoming Ann-Marie to the podium.

Ann-Marie Kitz: Now everyone knows that all Jesuit universities offer excellent education, and that each one has its own unique character. Yet there is one that stands out from all the others, and that is of course, Boston College. This is attributable to the fact that over 50 Jesuits are in residence here. Now only one other Jesuit institution in the United States has a School of Theology, and that is the Jesuit School of Theology in Santa Clara.

However, the School of Theology and Ministry at Boston College may be set apart from the others because of its excellent faculty. Nevertheless, there is one member of this distinguished faculty who has become an institution unto himself. And that is none other than Father Richard Clifford, who we honor this evening. I've had the privilege of knowing him for 40 years this year. And yes, that makes me feel very very old. And I can say, in all truth, that I've never met anyone who has so fully and completely embodied Jesuit values in every aspect of his life. And in my personal estimation, which is of course not subjective in any way whatsoever, I may say that he is the best Old Testament/Hebrew Bible professor that I've ever had. He has set the standard so high that few will ever be able to achieve more. So, thank you Father Clifford for being who you are. And thank you ever so much for allowing me the opportunity to formally acknowledge your lifelong contribution to the School of Theology and Ministry through this endowment of the Chair - Clifford and Kitz Endowed Chair in the Old Testament/Hebrew Bible. Thank you, Father Clifford, for all you have done.

Dean Stegman: Thank you, Ann-Marie, for your remarks and for your tremendous commitment to Boston College School of Theology and Ministry. Again, we're deeply grateful for your leadership and philanthropy. Now it is my distinct pleasure to introduce tonight's speaker. Dr. John J. Collins is Holmes Professor of Old Testament Criticism and Interpretation, Professor Emeritus, at Yale University, and Honorary Professor at the University of Pretoria. He received his Ph.D. from Harvard, I won't say when - it was longer than you think. Unless he had started in kindergarten, I'm not sure. If I visited his publications we'd be here a long time. I will just say his most recent books are *The Invention of Judaism: Torah and Jewish Identity from Deuteronomy to Paul*, published by University of California Press in 2017; and *What Are Biblical Values?*, published by Yale University Press in 2019. And as Meghan mentioned, the BC bookstore has copies of this for sale outside, so we're trying to drive up sales. He also serves as the general editor for some important resources. One, the Anchor Yale Bible, and the Anchor Yale Bible Reference Library. Professor Collins has been President of the Catholic Biblical Association and also the Society of Biblical Literature, and is a fellow of the American Academy of Arts and Sciences. He holds honorary degrees from the University College Dublin - is that in Ireland? And the University of Zurich - in Europe, and has received the Burkitt Medal for Biblical Scholarship from the British Academy. Now, I know the going off script currently. This is what Kara calls 'going rogue.' I think what's most impressive about John is he's married to a very distinguished biblical scholar in her own right, Adela Yarborough Collins. We are honored to have you in our midst as well.

Dr. Collins, thank you for joining us on this very special evening. A very warm welcome to you.

Dr. Collins: Thank you, Tom. I suppose after 18 months of giving presentations on Zoom I'd be happy to be giving a lecture in person just about anywhere. But I'm especially happy to be

here on this occasion. When I first came to America, which was a good 10 years before Anne-Marie met Dick, let's say, the first people who befriended me here were Dick Clifford and Dan Harrington. Dan, unfortunately, is no longer with us. They sustained me especially in my first year in graduate school. I had many a good Sunday lunch at Lafarge House. I owe them a great debt and am very grateful to them. And it is a great privilege to see Dick in person. And to see him, healthy, hearty, and still teaching at this point.

"All human beings are born free and equal in dignity and rights," according to the Universal Declaration of Human Rights issued by the United Nations in 1948. "They are endowed with reason and conscience and should act toward one another in the spirit of brotherhood." The language clearly echoes famous proclamations from the age of Enlightenment. The American Declaration of Independence authored by Thomas Jefferson declared, "We hold these truths to be self-evident, that all men are created equal and that they are endowed by their Creator with unalienable Rights. Among these are Life, Liberty, and the pursuit of Happiness." The French Declaration of the Rights of Man and Citizen, at the time of the Revolution in 1789, claimed that "men are born and renounced free and equal in rights." These rights were specified as "liberty, property, security and resistance to oppression."

And the French Declaration, helpfully explained what it meant for liberty. "Liberty consists of the ability to do whatever does not harm another. Hence the exercise of the natural rights which man has no other limits other than those which assure to other members of society the enjoyment of the same rights. The intertextual links between these documents strongly suggest the modern idea of human rights as formulated by the United Nations at its birth in the 18th century, in the Age of Enlightenment. In fact, the idea of the rights of man gained currency and friends to Jean-Jacques Rousseau's social contract in 1762. Rousseau did not attempt to define the term, and used it interchangeably with "rights of humanity and rights of citizens." In English, natural rights, or just rights, were preferred in the 18th century until Tom Paine published his Rights of Man in 1791.

There were, of course, earlier precedents for the idea of human rights. Thomas Hobbes had written on the right of nature as "the liberty each man has to use his own power as he will himself for the preservation of his own nature. That is as is to say, of his own life, and consequently of doing anything which in his own judgment and reason he shall conceive to be the aptest means there unto." Scholars have proposed various genealogies of the idea, tracing it to Stoic Cosmopolitanism or to Roman *iura*, Medieval concepts of natural law, or the practice of Canon Law in the Middle Ages.

Réne Cassin, who received the Nobel Peace Prize for his work in drafting the United Nations Declaration of Human Rights, and was himself Jewish, claimed that "the concept of human rights comes from the Bible, from the Old Testament, from the 10 commandments." The case for Biblical origins has been taken up by others, notably by Nicholas Wolterstorff in his fine study "Justice: Rights and Wrongs." It remains controversial whoever, and the import of the Bible remains ambiguous. As Walter Harrelson has noted, "every breakthrough towards human liberation in Western society has been both affirmed and denounced on the basis of appeals to Biblical religion, biblical thought, and biblical practice."

Various specific local rights have been recognized throughout history, but not all qualify as human rights in the sense proclaimed by the United Nations Declaration. The historian Lynn Hunt has argued that human rights require three interlocking qualities. "Rights must be natural, inherent in human beings; equal - the same for everyone; and universal, applicable everywhere. For rights to be human rights, all humans everywhere in the world must possess them equally, and only because of their status as human beings." As Wolterstorff puts it, "a

human right is a right, such as the only status one needs in order to possess the right, the only credential required is that of being a human being. Local rights such as those proclaimed in the English Magna Carta, or the Bill of Rights of 1689, do not qualify. Moreover Wolterstorff distinguished between inherent rights that are intrinsic to being human and rights that are to be conferred by a state, or even by divine command. The latter point, however, admits a different perspective. The American Declaration of Independence invoke the Creator as the guarantor of human rights. "All men," presumably all human beings, "are created equal and endowed by their Creator with unalienable rights." As formulation is obviously congenial to Christian and Jewish tradition and is echoed, for example, in the encyclical of John XXIII, *Pacem in Terris*. It is also congenial to views of justice as right order, which allow for differentiation of social roles for which different rights may be appropriate. And also allow for moral absolutes established by the Creator, independent of human aspirations and desires.

In contrast, the French Declaration of the Rights of Man and Citizen and the United Nations Universal Declaration of Human Rights, do not mention God at all. According to the French Declaration, the only limiting factor in human rights is that they must not infringe on the rights of others. In that framework, rights have to do with human fulfillment, rather than with conformity to a transcendent order and further insists that human rights only become meaningful when they gain political content. This may be true in practice, but not in theory.

All of the great declarations of human rights were aspirational even utopian documents, not reflections of political reality. The same might be said of biblical laws, which were proposals rather than descriptions of actual society. If it were truly self-evident that all men were created equal, there would have been no need for a declaration to that effect. To say that all human beings have equal rights does not mean that all are recognized to have equal rights, but is an affirmation that they should be so recognized.

Cassin was aware that the Bible does not speak explicitly of human rights. Rather these principles were often phrased in terms of duties, which now presume rights. For instance, said Cassin, "'thou shalt not murder' is the right to life. 'Thou shall not steal' is the right to property, and so forth." But as James Barr pointed out, to be commanded not to kill is a very different thing from saying that you have a right not to be killed. What the commandment forbids is not killing *tout cœur*, which is repeatedly commanded as a punishment in the Bible, but murder, which is to say, unauthorized killing. Walter Harrelson argued that "the apodictic commandment is not concerned with what is to happen in the case of violation of the prohibition, but is designed to protect without qualification the life of human beings and make human life sacrosanct. But this claim cannot be sustained in light of the ubiquitous death penalty in the casuistic laws that follow. Creatures have no right to life in the biblical perspective."

On the contrary, the Book of the Covenant, supposedly given to Moses on Mount Sinai, contains a shocking commandment. 'The firstborn of your sons you shall give to me. You shall do the same with your rocks and then with your sheep. Seven days it shall remain with its mother. On the eighth day, you shall give it to me.' To be sure this commandment is amended in Exodus 34 to allow for the redemption of sons, while clarifying how something was given to God. The firstborn of a donkey could also be redeemed. But if it was not redeemed, its neck must be broken. That is how you give something to God. The original commandment was kept in the book, so to speak, to make the point "all that the first that opens the womb is mine." Whether child sacrifice was ever practiced in Israel or to what degree remains controversial, but the idea was certainly entertained.

When God tells Abraham to sacrifice Isaac, there is no objection that Isaac had a right to life. Neither is there any such objection on behalf of Jethro's daughter. Life is given and taken at the Lord's discretion. Again the prohibition against stealing may be thought to imply a right to

property, but that right is not at all defined, and it is not clear that it is enjoyed by everyone in the society.

The 10 Commandments are often viewed as timeless, ethical maxims and distinguished as such from the casuistic laws that follow. David Clines questions this assumption in a probing essay, asking whose interest these commandments serve. The presumed addressees, according to Clines, are married, male Israelite property owners. Women are not addressed. Neither, needless to say, are slaves. The vested interest of the male property class is clear in the commandment against adultery, conceived as sexual relations with another man's wife, and especially in the command against coveting. The commands are not conceived as an expression to putative rights of all people simply in virtue of their being human.

Biblical laws are theocentric. They assume an authority external to humanity which must be obeyed. This is also true of natural law. Human rights, at least as formulated in the French Declaration of Rights and the United Nations Universal Declaration, are anthropocentric - grounded in the nature and needs of the human person. David Novak has put it, "the difference between the modern idea of human rights and the ancient idea of divine law, whether revealed or natural, is that law is concerned with duty, which one owes to a higher authority as an obligation. Whereas rights are what one human being may justifiably claim from another human being, with whom one is more or less equal." To quote Barr again, "human rights appear to be largely predicated on the value of freedom. The person has the right to freedom in general, including freedom of movement, freedom of thought, conscience and religion, freedom of association. Rights are limited only by the need to avoid encroachment on the rights and freedom of others." Even when commandments have the effect of defending what might now be conceived as rights, by restraining murder or theft, the understanding and motivation are of essentially different.

The theocentric nature of biblical law is not the only problem with the argument that the concept of human rights comes from the Bible. There is also the problem of universality. Human rights should apply to all human beings, simply *qua human beings*. In many cases, biblical laws, even when they may be thought to entail rights, are restricted in their application. Hebrew slaves should be released after six years, but there is no restriction on the number holding Gentile slaves. Leviticus 25 advances to the point of prohibiting the enslavement of Israelites, but as "it is from the nations around you that you may have a male and female slaves. You may also acquire them from aliens residing with you, and they may be your property." Israelites should not charge interest on loans to other Israelites, but could charge it on loans to foreigners. And of course, some non-Israelites of the land should be utterly destroyed.

The idea of divine election of one people chosen by God above all others is difficult to reconcile with human rights. In view of the pervasive theocentric perspective and the special status assigned to Israel over other peoples, it is clear that the Hebrew Bible as a whole does not approach the question of ethics from the perspective of human rights. This does not preclude the possibility that ideas attested at the Bible contributed to the eventual emergence of human rights. The Bible is a systematic document. There are counter traditions, minority reports, and some ideas would take on new meanings and other historical contexts. The Bible does not have a term for rights except in the limited sense of specific entitlements such as the *mishpat* of priests. This terminology lacks whatever it cannot be regarded as decisive, despite the claim of Alastair McIntyre that the concept lacks any means of expression in Hebrew, Greek, Latin, or Arabic, classical or medieval, before 1400. Concepts are formulated differently in different eras, and approximations may still be relevant, even if the correspondence is not complete.

There was a common perception of justice in the ancient Near East, which kings and rulers were supposed to uphold, found already in the laws of Hammurabi. The key feature of this concept was that the strong should not oppress the weak - often specified as widows and orphans. This ideal is affirmed repeatedly in the Hebrew Bible. The king is supposed to judge your people with righteousness and your poor with justice. The messianic king in Isaiah 11, "shall judge the poor with righteousness and decide with equity for the meek of the earth." In biblical law, the alien is often mentioned with the widow and the orphan. This concern for justice is typically expressed as an obligation addressed to rulers or all the people. In some degree, it is a matter of social equilibrium. Amos excoriates the wealthy for their luxury, because they are not grieved for the ruin of Joseph. Isaiah proclaims woe to those who joined house to house and field to field, until they dwelled alone in the midst of the land. Both prophets regard the social imbalance as unsustainable and predict disaster for the land. The concern is for the society as a whole and its communal implications. This concern is somewhat different from that of modern human rights activists, but is not necessarily incompatible with it. Human rights, however, are never just a matter of social equilibrium, but have to do with the dignity of individual human beings.

The United Nations Universal Declaration of Human Rights begins, "whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." And similarly Pope John XXIII in *Pacem in Terris* wrote, "but any human society, if it is to be well ordered and productive, must lay down the foundation of this principle. Namely, that every human being as a person, that is, endowed with intelligence and free will. Indeed, precisely because he is a person he has rights and obligations flowing directly and simultaneously from his very nature. And as these rights and obligations are universal and inviolable, so they cannot be in any way surrendered."

Turning then to the Bible, Wolterstorff formulates the issue as follows. "Is there any indication that Israel's writers thought of human beings as having worth? Less worth than God, of course, but nonetheless worth, and that they told him that worth as grounding rights." It is easy enough to find passages that affirm human worth. Psalm 8 proclaims, in the modernized translation of the NRSV: you have made them little lower than God, and crowned with glory and honor. You have given them dominion over the work of your hands, you have put all things under their feet." The Psalm patently echoes the account of the creation of humanity in Genesis 1, but without stating explicitly the most famous affirmation of human worth. "So God created humankind in his image. In the image of God he created them."

Images or statues of gods played a crucial role in Near Eastern cults, especially in Mesopotamia. The words of Randy Garr, "the statue is the vehicle through which God resides in the community, maintains a presence, receives worship and prayer, and can actively participate in society." The image could also take the form of a human being, sometimes as a priest, more often, the king. "O king of the world, you are the image of Marduke," we read. Or, "the king of the world, the lord world is the very image of Shamash." The biblical declaration that humankind, rather than just the king or priest, is made in the image of God is indeed a remarkable elevation of the status of ordinary human beings.

Does it entail rights? Wolterstoff points to Genesis 9:6. "Whoever sheds the blood of a human, by a human shall that person's blood be shed. For in His own image, God made humankind." He notes correctly, that the prohibition against murder is grounded not in God's law but in the worth of the human being. All who bear God's image possess on that account an inherent right not to be murdered. But they evidently do not possess a right to life, since the murderer, no less than the victim, is presumably made in the image of God, and the penalty is death. The fact that something is prohibited in the interest of social order, or even because of the intrinsic worth of the individual is not tantamount to a right for all human beings. The designation of

humanity, rather than the king, as the image of God had political implications, insofar as it undercut the special status of the king. While the royal ideology of Judah amply is attested in the Psalms and occasionally reflected in the Prophets, the Pentateuch or Torah is largely silent about the kingship, except for the law of the king in Deuteronomy. Eckert Otto has argued at length, "the adaptation of a Syrian vessel treaty in the Deuteronomic Covenant intended to deprive the Assyrian king of his claim to the loyalty of the Judean king and people. Absolute loyalty was due only to YHWH." Moreover, he claims, "the cultural, historical importance of this process cannot be overestimated. The Judean intellectuals who are responsible for the transformation of this Assyrian political theology into an anti-imperialistic set of theological ideas, did not only negate the Assyrian version of the Royal ideology," says Otto, "the idea that the state with absolute power was the presupposition and condition for establishing justice. But indirectly and implicitly, they also negated the Judean royal ideology, as it was promulgated in some royal Psalms." So he argues for two interrelated sources for the idea of human rights in the Bible: the political theology that originated in Deuteronomy and the anthropology of the biblical Creation theology. Otto argues that for the idea of man's freedom, many absolute claim of political power, it was a necessary step to think of an absolute loyalty of man to God. And he understands human rights as a matter of the rights of the individual against the encroachment of the state. He also credits the social laws of Deuteronomy, such as the revision of the laws about debts and slavery in Deuteronomy, with an important impact on the conceptualization of these fields of human rights.

In a similar vein, Joshua Berman argues that in the biblical adaptation of ancient Near Eastern suzerainty treaties, the common man of Israel takes on aspects of the subordinate king. You find an egalitarian impulse and the warp and woof of the Pentateuch, typified by the story of the Exodus, which affirms that the people of Israel originated as slaves. Even when Deuteronomy provides for a king, his power is severely curtailed. Bernard Levinson has argued cogently that the law of the king in Deuteronomy introduces the idea of a constitutional monarchy, in so far as the king is made subject to the law. The egalitarian impulse of the Pentateuch undoubtedly had influence on the conceptualization of human rights in modern times, but the society envisioned in Deuteronomy is nonetheless, far from egalitarianism and remote from modern conceptions of human rights.

Despite the memory of the Exodus, the institution of slavery is unchallenged, even if the limitation of the enslavement of Israelites was extended to women. Only limited protection is provided for women in the case of rape. If a woman is seized in the open country, where no one could hear if she prayed for help, she is presumed innocent. But in an urban setting she is deemed guilty because she didn't cry loud enough. Women receive little recognition otherwise, and a non-Israelite people are excluded from the world of moral concern, in the phrase of Michael Walzer. Even true Israelites, the Book advances what Juha Pakkala calls intolerant monolatry - calling for zero tolerance of family members who worship gods other than YHWH.

This is not to deny that the vision of Deuteronomy is progressive in its time in some respects, especially in regard to the treatment of the poor. For example, there are restrictions and the retention of property taken in pledge, and requirements that the poor and needy be paid their wages daily. We must bear in mind that the American Declaration of Independence, too, accepted slavery and limited the rights of women, despite the declaration that all men were created equal. We can appreciate the contribution of the biblical tradition, without resorting to hyperbolic anachronism. A more promising anticipation of human rights can be found in at least some of the Prophets, primarily in the matter of social and economic justice. When Amos complains about buying the poor for silver and the needy for a pair of sandals, the basis for the complaint would seem to be the inherent worth of the poor as human beings. His concern

was not just for the Israelite poor, and the oracles against the nations. He invokes punishment on Moab because he burned to lime the bones of the King of Edom.

As John Barton has commented, a striking feature of the war crimes or atrocities condemned in Amos 1 & 2 is that they seem to be a matter of conventional morality. There is nothing about such matters in Israelite law codes, and in any case, the offenses have been committed by foreigners who do not know the law of Israel. And at least in one case, have not even had Israel as their victim.

One of the distinctive features of Amos is the denial that Israel had any special status in the eyes of God. "Are you not like the Ethiopians to me, O people of Israel, says the Lord. Did I not bring Israel up from the land of Egypt, and the Philistines from Caphtor, and the Armenians from Kir?" Accordingly, there are some indignities to which no human being should be subjected, including sale of the living and desecration of the dead. Amos, of course, did not have a systematic view of human rights. He expresses spontaneous outrage at certain abuses. We do not know whether he condemned all forms of slavery, and he has nothing to say on the status of women. But at least he is concerned with humanity as such. In this he differs from most of the biblical laws. A similar concern with humanity, regardless of ethnic or religious difference, is characteristic of the Wisdom literature. As Job says of his slaves, "did not he who made me in the womb make them, and did not one fashion us in the womb?" Empathy with the common lot of humanity is fundamental to the idea of intrinsic human rights, even if it is not always developed to this end.

The prophetic demand for justice can be seen in the context of the common Ancient Near Eastern concept of justice - that the strong should not oppress the weak. Nathan's parable in II Samuel 11 and the story of the Naboth's vineyard in I Kings 21 are classic protests against the abuse of royal power. No other body of literature from antiquity is as insistent on social justice or as passionate about it as the Hebrew Bible. Hebrew tradition remembered a time when there was no king in Israel, and the biblical writings were compiled after the demise of monarchy. The collection as a whole is less deferential to kings and rulers than other writings that have come down to us from antiquity. Outrage at abuse of power is certainly an important ingredient in the development of concepts of human rights. Although, again, it falls well short of modern conceptions.

Now I think I need to skip a little bit here. Yeah. Sorry about that. Yeah.

In the New Testament, Jesus cites the Septuagint translation, "you shall love your neighbor as yourself." I skipped over a discussion of the commandment in Leviticus on 'love your neighbor as yourself.' Essentially, again, I think it is overwhelmingly probable that that is referring to your fellow Israelite and that that is clear from the context. Uh, it was a nice idea, a good idea, but it doesn't really have anything to do with human rights. Uh, okay. Um, the most striking innovation of the Gospels is undoubtedly the command to love one's enemies. Again, the command concerns actions rather than feelings, which is also true in Leviticus. "Do good to those who hate you. Bless those who curse you. Pray for those who abuse you." Or alternatively, "pray for those who persecute you." This commandment is exceptional in ancient literature and is not repeated in the New Testament. In the Johannine tradition, the love command is directed to the disciples. "Love one another as I have loved you." The purpose seems to be to sustain a group of Christians who felt besieged by a hostile world and were convinced that the world hates them. In light of the command to love one's enemies, however, it seems very likely that Jesus' concern was not just for inner community relations, but for all humanity as children of the Father in heaven, who makes his sun rise on the evil and on the good and sends rain on the righteous and the unrighteous.

To say that we ought to love our fellow human beings, however, is not quite the same thing as to say that they have a right to be loved, or indeed that they have any rights at all. Perhaps the greatest contribution of Jesus and the Gospels to the idea of human rights is his concern for the least of the brethren, the outcasts of society. In the Matthean judgment scene in Matthew 25 or in the Parable of the Wedding Feast. Even in the case of the judgment seen, the brethren in question may be members of the community of Christ followers, as John Donohue argued. In this case, the vantage point is not the rights of the brethren, but an exhortation to charity. In this respect, the Gospel was quite in line with Jewish attitudes of the day, where the word, *tzedakah*, which traditionally meant righteousness, came to mean "almsgiving."

Perhaps the Biblical passage that carries greatest resonance for the modern discussion of human rights is the pronouncement of Paul that "there is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female, for all of you are one in Christ Jesus." This sentence is thought to be of a pre-Pauline origin, eh, part of a baptismal liturgy. It is a bold claim that negates distinctions that were fundamental to ancient society. David Aune writes that "this is quite an astonishing conception that seems to abolish in principle all inequities based on nationality, social status, and gender." Hans Dieter Betz says, "it is significant that Paul makes these statements, not as utopian ideals or as ethical demands, but as accomplished facts." The question is, therefore, how is the present tense of the phrase, "you are " to be understood. It is apparent, however, from Paul's other letters that social differentiation had not been abolished. Paul still thought that women should cover their heads for their prophesying and that men should not. He did not call for the emancipation of slaves. On the contrary, he argued that people should stay in the state in which they were called and not cause social upheaval, for this world was passing away. "Are you a slave when called, do not be concerned about it. Are you bound to a wife? Do not seek to be free. Are you free from a wife? Do not seek a wife. The appointed time has grown short, for the present form of this world is passing away" - I Corinthians 7.

Taken literally, the abolition of social distinctions would have been revolutionary, and undoubtedly, it would have met with violent repression. Paul did not call for revolution. His point seems to have been that these distinctions no longer mattered. And that they would soon pass away in any case. The declaration was highly progressive, since it meant that Greek slaves and women were all welcome in the Christian community. Nonetheless, it did not abolish the hierarchical distinctions between male and female or slave and free, and these distinctions were reaffirmed very quickly, as we see from the Household Codes in the later Epistles. Whatever Paul meant by his use of the present tense, the abolition of distinctions in Galatians 3:28 remains a utopian ideal.

Karin Neutel, in her study of the verse as a utopian ideal acknowledges that it does not proclaim the equality of all people, regardless of their social positions, as is sometimes assumed by readers today. Rather, she argues, "Paul draws implications from his eschatological perspective, but does not suggest that this already erases the word as it is. It rather describes a new Creation, a reality that is not yet present. It is suggestive nevertheless, as the affirmation of an ideal, and as such, it has no doubt contributed to the eventual development--eventual development of a concept of universal human rights." Neutel further comments that the contemporary interpreters have updated Paul's statement and added pairs to the, to the three original ones. "Neither gay nor straight. Neither healthy nor disabled. Neither black nor white." The apostles surely had not dreamed of such extensions of the formula, but then Thomas Jefferson could not have dreamed of some of the rights that have been claimed on the basis of the American Declaration of Independence.

Only one of these three moderate binaries, gay or straight, is at all discussed in the Bible, and only in a few verses. But it illustrates, I think, a fundamental contradiction between biblical assumptions on the one hand, and modern ideas of human rights on the other. The Leviticus 18:22 tells the presumably male reader, "you shall not lay a male with the lyings of a woman. It is an abomination." Leviticus 20:13 specifies that both parties should be put to death. There is some debate as to what exactly is meant by "the lyings of a woman," but the simplest explanation is that any kind of sexual intercourse between males was forbidden. The Hebrew Bible has nothing whatever to say about relations between women. In ancient Greece it was considered shameful for a man to be penetrated, but not to be the penetrator. But in Leviticus, both parties are condemned. There are a few other passages of the Hebrew Bible of possible relevance to homosexual relations, notably the story of Sodom in Genesis 19 and the story of David and Jonathan in the books of Samuel. The Genesis story is complicated by issues of hospitality. But in any case, the relations envisioned are not consensual. The men of Sodom want to rape Lot's guests. This is also true of the story of the Levite in Judges 19. According to I Samuel, Jonathan loved David as he loved his own life. And after Jonathan's death, David declares that his love was "wonderful, surpassing the love of women." We are never told just how this love was expressed. And so in the words of Martti Nissinen, "the text thus leaves the possible homoerotic associations to the reader's imagination." There is no hint of condemnation in that case. A clear biblical condemnation of sexual relations between men then rests on two verses in the Holiness Code in Leviticus. The subject is not mentioned at all in the Prophets or Wisdom literature. Similarly in the New Testament, same-sex relations are only discussed in a few passages in the Epistles. The most notable passage is in Romans 1, where Paul declares that

"God has punished idolaters by giving them up to degrading passions. Their women exchanged natural intercourse for unnatural. And in the same way also the men giving up natural intercourse with women were consumed with passion for one another." While there is some dispute as to what has been seen as natural, it seems clear enough that the objection is to same-sex relations. There have been some attempts to argue that Paul was only objecting to abuse of relations, such as pederasty or to heterosexuals performing homosexual acts. But these attempts are not at all persuasive. Like Leviticus, Paul holds both active and passive parties guilty and doesn't recognize sexual orientation as a factor at all, as indeed nobody did in the ancient world. Unlike Leviticus, Paul objects to same-sex relations between women as well as men. While the negative judgment on same-sex relations is marginal in both Testaments, it is clear and very much at odds with the modern views of human rights on this issue.

If human rights are conceived as granted by the Creator, then Paul's condemnation of same-sex relations is not necessarily in violation. Human rights are limited by what is right according to God's law or natural law. On this understanding, those who engage in same-sex relations may still have rights, such as freedom from discrimination or from violent abuse, but not a right to violate what is understood to be God's law. Those who argue for gay rights in the modern world proceed on different assumptions. As in the French Declaration of the Rights of Man and Citizen, rights arise from human needs and desires and are limited only if they infringe on the rights of others. And from that perspective, Paul's prohibition would only be justified if the conduct in question were shown to harm other people. In this case, at least, it makes a fundamental difference whether one starting point is theocentric or anthropocentric.

In conclusion, the claim of René Cassin, that the concept of human rights comes from the Bible, was certainly an overstatement. At no point in either testament do we find the idea that all human beings are free and equal in rights, nor indeed do we find a discourse of rights at all. Nonetheless, the claim was not altogether without substance. We do find a consistent concern for the weaker members of society, and in some cases that concern is grounded in common humanity rather than in covenantal law. The Bible may be said to contain some of

the seeds of the modern idea of human rights, but they would require a lengthy germination. They would also require a fundamental reorientation from a theocentric perspective to an anthropocentric one. From an order where morality is given from above to one where it is conceived as a response to human needs and desires. In this respect, the modern alliance between Christianity or Judaism and human rights seems to me, an uneasy one. Those like Paul John--Pope John Paul the Second, who insists that human rights must be grounded in transcendent truth, can make common cause with humanistic human rights advocates on many issues. But there is nonetheless, a fundamental discrepancy between their ultimate understanding and goals. Thank you.

I guess we are open for questions, comments, or statements of dissent.

Kara O'Sullivan: If anyone has a comment or a question, just raise your hand and, um, we'll come to you with the microphone. Thank you.

John J. Collins: Yonder.

Audience Member #1: Good evening. Um, it is really wonderful to see you and thank you for this really excellent lecture. You have given us quite a lot to think about. So, you end with, um, a negative: there is a discrepancy between the claims of human rights and the claims of the Bible. Um, and you illustrate that quite well. What I'd like to know is, do you think that in modern discourses on ethics, the Biblical perspective offers help that human rights perspectives don't have? Could the Biblical perspective add something that's missing, or is it always trying to catch up and become human rights when it can't actually do that?

John J. Collins: I think em, you know that the use of the Bible has considerable rhetorical potential. But, it is something that carries weight for a lot of people, and even for people who aren't religious conservatives. Eh, the fact that it is a traditional document which has had such influence in the Western world carries weight. Now, that can be used both ways and, in fact, it is used both ways. This was I think the point of the little quotation from Walter Harrelson at the beginning. Back at, eh, the time of the French Revolution, uh, the Christian Churches and the Catholic Church in particular, had no time at all for human rights. You know, we've come a long way on that. And I think we have come a long way in part because you can retrieve uh, you know, a certain sympathy for the goal of human rights in much of the Bible. But, at the same time, if you go down that route, then you become vulnerable. Well then you have a, well it depends on where you want to end up I suppose, but you have a predetermined position on something like gay rights and heaven knows on relations between men and women in many cases, if you rest your case on Biblical authority. And so I think, you know, it is a risky undertaking in that regard. But it can be used, it can work, on occasion. It'll depend on who you're speaking to.

Audience Member #2: Thank you for a very profound presentation for us. I was, uh, when you got to the New Testament, I got uh, my Old Testament colleagues refer to that as "current events." With uh, I wonder if Paul's discussion in I Corinthians 8-10 on the Idelby controversy has something to say here, that's more on the curbing of rights, that he does appeal, at least implicitly, to the conscience and that presumes a fundamental dignity. And then, this is more of Christological theological statement, that referring to the other not as weak, but as a brother and sister for whom Christ died, gives a status, at least within the community. Uh, so, it's really more curbing of rights I think Paul would say, that the loving thing to do is not to insist upon one's own rights vis a vis others.

John J. Collins: Yeah, I think that's right. You know, that is what he's saying is one shouldn't insist on one's own rights. But, at the same time, you know, it's a matter of consideration for others. Now, of course, this can become a complicated issue too depending on the particular

circumstances. Eh, you know, depending on what the practices of these "others" are to which one is being deferential. And I think we have all probably come to realize that you shouldn't be deferential all the time on those things. But still, it is more of a curbing rather than an affirmation that one has the rights. Uh, I think you could argue well that there is an incidental case, therefore he is assuming that people have rights of freedom, but I don't think that's the point he's really trying to make. But I'd be happy to defer to others on the subject of Paul.

Audience Member #3: John, thank you for a, thank you very much for your lecture, very interesting and persuasive. I wonder if the virtue of the Bible, though, lies to some extent in particular verses, but in the kind of coherent narrative it provides, into which narrative you can then fit various things. You can read it as a more positive thing in which Israel, the Israel was slaves, even Abraham's family, though messed up as they certainly were, nonetheless found a way out of it. And, uh, I wonder if there is a kind of coherent narrative that's provided for that most believers would read that narrative in a positive way. That gives a context to the discussions that you are actually raising about human rights and that in many ways, that, that, coherent narrative that supplies a backbone for discussion can be in some ways more persuasive than individual verses and I think you pointed out the weakness in much of the attempts to ground rights in the Bible itself. I don't know if that makes any sense to you.

John J. Collins: Well, uh, no, it makes very good sense. I think you're quite right. You know, the moral force of the Bible is often more in the big picture. But the big picture itself is still ambiguous. You know, as uh, Edward Said pointed out, you know, if you read the story of the Exodus from the Palestinian perspective, it isn't a liberating story at all. You see, it all depends how you read it, where you end it. You know, if you stop as soon as they get across the Red Sea and they're free from Pharaoh, sounds great. But they need someplace to go. And by the time they get through the Canaanites it's not such a happy story anymore. You know, I think the same were all true as what I said to yonder, that em, it can be used for good purposes, it can be used for good, it gives you a means of effective rhetoric. But, unfortunately, it can also be used the other way. And that's why I think it's dangerous to hang too much on the um, on the authority of it.

Somebody over here, yeah.

Audience Member #4: Uh, thank you very much for your lecture. Um, do you think you would make much difference to your analysis if rights are thought of as, uh, a right to a good that may be pursued as opposed to a right to actions that may be taken? And that, thinking about that in terms of deontological ethics vs. virtue ethics or other ways of thinking about ethics in general.

John J. Collins: Yeah, well, perhaps. But you know, if you take the uh, the case, eh, of gay rights that I finished up with, how would, how would that, play out? What would the difference be?

Audience Member #4: Sorry, hard to say just off the top of my head, because I haven't, because there's a lot going on there and I'm not sure where I would want to go at the moment.

John J. Collins: I mean, it certainly worth thinking about and uh, pursuing it, but I'm not sure, you know. There's plenty in the Bible, you know, that gives you good things to aspire to. That's not quite the same thing, I think, as human rights. Of course, again, there are people who would say the whole idea of focusing on human rights may not be the way to go. But that's a debate for another occasion. But I think if you do pose it that way, the Bible is going to end up very ambiguous.

Yes. Here in front.

Audience Member #5: Thank you, Professor, for your lecture. When you, we remember that, society predates the Scriptures - the Scriptures were not thrown down from heaven, they are histories and stories of people who lived and, at that time and these Scriptures were written, our ideas of morality, ethos, ethics, and, um, liberty, are not the same as at that time. And so, when we remember that, don't you think we are judging these Scriptures so much about this lack of, you know, evidence of human rights?

John J. Collins: Eh, I don't really mean here to be judging the Scriptures on the matter. I'm just pointing out the differences. So that in a way I am making the same point from the other sides so to speak. You know, that, indeed, our morality in the modern world is different. What complicates it, of course, is that I'm sure all of us find many things in the Bible to be really compelling and we don't want to lose the force of that. The risk is to separate the feed from the chaff. You know, and as such as chaff and some of it is downright destructive.

James Burraston: Yeah, we have uh, one, question from our Zoom audience.

John J. Collins: Oh

James Burraston: Um, basically, it's asking for a response to, uh, events in Texas and the issue of abortion and um, you know, it seems to be interpreting as forcing a young girl or woman to have a baby no matter what. Is there more to pro-life than abortion and giving a voice to the unborn? Can I still consider myself Catholic and support my human rights as a woman? Do you have any thoughts on that, Professor?

John J. Collins: Eh, my, my first thought and that on that is that I talk about the Bible. You know, I'm not proclaiming morality at large here. But, if you ask, "does the Bible have anything to say about this?" It has absolutely nothing to say on the subject of abortion. So if somebody comes up to you and says that the Bible, eh, tells us that abortion is sinful - no it doesn't. Neither do they say it's a right every woman should have. It doesn't say anything, one way or the other. So I think my quarrel on that issue would be with Christians who want to make abortion the litmus test of the Christian tradition. If you pick on something that the Bible just doesn't discuss at all, for whatever reason, there's something wrong there.

James Burraston: Thank you, thank you. We have uh, just a couple more here that have come in on the Zoom. Can you say something about human rights when it comes to economics? How do we define human rights with regards to our current economic system which seems extremely unfair when it comes to compensation, remuneration for the average worker and so forth? Are we really doing any better than in biblical times?

John J. Collins: Probably not. You know, again, um, all I am undertaking to speak on is "what does the Bible have to say about any of these issues?" And the Bible has a lot to say about economic issues. That's one of the major themes I cite in Amos and Isaiah. As I understand, what the Bible has to say on that is that everybody ought to have enough. How you define "enough" is going to vary enormously from one culture to another, and to some degree it is going to be relative, you know, to what other people have. Um, but I think the Bible is very strong on that point, does it have anything to tell us on how you manage that in a modern economy? I really don't think so.

James Burraston: Thank you, thank you for that. Um, I think there's one more here. I'm curious about the idea that God was teaching his chosen people about justice.

John J. Collins: About what?

James Burraston: About justice.

John J. Collins: Oh, yeah.

James Burraston: That he had to work with them at their level. I understand the discrepancies that are in the Bible, but it seems these discrepancies were necessary. Can you further explain this idea that God was trying to teach a people? Uh, thank you.

John J. Collins: I would say, you know, if you want to know what God was trying to do, ask God.

Audience laughs.

You know, I am more, more in tune with what was said here earlier. You know, we know that these things were written by human beings in particular contexts. We can say with confidence what a particular prophet or somebody who drafted Deuteronomy was trying to do. Eh, God can explain himself. Yeah.

Audience laughs and claps.