

THE ROYAL COMMISSION ON HUMAN RIGHTS

D.B. KNOX

"THE CHRISTIAN FAITH"

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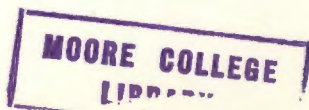
The report of the Royal Commission on Human Rights is an important document that contains two false notions which are gaining acceptance in the community. One is that it is no business of the law what adults do in private. The other is that Christians should not expect non-Christians to conform to the Christian moral code. These areas are related and spring from ignoring the fact that God is the ultimate law-giver and that the magistrate who imposes the law is simply the minister of God.

The moral law is the mind of God the creator for human relationships. It is a unity in itself, and the question of making parts of it criminal and leaving other parts outside the criminal law is simply a question of expediencey, that is, what is socially possible. No one has the right to disobey God's law even though they live in a pluralistic society. If Christians have the right to impose by criminal legislation the commandments "thou shalt do no murder" and "thou shalt not steal" they have also got the right to impose the next commandment "thou shalt not commit adultery". However, though legislation must always be right, it must also be expedient, and in a pluralistic society as ours where a significant proportion of the people do not accept parts of the Christian moral law, what is right may cease to be expedient, because law must have the common consent of society.

There is a further confusion in the statement that Christians do not have the right to impose the Christian moral law on those who do not accept it. Christians as Christians have no right to impose anything on anyone; their instrument is

the word of God and prayer. But Christians are also members of the political society and have responsibilities politically. They must vote and if members of parliament must legislate always in accordance with the mind of God and never at variance to it. But they must also in all their political actions act according to the wisdom of God which takes into account the perverseness of human wills. Consequently a just and righteous law may not be expedient. A good example is the law against drug taking. We do not legislate against alcohol because such laws are unenforceable since our community is addicted to this drug. It would be just and right to do so, but not expedient. But we are still able to legislate for the prohibition of marijuhana and heroin because the community as a whole has not yet become addicted to these drugs and it is hoped that through this legislation such addiction will be minimised. It is foolish to say that we have not the right to legislate against what consenting adults do in private if what they do is wrong, i.e. against the mind of God. Laws against drug taking are a plain example of law regulating behaviour of adults in private. A similar law is the law about seat belts. Here the law requires people to protect themselves against their own carelessness, which is a right and just thing to do, and in this case it is also expedient because the community is united on the matter.

Everyone has an unchanging obligation to obey God's law and this law of God should be reflected as closely as possible in human law. The Commission ought first to have discovered what is right in the relationships it discussed and then proceeded to the wisdom of strengthening



this right action by legislation and to what extent it might be wise or unwise to legislate.

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