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By Joseph Loconte

More than a decade ago, Samuel Huntington warned that the “clash of civilizations” would have much more to do with religion than power politics. “Civilizations are differentiated from each other by history, language, culture, tradition and, most important, religion,” he wrote. “The fault lines between civilizations are replacing the political and ideological boundaries of the Cold War as the flash points for crisis and bloodshed.”¹ In a post-9-11 world, the importance of that insight can hardly be overstated. Indeed, it is being stated with impressive regularity by scholars and thinkers from across the political and ideological divide. “The twenty-first century will be a time of religious violence and warfare,” writes Pauletta Otis, professor of strategic studies at the Joint Military Intelligence College. Religion, she adds, is emerging as “the single most important political-ideological default mechanism in global conflict.”²

Despite this fresh appreciation for the significance of faith in the modern world, a crucial dimension to religion—the principle of religious liberty—is often left out of the discussion. The argument of this paper is that a commitment to religious freedom, in theory and practice, is absolutely central to confronting this development in geo-politics.

One reason is the philosophical basis for human rights and the democratic institutions that safeguard these rights. If the biblical view of the dignity of every individual is not protected by law and custom, then civil and political liberties are left to the whims of the regime *du jour*. It’s hard to name a state governed by a purely secular vision for human rights that can boast even minimal adherence to basic civil liberties. A second reason is the practical, historical contribution of religious freedom to democratic rights. The concept of limited, representative government grew from the soil of dissenting Protestantism. It’s no coincidence that the world’s most successful democracy—the United States—began its democratic journey as the most religiously free and diverse in the West. A final reason for the priority of religious liberty in promoting human rights is the link between faith and national security. Those states that militantly enforce sectarian religion not only trample democratic freedoms, but typically play host to terrorist violence. Conversely, governments that allow freedom of worship tend to be less threatened by faith-based extremism. As the International Crisis Group put it recently: “Treat religious freedom as a security issue, not just a human rights issue.”

A Foundation for Human Rights

Scholars continue to debate the philosophical basis for civil and political liberty. In his 290-page textbook on human rights, political scientist Jack Donnelly devotes barely a page to the religious foundation for rights—and dismisses the religious argument

¹ Samuel P. Huntington, “The Clash of Civilizations?” *Foreign Affairs*, Summer 1993, 22-49.

² Robert A. Seiple and Dennis R. Hoover, eds., *Religion and Security: The New Nexus in International Relations* (Lanham, Md.: Rowman & Littlefield, 2004), 11.

as unpersuasive.³ Harvard historian Michael Ignatieff criticizes the impulse to anchor human rights in transcendent religion. “Elevating the moral and metaphysical claims made on behalf of human rights may be intended to increase its universal appeal,” he writes. “In fact, it has the opposite effect, raising doubts among religious and non-Western groups who do not happen to be in need of Western secular creeds.” Better, he says, to find purely prudential grounds for rights.⁴

An obvious problem with this line of argument is that the concept of human rights simply did not develop apart from religious conviction. The Enlightenment, regarded as philosophical engine of democratic rights, drew much of its raw material from Biblical sources. The inherent freedom of the individual, the emphasis on human reason, the primacy of conscience—all these Enlightenment ideals found inspiration in Jewish and Christian claims about the God-given dignity of every person. Almost unique among the world’s religions, the Bible regards human beings as less than angels but more than beasts: creatures, yes, but creatures made in the image of their Creator. As such, they are capable of reason, choice, creativity, imagination, love and virtue. Any assault on the life or dignity of the individual is an affront to his Maker.

The first murder recorded in the Bible, for example, Cain’s murder of his brother Abel, is condemned in precisely these terms. Likewise, the moral imperatives of the Decalogue are rooted in the same understanding of human nature. “In the opening chapter of the Hebrew Bible, God declares that He has made man in His own image: to teach us that one who is not in my image is still in God’s image,” says Jonathan Sacks, Britain’s chief rabbi. “That is the most powerful antidote to hate ever created.” No theme is more powerfully illustrated in the New Testament than the innate value of every person in the sight of God. “St. Paul long ago made our ancestors familiar with the idea that every soul is virtually sacred,” wrote philosopher William James, himself a religious skeptic. “Since Christ died for us all without exception, St. Paul said, we must despair of no one.”⁵

Enlightenment icons were thoroughly familiar with these religious themes. No one can read the works of John Locke (his *Letter on Toleration* or *The Reasonableness of Christianity*) or Thomas Paine (his political firebomb *Common Sense*) and not be struck by their reliance on biblical images and ideals. That helps explain why even the French Revolution, for all its violent anti-clericalism, produced a “Declaration of the Rights of Man” that anchored political and civil liberties “in the presence and under the auspices of the Supreme Being.” Even Thomas Jefferson, America’s quintessential Enlightenment man, declared his philosophical allegiance to Bacon, Newton and Locke—all deeply religious figures. “Jefferson’s universe was as purposeful as that of Timothy Dwight,” writes historian Henry May, “and presupposed as completely the existence of a ruler and creator.”⁶

Consider, for example, the religious ideals that animate the modern understanding of freedom of conscience. The Bible portrays conscience as the realm of faith and conviction, a sanctuary where divine grace and human decision-making meet. Conscience

³ Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca, New York: Cornell University Press, 2003), 18-19.

⁴ Amy Gutman, ed., *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2001), p.53.

⁵ William James, *The Varieties of Religious Experience* (New York: Penguin Books, 1982), 357.

⁶ Henry May, *The Enlightenment in America* (Oxford: Oxford University Press, 1976), 295.

is both personal and universal, provocative but not coercive, an expression of God's moral laws yet corrupted by willful disobedience to those laws.

Thus, Protestant reformer Martin Luther invoked freedom of conscience to oppose what he saw as the false and oppressive teaching of the Catholic Church. "I cannot and I will not recant anything," he told his accusers, "for to go against conscience is neither right nor safe."⁷ Luther would set off a political as well as spiritual revolution. Indeed, when the modern human rights movement took shape after World War II, a committee of leading political and moral philosophers looked back on Luther's achievement as they drafted a memorandum exploring the basis for civil liberties. Their 1947 UNESCO document cited the Reformation—"with its appeal to the absolute authority of the individual conscience"—as one of two historical events most responsible for the cause of human rights.⁸ It's true that the Reformation helped unleash the religious wars of the 17th century, and that much of the modern emphasis on freedom of conscience was a response to that bloody, troubled era. As scholar David Little argues, the history of Western Christianity "is really one long and many-sided controversy over the proper interpretation of freedom of religion and conscience."⁹ Nevertheless, the proponents of religious liberty did not forsake religious ideals about conscience and human dignity. Rather, they upheld those ideals and pushed them to their logical conclusion.

No figure illustrates this fact more powerfully than the chronic dissenter of the 17th century, Roger Williams. At the age of eight, Williams saw a preacher-friend, Bartholomew Legate, burned alive for daring to read and teach the Bible in English. It must have been one of the events that would launch him on a lifetime campaign to defend religious freedom against the intrigues of church and state. Equally important, however, was Williams' Christian belief in the God-given worth of every person. Jews, Turks, Mohammedans, Native Americans, Pagans—all possessed the same moral faculties. "Williams's way of understanding the core of Christian belief caused him again and again to emphasize...our common humanity," writes historian William Lee Miller. "Williams's appeal to this common humanity had in it a breadth of moral imagination and a transcendent self-critical turning that are rare."¹⁰

The political result for Williams was to insist on a clean separation between church and state. It was the only way to insure that the magistrate would never use state power to compel belief and enforce religious orthodoxy. As Williams put it: "Forced worship stinks in God's nostrils." It was this conviction that drove him out of Massachusetts Bay. What John Winthrop called a "holy covenant"—where religious law and civil law often were identical—Williams called an unholy delusion.¹¹ The settlement he founded on Narragansett Bay became Rhode Island, a haven for religious dissenters of every stripe. As Williams described his founding vision: "[N]o person in this colony shall be molested or questioned for the matters of his conscience to God, so he be loyal and

⁷ Roland Bainton, *Here I Stand: A Life of Martin Luther* (Nashville, Tenn.: Abingdon Press, 1977), 144.

⁸ *Human Rights: Comments and Interpretations*, edited by UNESCO (New York: Allan Wingate), 251.

⁹ David Little, John Kelsay, and Abdulaziz Sachedina, *Human Rights and the Conflicts of Culture: Western and Islamic Perspectives on Religious Liberty* (Columbia, S.C.: University of South Carolina Press, 1988), 13.

¹⁰ William Lee Miller, *The First Liberty: America's Foundation in Religious Freedom* (Washington, D.C.: Georgetown University Press, 2003), 129-152.

¹¹ Edmund S. Morgan, *Roger Williams: The Church and the State* (New York: W.W. Norton, 1967), 103.

keep the civil peace. Sir, we must part with lands and lives before we part with such a jewel.”¹²

Faith and Freedom in America

The career of Roger Williams also points to a second reason for linking religious freedom to human rights: No impulse has proved more decisive to democracy than the quest for religious liberty. Put another way, the very idea of representative government grows from the soil of dissenting Protestantism. Where the features of Protestantism are present—freedom of conscience, the universal availability of grace, the fallen condition of every person, the priesthood of all believers—democratic rights tend to follow.

The link between faith and freedom that first surfaced in the English revolution and the rise of Puritanism culminated supremely in the American Revolution and the American Founding. No other nation began its democratic journey with as great a level of religious liberty and diversity as the United States.

Indeed, most of the nation’s Founders regarded faith as an indispensable support for republican government. On this point, James Madison, father of the Constitution, was rock solid. “What captured Madison’s energies, abilities, and time was not what truths lay at the end of the religious quest,” writes historian Edwin Gaustad, “but the right of all humankind to seek those truths without penalty or burden or any civil disability whatsoever.” The contest to secure that right came to head in 1784, when the Virginia General Assembly tried to pass a General Assessment bill to collect and distribute tax money to all Christian churches in the name of “public morality.” (Similar tax schemes had been adopted in Massachusetts, Connecticut and New Hampshire.) Church-going had declined in Virginia, but Madison saw the bill for what it was: an attempt to prop up the Protestant Episcopal (Anglican) church with taxpayer money. Prompted by Baptist leaders and others, he penned *Memorial and Remonstrance Against Religious Assessments* in July 1785.

According to biographer Irving Brant, Madison’s 15-point document “continues to stand, not merely through the years but through the centuries, as the most powerful defense of religious liberty ever written in America.”¹³ No wonder: In his *Memorial*, Madison regards religious belief as “precedent, both in order of time and in degree of obligation, to the claims of Civil Society.”¹⁴ By placing the right of conscience superior to all other rights and duties, he gave it the strongest political foundation possible. This same conviction surely guided his work a few years later as chairman of the House conference committee on the Bill of Rights to the Constitution. His original proposal for the First Amendment was among the most ambitious offered: “The civil rights of none shall be abridged on account of religious belief or worship...nor shall the full and equal rights of conscience be in any manner, or on any pretext, infringed...” Though somewhat less robust in its protections, the final version—“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof”—clearly bears the Madison stamp.

¹² Miller, *The First Liberty: America’s Foundation in Religious Freedom* (Washington, D.C.: Georgetown University Press, 2003), 129-152.

¹³ Quoted by Miller, *The First Liberty*, 98.

¹⁴ Rakove, ed., *James Madison: Writings*, 30.

Like most of the Founders, Madison's main objective was to protect religious believers from the state—not the other way around. Indeed, he saw religious liberty as the cornerstone upon which the edifice of democratic freedoms depended. Religious freedom was America's "first freedom" because without liberty of conscience all the other democratic freedoms—free speech, a free press, the right to assembly—were meaningless. "Its maintenance would not automatically preserve the entire liberty of the citizen," writes Irving Brant. "But without it the other rights were sure to be destroyed."

The Crown Jewel of the Universal Declaration

This same belief in the priority of religious freedom animated the debate of the late 1940s over an "international bill of rights." With the atrocities of the Holocaust still fresh, members of the newly formed United Nations Commission on Human Rights hammered out a manifesto of civil liberties. The authors warned that "disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind." The 30 articles of the Universal Declaration of Human Rights enumerate political and social protections, including the right to life and liberty, equality under the law, and freedom of speech and assembly. There are also prohibitions against slavery, torture, and arbitrary arrest.

The crown jewel of the document is Article 18: the right to "freedom of thought, conscience, and religion." The provision was drafted by Lebanese ambassador Charles Malik, an Arab Christian and a strong intellectual force on the Commission. Malik's provision enraged the communist and Muslim delegates (six of the original European members belonged to the Soviet bloc, while nine members claimed Islam as their dominant religion). At one point in the debate, Malik laid out four propositions that he thought should guide the Commission's work. All touched on the rights of conscience over and against the state. "People's minds and consciences are the most sacred and inviolable things about them," he said, "not their belonging to this or that class, this or that nation, or this or that religion."¹⁵

Malik's basic proposition was that human beings possessed spiritual capacities that must be respected—a direct challenge Marxist materialism. "All those who stress the elemental economic rights and needs of man are for the most part impressed by his sheer animal existence. This is materialism, whatever else it may be called," he said. "But unless man's proper nature, unless his mind and spirit are brought out, set apart, protected, and promoted, the struggle for human rights is a sham and a mockery." Thus, Malik insisted that Article 18 include the right to change one's religion—an affront to Islamic states that treated conversion outside of Islam as apostasy and sedition (Saudi Arabia would abstain from the final vote on the document as a result). But Malik held his ground. His experience in Lebanon as a youth must have been part of the reason: The country was a mix of Islamic, Christian, Arabic and French cultures, and its population was about equally divided between Christians and Muslims. Malik's family members were Greek Orthodox Arabs, and he attended an American Protestant mission school. He had seen the fruit of religious conversion firsthand.

¹⁵ Habib C. Malik, ed., *Charles Malik: The Challenge of Human Rights and the Universal Declaration* (Oxford: Charles Malik Foundation, 2000), 29.

Despite heated exchanges during Commission debates, the argument that essentially won the day was that man's spiritual freedom had political consequences: namely, that the power of the state must be limited enough to respect such freedom. More than any other commission member, Malik distinguished between the machinery of government and the institutions of civil society—including families, professional associations, and religious groups. Following Madison and Tocqueville, Malik understood that such private associations are what stand between the individual and the state. Unless the proposed declaration “can create conditions which will allow man to develop ultimate loyalties...over and above his loyalty to the State,” Malik warned, “we shall have legislated not for man's freedom but for his virtual enslavement.”

It's difficult to overstate the influence of the Universal Declaration of Human Rights. For 60 years it has served as the Magna Carta of the modern human rights movement. Its language affirming the “equal and inalienable rights” of all people influenced scores of postwar and postcolonial constitutions and treaties. Drew University's Johannes Morsink calls it the “secular bible” for literally hundreds of advocacy groups and thousands of foot soldiers in the field. The Declaration's emphasis on religious liberty is one of the reasons: It inspired the development of several other international documents aimed at promoting its principles: the International Covenant on Civil and Political Rights (1966); the U.N. Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief (1981); and the Vienna Concluding Document (1989). Though the standards expressed in these documents don't carry the force of law, they've been shaping international protections for religious liberty for decades.¹⁶

Religion and Security

Championing religious liberty has never been a major focus of U.S. foreign policy. That may be changing. It's become increasingly clear that states which deny religious freedom—especially those with majority Islamic populations—also deny other fundamental human rights. The same nations often play host to terrorist organizations, fund their activities, or give them safe haven. As the U.S. Commission on International Religious Freedom (USCIRF) summarizes the relationship: “Recent events...demonstrate that promoting freedom of thought, conscience, religion, or belief as a U.S. foreign policy objective is intertwined with the aims of combating extremism and terrorism on the one hand, and promoting stability, freedom, and democratic development on the other.”¹⁷

Nowhere is this insight more vividly on display than in Afghanistan and Iraq. Before the U.S.-led invasions, gross and systematic violations of religious liberty occurred under both regimes. Both the Taliban and Saddam Hussein manipulated religion to repress political opposition. Both made a mockery of basic norms for human rights. And both were deeply engaged in terrorist activities that became destabilizing influences on the world stage.

¹⁶ Derek H. Davis, “The Evolution of Religious Freedom as a Universal Human Right,” in usinfo.state.gov/journals/itdhr/1101/ijde/davis.htm.

¹⁷ United States Commission on International Religious Freedom Annual Report 2004. See www.uscirf.gov.

In January 2004, as Afghanistan adopted a new Constitution, various human rights groups raised concerns about its commitment to religious freedom. Though the document protects the freedom of non-Muslim groups to exercise their faith, it does not explicitly extend to every individual the right to freedom of thought, conscience, and religion. The Constitution also contains a “repugnancy clause” which states that “no law can be contrary to the beliefs and provisions of Islam.” It remains unclear whether the international standard of religious liberty—the right of an individual to change his religious belief—will be honored in Afghanistan. Yet if the rights of conscience are not protected by law, it’s difficult to see how other civil liberties—freedom of speech, freedom of the press, etc.—could flourish. Without these liberties, a healthy civil society is impossible. Without them, there is no peaceful way to navigate the nation’s religious diversity. The predictable result will be social instability.

Iraq faces similar challenges. Since the toppling of Saddam Hussein’s Ba’athist regime, the nation’s majority Shi’a Muslim population has enjoyed religious liberty for the first time in decades. Nevertheless, some Shi’a leaders are demanding the implementation of Islamic law (Sharia), and hard-line clergy have reportedly taken over local courts. Perhaps the most significant development with regards to human rights occurred on March 8, 2004, when the Coalition Provisional Authority (CPA) and the Iraqi Governing Council endorsed the right to freedom of thought, conscience, and religious belief and practice for every Iraqi in the Transitional Administrative Law (TAL). “No fair reading of the TAL would permit the creation of a state based solely on Islam and Islamic law and without protections of universally recognized human rights,” according to a USCIRF report. “It is potentially a model for the entire region.”¹⁸ After elections in January, the interim constitution will be replaced by a permanent constitution, though it’s uncertain how the winners in national elections will try to implement constitutional guarantees.

In a way few policymakers anticipated, America’s nation-building efforts in Afghanistan and Iraq now depend in large measure on the fate of religious liberty in both nations. The unrest in these countries, as well as in nations such as Iran, Pakistan, Saudi Arabia, Nigeria, Sudan, Burma, and Indonesia is a symptom of a deeper illness—the impulse to repress religious liberty and manipulate religious passions for political ends. The relationship between religious freedom and national security is indisputable: Governments that uphold the principles of religious liberty are also inclined to secure a range of other basic civil and political rights; states that honor civil and political freedom are not likely to become breeding grounds for violent religious radicals.

The Bush Administration has incorporated this concept into its National Security Strategy. “In pursuit of our goals...America must stand firmly for the nonnegotiable demands of human dignity: the rule of law; limits on absolute power of the state; free speech; freedom of worship; equal justice; respect for women; religious and ethnic tolerance; and respect for private property.” The 2002 document further explains that the nation’s security strategy “must start from these core beliefs” and look for ways to expand liberty.¹⁹ President Bush echoed this theme a year later in a speech honoring the 20th anniversary of the National Endowment for Democracy. “Successful societies

¹⁸ United States Commission on International Religious Freedom Annual Report 2004. See www.uscirf.gov.

¹⁹ The National Security Strategy of the United States of America, September 2002.

guarantee religious liberty—the right to serve and honor God without fear of persecution,” Bush said. “As long as the Middle East remains a place where freedom does not flourish, it will remain a place of stagnation, resentment, and violence ready for export. And with the spread of weapons that can bring catastrophic harm to our country and to our friends, it would be reckless to accept the status quo.”²⁰

The Road Less Traveled

Reckless indeed. Inattention to the principles of religious liberty has surely contributed to the rise of authoritarian states and violent, religious radicalism. Nevertheless, the bias against international standards for human rights, especially religious liberty, comes not only from repressive regimes. It can be found in numerous institutions and organizations within democratic states—those that seem to be outraged more by “cultural imperialism” than by arbitrary arrests, torture and executions. “If you follow the human rights discourse today, it is a standard argument used again and again,” says Martin Palous, the Czech Ambassador to the United States. “It is that the doctrine of human rights is some sort of Western-hidden European imperialism, to impose certain standards and traditions on others.”²¹

Moreover, even the defenders of universal human rights often neglect the ultimate source of those rights: the ideals of religious liberty that grew out of the Christian tradition. “Under the often misunderstood but active inspiration of the Gospel, the secular conscience has understood the dignity of the human person,” wrote Jacques Maritain during the height of WWII. Under the same inspiration, he said, the secular mind “has understood that the person, while being part of the State, yet transcends the State, because of the inviolable mystery of his spiritual freedom.”²² Max Stackhouse, professor of Christian Ethics at Princeton, mostly agrees. “Certainly we cannot say that all of Judaism or Christianity has supported human rights,” he admits. “Still, intellectual honesty demands recognition of the fact that what passes as ‘secular,’ ‘western’ principles of basic human rights developed nowhere else than out of key strands of the biblically-rooted religions.”²³

History strongly suggests that the gravest threats to human dignity come not from those who hold firmly to biblical religion. The worst dangers come from those who either abuse religion to rationalize repression or from those who deny, on secular grounds, that universal human rights exist. To do so is to deny the God-given rights and longings of all human beings—what author C.S. Lewis called our desire for “the far-off country.” This negation of the deepest basis for human dignity, with all its political implications, is a sure road to civic strife and violence. “A state that accommodates the religious aspirations of its citizenry promotes stability and security for a simple reason,” writes Kevin Hasson, president of the Beckett Fund for Religious Liberty. “Such a state accurately recognizes who its citizens are.”

²⁰ Remarks by the President at the 20th Anniversary of the National Endowment for Democracy, U.S. Chamber of Commerce, Washington, D.C., November 6, 2003.

²¹ Ambassador’s address, His Excellency Martin Plous, Czech Ambassador to the United States, the University of Chicago Divinity School, Chicago, Ill., April 9, 2003. See <http://pewforum.org>.

²² Jacques Maritain, *Christianity and Democracy* (New York: Charles Scribner’s Sons, 1944), 31.

²³ Max Stackhouse, “Sources of Basic Human Rights Ideas: A Christian Perspective,” The University of Chicago Divinity School, Chicago, Ill., January 27, 2003. See <http://pewforum.org>.

Therein lies the road less traveled among nation states. Yet the pursuit of this ideal—where citizens are given the civic space to pursue the “far-off country”—may be the surest path to peace within, and among, the nations of the earth.

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