



Global Faculty Initiative

**The Faculty Initiative
seeks to promote the integration
of Christian faith and academic disciplines
by bringing theologians into conversation with scholars
across the spectrum of faculties
in research universities
worldwide.**

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Preview Response

RIGHTS TALK IS NOT ALWAYS HELPFUL

Peter Anstey

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On Professor Woltersorff's reflections on justice:

I agree that the issue is very important, but I'm afraid that I see things differently.

- In my view the important distinction is not between his 'first-order' and 'second-order' justice, but between distributive justice and retributive justice. It is these forms of justice that are largely in view in the Old and New Testaments.
- Again, I don't believe that speaking about justice in terms of rights is always helpful: firstly, because the notion of rights is foreign to Scripture; and secondly, because, in my view, rights are derived from more fundamental moral concepts, and analysing moral issues in terms of rights can result in one losing touch with the more fundamental concepts. For example, take the passive right of a child to be cared for by their parent. This right is founded on the duty of care that pertains to the parent: take away the duty of care and the right disappears. Here the fundamental moral concept is duty of care. Once we have that, there is a sense in which the child gets the right 'for free'. In some contexts rights-speak seems to be helpful, but I would certainly advise against using it as a term of reference for understanding the nature of justice.

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