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Disciplinary Responses to Theology Brief Preview

REFLECTIONS ON LOVE, LAW AND HUMAN RIGHTS

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Professor Oliver O'Donovan's Theology Brief Preview on 'The Sovereignty of Love' inspires me to reflect on the tension between love and law. Professor O'Donovan explores the notion of love conceived as will and the love-command as a fulfilment of the law. Indeed, 'love must be sincere' (Romans 12:9a). Love cannot be forced. In Christianity, the subjective 'will to love' is as important as the outward, observable acts of love. Love as a divine law therefore involves both subjective and objective elements. In comparison, human law which promotes similar actions for the public good typically does not involve requirements of the genuine motivation of the heart. Whether one follows the law out of fear of punishment, sincere love of others, or from a desire to be a good citizen, is irrelevant. The subjective element is examined perhaps mainly in relation to the seriousness of a criminal offence or the attribution of liability, such as wilful intent or negligence.

Human rights law, which is my field of research, prescribes the universal standards of treatment of everyone with dignity, respect and equality. It often fosters greater understanding and awareness of the marginalized and the challenges they face. There are a lot of similarities between human rights principles and Christian values, particularly the emphasis on caring for the poor, the marginalized, and refugees. Indeed, it has been forcefully argued by John Witte, as Nicholas Wolterstorff notes in his GFI Postscript on Justice and Rights, that rights emerge from deep within the Christian tradition. The foundation principle in Art 1 of the Universal Declaration of Human Rights states that 'all people are born free and equal in dignity and rights'. In Christianity, the command to 'love your neighbours as yourselves' is rooted in the belief that all people are created in the image of God.

Can human rights law promote love? Or does it merely promote justice? When love becomes a legal duty, does it change the nature of love? Consider equality law, which has developed over the years to protect individuals from discrimination on the grounds of race, colour, sex, disability, etc. Those who make the law may be motivated by love. Has the law changed the hearts to contribute to a more loving and compassionate society? Or does it matter so long as we simply enforce the objective and minimum standards of legally acceptable behaviour in the society?

For instance, disability discrimination law imposes the duty of reasonable accommodation for persons with disability to enable them to enjoy equal opportunities as able-bodied persons. However, stigma, discrimination and the perception of the disabled as burdens in the contexts of employment are still common. How can Christian employers and colleagues go beyond the requirements of the law, treating others with respect and acceptance, to truly be the 'light of the world'?

(Matthew 5:15)? The challenge is not only to comply with the law, but to exemplify love in action, reflecting the divine mandate to love sincerely following the model of Jesus.

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