

Submission To The National Human Rights Consultation Secretariat May 2009

We thank you for this opportunity to feed this submission into the consultation taking place at this time on the matter of National Human Rights in Australia. Introduction

We make this submission on behalf of historic Christianity; historic Christianity that receives the Bible as the very Word of God, and the only rule for the whole of life and government. Our submission is based upon the moral law of God; the very God acknowledged by our Constitution when it refers to Australia as a nation to be "humbly relying on the blessing of Almighty God."

When Australia was settled by the colonists in 1788, they brought with them the principle that the Bible was the rule for the whole of life. Justice Hargraves, giving judgment in the Supreme Court of NSW in 1874 wrote: "We, the colonists of New South Wales, 'bring out with us' (to adopt the words of Blackstone) this first great common law maxim distinctly handed down by Coke and Blackstone and every other English Judge long before any of our colonies were in existence or even thought of, that 'Christianity is part and parcel of our general laws'; and that all the revealed or divine law, so far as enacted by the Holy Scriptures to be of universal obligation, is part of our colonial law – as clearly explained by Blackstone Vol. 1 pp 42-43; and Vol 4 pp. 43-60.[i]

Australia was founded upon the Judeo-Christian ethic, thereby enshrining equal rights for all its citizens under God. Our nation's Christian origin is still seen in that our Parliament commences opened every day with the Lord's Prayer. Our Fundamental Proposition

The absolutes given in the moral law of God (the ten commandments), "upon whose blessing we humbly rely", are not only the true basis of Australian common law, they are the true basis for human rights. We hold before the human rights consultation in this regard, the wisdom of God: "Righteousness exalteth a nation: but sin is a reproach to any people."[ii] The Concept of "Human Rights"

Discussed

It is our view that the moral law of God which is of universal obligation enshrines the true rights and freedoms that belong to every Australian. The second table of the law[iii] gives those rights and corresponding responsibilities of each Australian to his neighbour, at all times, and in all situations. The fulfilling of the responsibilities of love under the Law of God, which law is holy, just and good, is in itself sufficient to automatically preserve all true rights (entitlements) of all. For example:

- Under the 6th commandment, ("you shall not kill") it is an inviolable human right to have one's life viewed as sacred and never to have one's life taken unlawfully, or to be attacked on the streets, or subjected to domestic violence, etc. The corresponding responsibility is to love one's neighbour by viewing his life as sacred and to promote his highest good under God. By this moral principle the common laws of Australia, and the rights of its citizens in this area of life are determined, promoted and protected.
- Under the 8th commandment, ("you shall not steal") it is an inviolable human right to own property. It is a corresponding responsibility to respect that human right, and never to steal from others in any way. For example, we deny that it is a "right" to engage in fraud, extortion, robbery etc.

By way of contrast to the above, in the material associated with this present Consultation Process, reference is made to "responsibilities". However, in the absence of moral absolutes, the concept of "responsibilities" is rendered almost meaningless, because the "rights" to which the "responsibilities" must answer, rise and fall within the fluidity of a moral vacuum.

A society ought to extend "rights" to all its members alike, according to the principles of God's law. To do otherwise, is to create antithetically competing rights and to remove the basis of justice. It can't be denied that humanistic relativism creates competing "rights", for it allows for no absolutes and views each person/lobby group as an alternative standard of right and wrong to be granted equal rights over against the rest of society. Sadly, this is what we see happening as our nation loses its moral compass. Woman's rights conflict with the rights of the unborn child under the 6th commandment; gay rights conflict with the rights of Christian organisations to discriminate according to the 7th commandment, etc, etc. Incongruous as it is, our nation is in danger of granting "rights" to everything but the upholding of the absolutes of the law of God upon which our nation was founded. Response to the Three Key Questions Question 1 – Which Human Rights (Including Corresponding Responsibilities) should be protected and promoted?

We believe that the most fundamental human responsibility is to acknowledge that Almighty God has the right to command our love and obedience, and to tell us how to love our neighbour. This inalienable responsibility, upon which our nation was founded and from which every true right flows, should be acknowledged, protected and promoted.

Those rights and corresponding responsibilities which are enshrined in the law of Almighty God ought to be protected and promoted. At the same time, in so far as laws have been enacted that grant 'rights' which are contrary to the responsibilities given by Almighty God in the moral law, and which militate against the peace and freedom of our nation, those laws ought to be repealed.

It is only as the moral law of God is acknowledged that rights and responsibilities can be identified, protected and promoted. Question 2 - Are These Human Rights currently sufficiently Protected and Promoted?

Many of the so-called 'rights' that exist in our society are not rights at all. They do not arise from the moral law of God, but they are man-made inventions and perversions of God's law. Such 'rights' ought not be protected. On the other hand, the law of God and the rights that flow from it, should be protected and promoted in every way possible. Question 3 - How Could Australia better Protect and Promote Human Rights

Australia can never really properly protect and promote human rights without that we, as a nation, consider our responsibilities before the living God. Only within the holy framework of God's law will we ever treat our fellow Australians aright.

In Matthew 22:37-40 and Mark 12:29-34, Jesus Christ gives the sum of the Ten Commandments 'You shall love the Lord your God with all your heart, and with all your soul and with all your mind. This is the first and great commandment. And the second is like unto it, you shall love your neighbour as yourself. On these two commandments hang all the law and the prophets'.

It is only as Australians, in the way of repentance and faith in Jesus Christ, purpose to walk in these commandments will they protect and promote true human rights.

While ever a nation has no coherent, fixed moral standard, promotion and pursuit of a Bill of Rights, or even a Charter of Rights, is ideological folly which, if it were to proceed, would further entrench wickedness and militate against true righteousness.

Yours sincerely,

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[i]. Ex parte Thackeray (1874) 13 S.C.R. (N.S.W.) 1 at p. 61

[ii]. Prov 14:34

[iii]. The second table of the law comprises commandments 5-10, and read as follows:

Exodus 20:12 Honour thy father and thy mother: that thy days may be long upon the land which the LORD thy God giveth thee.

Exodus 20:13 Thou shalt not kill.

Exodus 20:14 Thou shalt not commit adultery.

Exodus 20:15 Thou shalt not steal.

Exodus 20:16 Thou shalt not bear false witness against thy neighbour.

Exodus 20:17 Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbour's.