

**Evangelical Alliance**  
**Northern Ireland**  
**Submission to**  
***Bill of Rights Forum***  
**February 2008**

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## SUBMISSION SUMMARY

The Evangelical Alliance is strongly committed to building a positive future for Northern Ireland. Both biblical and historical precedents present us with a critical duty to maintain the Christian voice on the issue of Human Rights and Responsibilities. We believe passionately in a shared responsibility for achieving a society that is transformed by hope, imagination and active citizenship.<sup>1</sup>

The Christian motive and theological justification for engaging in the Human Rights debate is found primarily in the concept of *imago dei*, in effect, that all humans are created in God's image<sup>2</sup>. This concept forges the foundation for our belief in a God who desires us to be in relationship to him, each other and creation, ultimately requiring of us to respect and value that which God has made. This relational component to society, as created by God, is therefore critical to any understanding of a free and healthy society. A relational society does not allow for the possibility of isolation from responsibility towards others.<sup>3</sup>

If a Bill of Rights for Northern Ireland is to be part of that future we believe certain points must be considered:

- A Bill of Rights would benefit greatly from being set within the context of a relational society where rights are protected and exercised whilst also recognising responsibility towards others. Indeed, an overly strong emphasis on individualism has the potential to further fracture society rather than bring it together. Serious attention should therefore be given to the relationship between rights and responsibility within Northern Ireland and subsequent guidance should be included within the Preamble.
- Whilst a Bill of Rights may help substantiate a commitment to a positive and 'just' future for Northern Ireland, it is not a panacea for the many problems and hurts resulting from the years of conflict. Such a legacy cannot be dealt with in one piece of legislation - especially a Bill of Rights - and attempts to do so will lead only to disappointment, political disagreement and further disengagement by wider society. Clarity should therefore be given to the aims of the Bill, highlighting its potential as an aspirational document for a society committed to change.
- Pursuing a minimalist approach to the Bill would not only strengthen this aspirational aim for the document, but provide an antidote to overly detailed and restrictive legislation that could actually hinder attempts to promote and protect fundamental human rights owing to unnecessary litigation (result of 'rights culture') and bureaucracy.

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<sup>1</sup> [www.renewing-hope.org](http://www.renewing-hope.org)

<sup>2</sup> Centre for Contemporary Christianity in Ireland, 2000, *A Shared Vision? Human Rights and the Church*, p30 & Evangelical Alliance UK, 2007, *Faith and Nation - Report of a Commission of Inquiry to the UK Evangelical Alliance*, Appendix 3 p147

<sup>3</sup> Jeremy Ive, 'Relationships in the Christian Tradition' in Schluter, M. & Ashcroft, J. 2005, *Jubilee Manifesto - A frame work, a agenda and strategy for Christian social reform*, IVP

- A minimalist approach would also help avoid cross-over between issues that can be dealt with within a Bill of Rights and those that should remain in the domain of the democratic political process. This is especially important given the infancy of shared power for devolved matters in Northern Ireland.
- Northern Ireland's political and ethnic make-up has seen very notable shifts since the writing and signing of the Belfast Agreement. It is of the utmost importance for this to be reflected in the wording of the Bill if a credible document is to be developed. Particularly, great care should be taken to avoid exclusive or out-dated language.

Additionally:

- Where rights are included that are supplementary to those of the European Convention on Human Rights, they should be presented in a similar tone. Specifically, every effort should be taken to ensure that they are comprehensive without being restrictive. Once recommendations have been made to the Secretary of State by the NIHRC, the Evangelical Alliance would welcome further opportunity for consultation.

## EVANGELICAL ALLIANCE SUBMISSION

### 1. Introduction

- 1.1 The Evangelical Alliance,<sup>4</sup> formed in 1846, is the largest body serving evangelical Christians in the UK and has a membership which includes denominations, churches, organisations and individuals. The mission of the Evangelical Alliance is to unite evangelicals to present Christ credibly as good news for spiritual and social transformation. There are around two million evangelical Christians in the UK.<sup>5</sup>
- 1.2 The Evangelical Alliance endeavours to maintain a strong voice in the Human Rights & Responsibilities debate and to date has made significant contributions to the discussion on rights in the UK as a whole and in Northern Ireland. Submissions have been made to key government consultation papers on the topic, most recently those from the Joint Committee on Human Rights (2006)<sup>6</sup> and the Northern Ireland Human Rights Commission (2007)<sup>7</sup>.
- 1.3 Furthermore the Revd Joel Edwards, General Director of the Evangelical Alliance, has recently been appointed as a Commissioner to the Equality and Human Rights Commission. In taking up such an important role, Revd Edwards believes that one of his primary responsibilities will be to ensure that Christian values, including respect and tolerance, will play an effective role in the Commission.<sup>8</sup>
- 1.4 With the deadline for a Bill of Rights for Northern Ireland just weeks away (31<sup>st</sup> March 2008) it is of great consequence that the issues as they relate to Northern Ireland are once again fully considered.

### 2. A Brief Christian Perspective on Human Rights

- 2.1 The Christian motive and theological justification for engaging in the Human Rights debate is found primarily in the concept of *imago dei*, in effect, that all humans are created in God's image<sup>9</sup>. Among Christians the manner and degree to which this informs our understanding may vary slightly. However there is general consensus that the concept forges the foundation for our belief in a God who desires us to be in relationship to him, each other and creation, ultimately requiring of us to respect and value that which God has made. It is in terms of this

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<sup>4</sup> [www.eauk.org](http://www.eauk.org)

<sup>5</sup> Statistics from Tearfund's *Churchgoing in the UK*, April 2007

<sup>6</sup> [www.eauk.org/public-affairs/humanrights/](http://www.eauk.org/public-affairs/humanrights/)

<sup>7</sup> [www.eauk.org/northern-ireland/public-affairs/consultations](http://www.eauk.org/northern-ireland/public-affairs/consultations)

<sup>8</sup> [www.eauk.org/media/ehrc-appointment](http://www.eauk.org/media/ehrc-appointment)

<sup>9</sup> Centre for Contemporary Christianity in Ireland, 2000, *A Shared Vision? Human Rights and the Church*, p30 & Evangelical Alliance UK, 2007, *Faith and Nation – Report of a Commission of Inquiry to the UK Evangelical Alliance*, Appendix 3 p147

latter point that the dignity of humans - so widely quoted as the source of all human rights - is understood by most evangelical Christians.

- 2.2 In light of this, Christians broadly support attempts to protect human beings from being de-valued or treated with a lack of respect. The Bible further states that we are created equal in God's eyes<sup>10</sup> and therefore one individual does not deserve any more or less respect than another "...irrespective of any additional quality such as nationality, intelligence, age or social status."<sup>11</sup>
- 2.3 In addition, the deeply relational nature of God and His creation is an integral part of our daily interaction with others. Where wrongs are committed, as they undoubtedly will be, Christians believe that, rather than focusing on an infringement of rights, we would be better to recognise the breakdown and violation of human relationships and where possible make appropriate steps towards reconciliation. Indeed, rights and freedoms flourish most clearly in an environment where a focus on the responsibilities intrinsic to successful relationships exists. This is most explicitly encouraged by Jesus when He "delves into the heart of the Torah to define what must surely be a universal moral code - the so-called 'Golden Rule' "<sup>12</sup>.
- 2.4 The 'Golden Rule' is part of Jesus' response to the question "What must I do to inherit eternal life?"<sup>13</sup> He simply re-affirms two existing Old Testament laws, with which his listeners would have been familiar, and explains that we must love God and love our neighbour as ourselves. This strong emphasis on respecting others and treating them as we would wish to be treated can be seen in much of Jesus' teachings.
- 2.5 Alongside the biblical and theological precedence for a Christian involvement in the Human Rights debate there is a strong historical association with the World Council of Churches being key contributors to the Universal Declaration of Human Rights document<sup>14</sup>. Having established these precedents, it is however, important to highlight a few areas where evangelicals find themselves in conflict with the current popular discourse.
- 2.6 Major concerns have been raised over the current trend towards fierce individuality<sup>15</sup> at the expense of the relational vision which God has laid down for his creation and how it is repositioning the human rights debate firmly within a liberal humanistic arena. Focusing too exclusively on 'rights' does nothing to enrich our understanding of society. Indeed, it can lead one to appreciate humankind merely in terms

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<sup>10</sup> Luke 10:25-37, Galatians 3:28

<sup>11</sup> Matthis de Blois, 'The Foundation of Human Rights: A Christian Perspective', in Paul R. Beaumont (ed.), 1998, *Christian Perspectives on Human Rights and Legal Philosophy*

<sup>12</sup> Evangelical Alliance UK, 2007, *Faith and Nation - Report of a Commission of Inquiry to the UK Evangelical Alliance*, Appendix 3 p148

<sup>13</sup> Luke 10: 25-37 (NIV)

<sup>14</sup> [www.wcc-coe.org/wcc/assembly/hr-e.html](http://www.wcc-coe.org/wcc/assembly/hr-e.html)

<sup>15</sup> Centre for Contemporary Christianity in Ireland, 2000, *A Shared Vision? Human Rights and the Church*, p33

of the sum of those rights, thus grossly under-valuing the individuals whom the system seeks to protect.

- 2.7 Liberal individualism holds great faith in humanity suggesting that education and protected freedoms (i.e. human rights) can produce individuals who together make up a healthy society. History gives us a less optimistic view however with many well educated 'tyrants' and wars/war crimes persisting despite international human rights laws being in place to protect victims from such brutality. The Bible foresees such a tendency towards disorder and injustice whilst humankind's relationship with God and each other is broken<sup>16</sup>. This relational component to society, as created by God, is therefore critical to any understanding of a free and healthy society. A relational society does not allow for the possibility of isolation from responsibility towards others.<sup>17</sup>
- 2.8 Indeed this link has been evident since the conception of the debate on rights and appears, without negative effect, in both the Universal Declaration on Human Rights<sup>18</sup> and the European Convention on Human Rights<sup>19</sup>. Christians are not against the protection of a person's God given value, in essence their 'human rights'. However, individual Christians motivated by their beliefs aim to hold their personal responsibilities above that of their personal rights.<sup>20</sup> The positive outcomes associated with such behaviour can only benefit society. Hence we would strongly call for responsibilities to be more widely acknowledged and encouraged in the current rights discourse.
- 2.9 By engaging with Human Rights, Christians are not trying to hijack a fashionable concept or put a spiritual spin on a secular philosophy. The very theory behind Human Rights has its origins in Judeo-Christian thinking. It is the comparatively recent move away from intrinsic responsibility towards individualism that has put distance between the approaches. Indeed, there is a critical duty to maintain the Christian voice on this issue.

### **3. The Bill of Rights Forum**

- 3.1 The Bill of Rights Forum was established to formulate detailed recommendations to the Northern Ireland Human Rights Commission. In carrying out this remit, it is clear that certain steps have been taken to facilitate the Forum in a broad spectrum of engagement. This includes representatives from the political parties, voluntary/community sector, private sector, and the churches and its subsequent sub-division

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<sup>16</sup> Jeremiah 17:9, Proverbs 29: 18, Romans 7: 18-25 (NIV)

<sup>17</sup> Jeremy Ive, 'Relationships in the Christian Tradition' in Schluter, M. & Ashcroft, J. 2005, *Jubilee Manifesto – A frame work, a genda and strategy for Christian social reform*, IVP

<sup>18</sup> UDHR, Article 1

<sup>19</sup> ECHR, Article 10

<sup>20</sup> Centre for Contemporar y Christianity in Ireland, 2000, *A Shared Vision? Human Rights and the Church*, p31

into working groups covering a wide range of issues including Children and Young People, Women, Criminal Justice and Victims, Economic and Social Rights, Culture, Identity and Language, Civil and Political Rights, and Preamble, Enforcement and Implementation. Finally, the outreach programme assists discussion with the wider communities affected by such a Bill, in particular those who may feel excluded or disenfranchised from the debate.

- 3.2 This outreach programme has included a well attended meeting between Evangelical Church Leaders and one of the Forum's outreach workers organised by the Evangelical Alliance (9<sup>th</sup> January 08).
- 3.3 We recognise that there has been, and continues to be, a great deal of debate within the Forum over the exact meaning of the Belfast Agreement clause specifying the remit of the Bill, particularly when referring to the 'particular circumstances of Northern Ireland'. There appears to be scope for both minimalist and maximalist interpretations of the clause. This has obvious implications for the Bill in regard to how broad it should be and what issues it should cover.

#### **4. The Bill - What it Might Look Like & Key Areas of Concern**

- 4.1 We believe the creation of working groups, covering such a wide remit, highlights the current provisions within the Forum to accommodate a maximalist approach to the Bill of Rights. This maximalist approach seeks to embrace in great detail, several issues in line with the suggestions given by the NIHRC and the ensuing working group divisions. The Belfast Agreement did indeed raise many of these same matters in the context of 'rights, safeguards and equality of opportunity'<sup>21</sup>. However, they were not specifically discussed with reference to the Bill of Rights but in terms of other political measures being/to be taken.
- 4.2 Considering this accommodation for a maximalist approach comparatively little productive discussion has taken place concerning religious and political identity, free speech, or rights of assembly. This is surprising given how evidently these link into the 'particular circumstances of Northern Ireland' mandate.
- 4.3 As mentioned, those supporting a maximalist interpretation would likely favour detailed clauses and prescriptive language leaving very little room for non-compliance and abuse of 'loop-holes'. However this has some distinct disadvantages: It may cause the Bill to date unnecessarily; it will be hard to gain cross party support for such a document; and it arguably trespasses into the democratic political process. This latter point is particularly concerning given a desire to see an Assembly in its infancy develop into a strong power sharing Executive that sets the agenda for Northern Ireland.

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<sup>21</sup> *The Agreement*, 1998, Section 6

- 4.4 This preference for a maximalist approach may also stem from an attempt to right the wrongs of the past rather than produce an aspirational directive for the future. This aim, no matter how well meaning, is far from straight forward. This is highlighted by the difficulties currently faced by the Consultative Group on the Past who have the specific remit of addressing the legacy left by the Troubles. It is not an issue to be easily solved through the already complicated process of developing a Bill of Rights.
- 4.5 A minimalist approach on the other hand is the antidote to an overly detailed and restrictive piece of legislation that could actually hinder attempts to promote and protect fundamental human rights owing to unnecessary litigation (result of 'rights culture') and bureaucracy. Supporters of such a minimalist approach believe there to be better legislative and strategic planning avenues for dealing with many of the issues raised for inclusion.
- 4.6 With major changes planned in certain areas for example education and language, it could be premature for a Bill of Rights to make detailed judgements that might later affect the plans already in progress. If these issues are to be included in a Bill in any detail, it would be prudent to wait upon the outcome of political decisions before proceeding.
- 4.7 Northern Ireland has changed a great deal in the past 10 years since the Belfast Agreement set this process in motion. The language of 'both communities' is now less relevant with the country becoming increasingly multi-cultural and many local people starting to disassociate from the two main communities. Evidence of this can be seen in an increasing number of people choosing not to state their religion on the Census - the percentage choosing not to do so almost doubled between 1991 and 2001<sup>22</sup>. This has two main consequences: Firstly, this again highlights the difficulty in determining the exact original nuance of a clause that was hugely influenced by the context in which it was written. Secondly, a Bill of Rights for Northern Ireland must reflect, but not be confined by, the shift in make-up and circumstances of the population.
- 4.8 The purpose of a Bill of Rights for any country, including Northern Ireland, is surely to promote and protect the fundamental rights of the people of that country. This applies to *all* people and should never be limited to, or directed towards, a certain group or groups; such an approach is synonymous with regimes like Apartheid in South Africa. It is in light of this that caution must be taken to avoid language that suggests a return to 'group rights' or a focus on just two communities within the population.
- 4.9 A Bill of Rights may help substantiate a commitment to a positive and 'just' future for Northern Ireland, however, as already mentioned it *will not, indeed, can not* heal the many problems and hurts of the past. All the iniquities and injustices resulting from the years of conflict

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<sup>22</sup> [www.cain.ulst.ac.uk/ni/popul.htm#3](http://www.cain.ulst.ac.uk/ni/popul.htm#3)

cannot be set straight in one piece of legislation - especially a Bill of Rights. Any attempts to achieve such an aim through this Bill will lead only to disappointment, political disagreement and further disengagement by wider society.

## 5. Recommendations

5.1 The Evangelical Alliance is strongly committed to building a positive future for Northern Ireland. We believe in a shared responsibility for achieving a society that is transformed by hope, imagination and active citizenship.<sup>23</sup>

5.2 If a Bill of Rights for Northern Ireland is to be part of that future we believe certain points must be considered:

- The Bill should be set within the context of a relational society where rights are protected and exercised whilst recognising responsibility towards others. Guidance on the relationship between rights and responsibility for Northern Ireland should therefore be included within the Preamble.
- Clarity should be given to the aims of the Bill, highlighting its potential as an aspirational document for a society committed to change rather than an ability to deal with the hurts of the past. This would be strengthened by pursuing a minimalist approach.
- The shift in Northern Ireland's political and ethnic make-up should be reflected in the wording of the document. Very great care should be taken to avoid exclusive or out-dated language.
- Where rights are included that are supplementary to those of the European Convention on Human Rights, they should be presented in a similar tone. Specifically, every effort should be taken to ensure that they are comprehensive without being restrictive.
- The boundary between issues that can be dealt with within a Bill of Rights and those that should remain in the domain of the democratic political process must not be ignored. This is especially important given the infancy of shared power for devolved matters in Northern Ireland.

5.3 Once recommendations have been made to the Secretary of State by the NIHRC, the Evangelical Alliance would welcome further opportunity for consultation.

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<sup>23</sup> [www.renewing-hope.org](http://www.renewing-hope.org)

