

Northern Ireland Bill of Rights Public Consultation Response January 2021

Introduction

The Evangelical Alliance represents and joins together hundreds of organisations, thousands of churches and tens of thousands of individuals to make Jesus known.

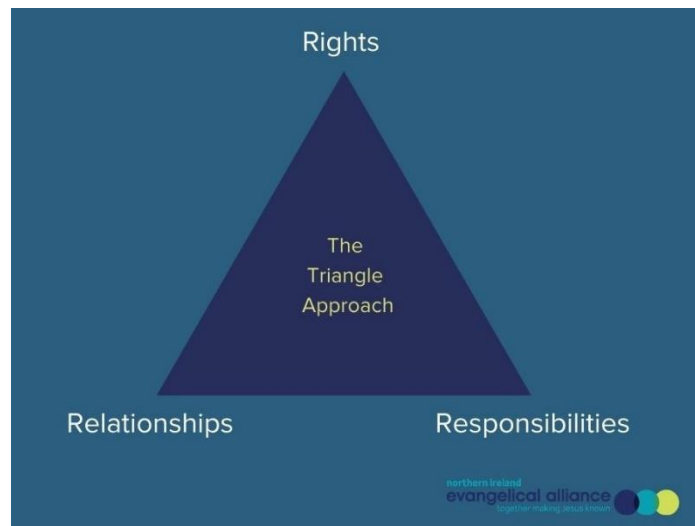
Representing our members since 1846, the Evangelical Alliance is the oldest and largest evangelical unity movement in the UK. United in mission and voice, we exist to serve and strengthen the work of the church in our communities and throughout society.

We have been working in Northern Ireland for over 30 years and engage across a wide range of policy issues from poverty to reconciliation and issues of human dignity.

Framing the consultation response

The Evangelical Alliance advocates for fairness, equality, dignity and the value of human life. We want to see all lives flourish and reach full potential. We encourage the vision and ambition of the NIBR to protect the rights of everyone in NI. However, we have some concerns about human rights legislation that could potentially change an individual's behaviour yet fail to change their hearts and attitudes.

Therefore, our consultation response does not aim to solve the extensive debate on the implementation of a NIBR nor advocate for a definitive position on the content of a NIBR. We hope to reorientate the human rights conversation and view it through a lens of rights working hand in hand with relationships and responsibilities in a triangle approach.



Rights

We believe that rights can be a very good thing. Christians believe that, God, as Creator with supreme authority, determines what is moral and right in his world. We go to the Bible as our final authority on the rights that each person has, how we should treat each other and what makes good law. Without a God who gives inherent rights and dignity, the question must be asked on what basis and authority can any rights be granted? The answer comes down to a state, a group of human-made institutions that grant some rights to some human beings. The transcendent, inalienable, universal nature of these rights is quickly brought into question along with the values that might underpin any such rights. It would be helpful to know on what basis and set of values these rights are being proposed and whether they can be changed by future governments depending on the social tastes or moral relativities of that age.

The Bible tells us that, in the beginning, God created man in his image (Genesis 1:26-27) and we understand this to be a foundational basis for ascribing each person innate value and worth and the right to be treated with dignity.

We believe that every written law should flow from this truth. For example, laws prohibiting domestic abuse or human trafficking flow from the truth that these behaviours damage human beings that have been created with innate dignity and value.

Relationships

Rights create a legal obligation that can be demanded and enforced but the Biblical story speaks of humanity being created to live in good relationship with God, our family, our neighbours, our community and even our enemies.

Responsibilities

When we live in good relationship with the people around us, we develop a moral and social responsibility to them. The New Testament is filled with commands on how we are to treat one another. We are called to love God and our neighbours with all our hearts and minds (Matthew 22:37); to show tolerance toward one another (Ephesians 4:2) and live-in peace with one another (Romans 12:16).

The written law

Written laws can only compel certain physical behaviours, but they can't compel an individual to act morally. Laws can't compel an individual to love their neighbour, care for their enemies or respect those from a different political community. This bill of rights cannot compel respect from one person towards another because the law demands them to.

Love, respect and honour are all heart issues. The Bible tells us that hearts are deceitful (Jeremiah 17:9), we don't naturally respect our neighbours or even believe that we have a responsibility to love and care for those from different cultures or backgrounds.

Written laws have good aims in granting people rights, but if people's hearts aren't *transformed* then there will be limited progress in getting people to respect the rights of others. We believe that God, through the work of the Holy Spirit can change the human heart and compel people to respect individuals' rights, transforming us into people motivated by love to "act justly and love mercy" (Micah 6:8).

Particular concerns with the NIBR

1. Scope either too narrow or too wide

There is a danger that, in meeting the requirements of the GFA to reflect, "the principles of mutual respect for the identity and ethos of both communities" in Northern Ireland, that such a Bill could be reduced to a Unionist/Nationalist issue leading to a further entrenching of communal identity in NI.

NI is a changing society with many individuals no longer primarily identifying in political terms. There is a new generation of young people who do not identify in the ways that previous generations have done. A "two communities" approach no longer adequately reflects the multi faith, multi-cultural society that NI has become where individuals identify with a range of faiths and no faith.

However, we are also concerned that in broadening the remit of the Bill so wide, it may ultimately become unworkable and unhelpful and could lead to more frustration.

2. Who manages and enforces the Bill?

We question who will take political leadership of a Bill that covers a wide breadth of issues.

3. Conflict with existing rights legislation

How exactly will a Northern Ireland Bill of Rights compliment or conflict with current EU rights legislation (ECHR) and a proposed British Bill of Rights in our post-Brexit reality?

4. The consultation process is too simplistic

The consultation process is an online survey composed mostly of a tick box response and limited opportunity to give some personal views. We believe that this process is too simplistic to deal with the complex issues of rights for such a wide range of groups. Two people could tick the same box but have very different conceptions about what rights should be granted in that area.

5. Capacity and Resources

At this time, NI and the rest of the world, is facing the largest health, economic and social crisis in our generation and beyond. The years ahead will be marked by the efforts to recover and rebuild after the COVID epidemic. Is such a complex Bill of Rights set up to fail

at a time when capacity and resources are already stretched? What proposals have been made to finance, implement and enforce such wide-reaching legislation?

6. Rights that undermine human dignity

Some of the human 'rights' put forward would profoundly undermine human dignity in our view or are at least strongly contested. For example, any attempts to legislate for a human right to the choice of abortion beyond strict and undeniable medical necessity or around the conflation of sex and gender to the disadvantage of women and girls. Placing these contentious issues primarily in the realm of rights rather than relationship and shared or stated values sit behind the development of such a Bill? We would suggest that without an agreed framework of values, the bill could be built on sand.

7. No proposed mechanism to deal with conflicting rights

As Christians we want to protect the rights of many groups in society including the poor, those fleeing war and persecution, the marginalised and the unborn and we advocate for religious freedom and the right to freedom of speech. Some others in society will agree, while others will deeply disagree. What are the proposed mechanisms to deal with these conflicts which are bound to arise between opposing groups, when the rights of one group conflicts with the rights of another and both look to the bill for protection?

8. Is it good for community relations?

In the long run, will the proposed NIBR actually be a good thing for community relationships in Northern Ireland? Is it possible that a NIBR will cause more division, disagreements and frustration between groups who are opposed in their ideology?

Conclusion

We believe that the Bible teaches the importance of having a vision for your life, your family, your work and even your nation. Proverbs 29:18 “Where there is no vision, the people perish, but happy is he who keeps the law.”

We appreciate the desire of the NIBR to be, in some ways, a visionary document and we recognise that our community needs a vision for unity, inclusion, respect and dignity for everyone in our society. We share much common ground with many proponents of the bill who seek fairness and justice for all in our society.

However, we have concerns about the nature of this vision and that approaching rights as a legal obligation alone could be setting the Bill up to fail. This, and the issues of capacity and conflict in community relations are especially pertinent when considering if these rights are socially and legally enforceable.

We conclude with our main point – we welcome rights in the correct context but without a shared understanding of some basic values, they can lose their anchor and become a point of division rather than endowing dignity and engendering social cohesion. We also want to see clear and strong bonds between rights, community relationships and social responsibility.

We would be happy to meet with the Committee at any point to discuss further any or all these points. Please find the contact details below.

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