



Am I my brother's keeper?

The idea of humanitarian intervention in a foreign state is controversial and raises important questions about state sovereignty, human rights and the extent of political responsibility. Is there a Christian basis for such action?



David McIlroy

David McIlroy is a practising barrister, author of *A Biblical View of Law and Justice* (Carlisle: Paternoster, 2004) and of *A Trinitarian Theology of Law* (Milton Keynes: Paternoster, 2009), and is an Associate Research Fellow at Spurgeon's College.

One of the most contentious topics in international law today is the right of humanitarian intervention. The wars in the 1990s in the former Yugoslavia raised, within Europe's borders, the question of whether countries could stand by and allow people to be massacred along ethnic and religious lines simply because the atrocities were taking place in another country's territory. There was heavy criticism, particularly of the actions of the 400 Dutch UN peacekeepers at Srebrenica and of French troops in Rwanda who failed to do anything to prevent the outbreak of the murderous genocide. Fearing another ethnic war in the Balkans, in 1999 NATO authorised preventative action, within Serbia's borders, to protect the ethnic Albanian population in Kosovo.

Going further back into history, however, rulers used their right to protect their vassals, family members, those who spoke the same language or those who were of the same religion, all as grounds for starting wars against other rulers. Nazi claims in 1938 over the Sudetenland were advanced in part on the grounds of humanitarian intervention and amongst the ostensible reasons for the First Crusade were the protection of pilgrims and of Palestinian Christians.

The idea of humanitarian intervention is therefore both controversial and capable of abuse. It raises in acute form questions related to state sovereignty, human rights and the extent of political responsibility. Let us consider each of these in turn.

State sovereignty and divine sovereignty

Living in the UK today it is easy to imagine that state sovereignty is the 'natural' state of political authority. In fact, the experience of England as a unified country with a long history as a single centralised legal and political system is extremely unusual. Most countries, whether Italy or Germany, Nigeria or India, are a recent creation in which multiple tribal, territorial, political and religious communities have been bound together in a single, overarching political order we call a 'state'. Moreover, state sovereignty as we know it is a relatively recent creation. During the Middle Ages, authority in Europe was dispersed and balanced amongst various organs and individuals who held power in their own right. State sovereignty arose in the seventeenth century when kings such as Charles I in England and Louis XIV in France asserted the divine right of kings as a justification for absolute monarchy. Even though Charles I lost the Civil War, the result was to replace the absolute sovereignty of the king with the absolute sovereignty of Parliament. Hobbes referred to such a sovereign as a 'mortal god'. Accountable only to God (if to anyone), the absolute sovereign enjoys total freedom of action. The absolute sovereign is free to do whatever it wants.

Contrary to absolutist theories of sovereignty, the biblical teaching is that governments do not have a blank cheque. Only God's sovereignty is absolute and God exercises that sovereignty for the good of all that God has made. The Old Testament teaching was that kings were not gods nor representatives of God but rather

were answerable to God for the way in which they led the nation of Israel.

Nonetheless, we might speak of sovereignty in a more limited sense, to recognise the sphere of legitimate authority which independent governments enjoy. Such governments are sovereign because they are primarily accountable for the exercise of their authority to God and to the people whom they rule.

One of the most frequent Old Testament metaphors for political rule is that of shepherding.¹ Although this was a common metaphor for government in the ancient Near East, in the hands of the Old Testament writers it became a powerful image of the way in which rulers were supposed to care for all their people, especially the weakest. Zechariah denounces the failures of the evil shepherds who did not care for the people they were supposed to be leading (Zech 11). Ezekiel condemns the 'shepherds of Israel' for looking only after their own interests, and failing to strengthen the weak, heal the sick or bind up the injured (Ezek 34).

Drawing on this biblical heritage, Christians have insisted that political power should be exercised for the common good, not in the private interests of the ruler. As Julian Rivers argues, government is legitimate but limited.² Both Romans 13.3–4 and 1 Peter 2.13–14 insist that rulers are given a specific responsibility from God, the responsibility to 'punish those who do wrong and to commend those who do right'. A government which systematically persecutes sections of its own people is not making any attempt to carry out its responsibility to punish wrong and commend right, instead it is acting in defiance of it.

Human rights

It is not necessary to use the language of human rights to recognise that when a government perpetrates or sponsors acts of murder, rape and pillage against its subjects, it is acting unjustly. The lack of justification for the Spanish invasion of the Americas and the atrocities committed by the Conquistadors was recognised by Suarez and de las Casas long before the term 'human rights' was ever dreamt of.

Christian understandings of human rights are founded on what the Bible teaches about human dignity. Human beings have dignity because they are created 'in the image of God' (Gen 1.26). Human beings also have dignity because Christ became incarnate as a human being, because Christ has said that we will be judged according to how we have treated others (Mt 25) and because Christ died on the cross for each and every one of us. It is God's gracious and unmerited love in both creation and redemption which gives us value and dignity. Moreover, because of the promise of our transformation into Christlikeness by the Holy Spirit, the image of God is both the indelible likeness of God, which can never be entirely erased, and the potential to become like Christ, which is there in all human beings.

The Christian human rights advocates, Benedict Rogers and Joseph D'Souza have argued that respect for human rights 'means simply respecting and promoting the human dignity of our fellow men and women. It means obeying the greatest commands to love the Lord our God with all our heart and to love our neighbour as ourselves.'³ However, human rights is not just a language but also a theory which seems to be used to challenge communal values in the name of individual lifestyle choices. The term 'human rights' is relatively new. Such rights were previously spoken of as 'natural rights' and seen as arising out of human nature. But whereas natural rights tended to be conceived of conservatively, Joan Lockwood O'Donovan has warned that human rights theory thinks of rights in individualistic and possessive terms.⁴ Human rights theory replaces the absolute sovereignty of the government with the absolute sovereignty of the individual who is free to do whatever they want.

governments have no authority to act in ways which are contrary to the interests of those whom they serve

Although the Bible teaches about the importance of human beings as individuals,⁵ the Bible's understanding of human beings is not individualistic. God made human beings for relationships and above all to enjoy a relationship with God himself. We were also made to relate to one another. We are born into families and were meant to enjoy good relationships with others. Those relationships as well as giving us ways in which to flourish as people also impose obligations upon us. Our obligation to pay taxes (Rom 13.6) is a clear reminder of the fact that we do not live in splendid isolation but in dependency upon what others, including the government, provide for us. Christians cannot therefore endorse a theory of human rights that simply replaces the absolute sovereignty of the state with the absolute individual.

Jesus has commanded us to love the Lord our God with all our heart, soul, mind and strength and to love our neighbour as ourselves. Is it appropriate to think of loving our neighbour as ourselves as involving concern for the protection of their rights? We might understand human rights talk as a kind of second language for expressing Christian understandings of human dignity and what part of what it means to love one another. In the Far East, business people in Singapore, Hong Kong, Shanghai and elsewhere use a form of English known as Penglish as a trade language. Christians might use human rights talk as a means to communicate with others on issues which concern us all as God's creatures answerable to God for how we have treated one another. Nonetheless, in doing so, we need to recognise that human rights talk is not our 'native' language and that human rights theory needs to be reformed in a more biblical direction.

Notes

1. Num 27.17; 2 Sam 5.2; 7.7; 1 Kgs 22.17; 1 Chr 11.2; 17.6; 2 Chr 18.16; Jer 23.1; 50.6; Zech 10.2.

2. See Julian Rivers, 'The Nature and Role of Government in the Bible', in N Spencer and J Chaplin (eds), *God and Government* (London: SPCK, 2009), pp. 40–60.

3. B Rogers and J D'Souza, *On the Side of the Angels: Justice, Human Rights and Kingdom Mission* (Milton Keynes: Authentic, 2007), p. 25.

4. J Lockwood O'Donovan, 'The Concept of Rights in Christian Moral Discourse', in M Cromartie (ed), *A Preserving Grace: Protestants, Catholics and Natural Law* (Grand Rapids: Eerdmans, 1997), pp. 143–56.

5. See, for example, the parable of the Lost Sheep in Mt 18.10–14.

The limits of political responsibility

God's love grounds Christian concern for others. Christians are called to be compassionate and concerned about those who are persecuted in other countries because we know that these people are loved by God and that God wants them to flourish and to come to know God for themselves. Does this mean that Christians should support humanitarian intervention by one government in the territory of another?

In thinking through a biblical perspective on humanitarian intervention it has to be recognised that there is no direct parallel to humanitarian intervention in the Bible. Perhaps the closest we come to the idea is in Genesis 14 when Abram rescued his nephew Lot after he had been seized by the kings of Elam, Goiim, Shinar and Ellasar. However, this was not one nation intervening to prevent a humanitarian disaster in another's territory but rather a wealthy merchant with a private army rescuing

argues that thinking about war as an act of rulers on behalf of others enables us to think of it not in terms of self-defence (which Christ has ruled out) but as defence of others 'under the restraining standards of executive justice'.⁶ When political authorities wage a war in defence of the country over which they rule they are doing so not to protect themselves but in order to protect the people that they have been called to serve.

Romans 13.4 teaches that governments are God's servants bearing the sword to bring punishment on wrongdoers. The sword Paul mentioned was the sword of the Roman soldier, wielded both to enforce law and order, and also in warfare against the enemies of the Roman Empire. This led Christian just-war thinkers to think of the sword of judgment as being capable of being used both to deal with crimes within a state's borders and, in emergencies, to deal with illegal actions by foreign governments.⁷

In exercise of their God-given responsibilities to do justice and to serve others, rulers are justified in going to war in defence of the people of their own country. Rulers may also be justified in going to war in defence of the people of another country that is being attacked and even, *in extremis*, in defence of people in the country one is attacking. O'Donovan has argued that, when fought for a just reason, war can be understood as an emergency 'act of judgment, serving the need of the international community for just order'.⁸

If this is right, then humanitarian intervention into the affairs of another country is justified where this is required as an act of judgment against the illegal acts of the government and in service to the people who are the victims of that injustice. Only the express recognition that the state's government has acted illegally, beyond the limits of its powers, 'can justify intervention into a foreign state's jurisdiction and taking responsibility out of its hands'.⁹

Yet we have not quite said all that needs to be said. Those who exercise governmental authority are called to love others and to work out what it means to love others when exercising their political responsibilities. Humanitarian intervention is justified when it is an act of love for the victims of persecution and injustice by their own government. It is only an act of love for them when it is likely that it will be effective and that the outcome will leave them better off than if the intervention had not been attempted.

Conclusions

We have seen in this article that neither state sovereignty nor individual human rights can be regarded as sacrosanct. For Christians, the biblical question is not whether intervention in another country is required in order to protect the fundamental human rights of its citizens, but rather whether such intervention is an appropriate act of judgment against the activities of its government and an act of love towards its people.

neither state sovereignty nor individual human rights can be regarded as sacrosanct

hostages. It would be unwise to build a biblical perspective on humanitarian intervention on the basis of this passage of Scripture alone. Nonetheless, Abram's actions can be seen as an act of love for his nephew Lot and as a just response to the ways in which the four kings had acted.

The key biblical text regarding government is Romans 13. It sums up much of the Bible's teaching to be found elsewhere and which there is not space in this article to explore. We have already seen how Romans 13 teaches that government, whether in a sovereign state or in any other form of political rule, is charged with serving its people by commending good and punishing wrong. Rulers act on behalf of others, in the service of others.

This insight informs a Christian perspective on humanitarian intervention in two respects. First, governments, even those of sovereign nations, have no authority to act in ways which are contrary to the interests of those whom they serve. A government therefore has no right to place Jews and gypsies into death camps. Humanitarian intervention to rescue the victims of such policies is not a violation of a state's sovereignty because no state has the right to commit genocide against any of its subject people-groups.

Second, governments may authorise humanitarian intervention in another state's territory where doing so is an act of service, even an act of love. We are not used to thinking about the deployment of soldiers in these terms. Because we are used to talking in terms of institutions and of 'the state' rather than in terms of people exercising political authority we tend to think of countries going to war with one another rather than in terms of governments making decisions about when to make war and when to make peace. O'Donovan

6. O'Donovan, *In Pursuit of a Christian View of War* (Bramcote: Grove, 1977), p. 14.

7. O'Donovan, *The Just War Revisited* (Cambridge: Cambridge University Press, 2008), p. 18.

8. O'Donovan, *The Just War Revisited*, p. 96.

9. O'Donovan, *The Just War Revisited*, p. 57.