

**“There are no Universal Human Rights,
Particularly for Proselytization ”**

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Introduction

In human rights discussions, the question of proselytism, unfortunately, remains a secondary concern. When faced with issues such as religious persecution, slavery and oppressive regimes, proper transmission of faith has been misappropriated as tangential to human rights. However, Martin E. Marty points out, “when people proselytize, they represent not just an impulse or an emotion but a world.”¹ The communication of one’s faith to the “lost” often functions as a mandate in many versions of the dominant worldwide religions. While not restricted to religious efforts, proselytism centers in a religious domain. This paper explores the appropriate co-existence between the command to convert others by various religions and how these mandates accord with genuine individual and communal human rights.

We will investigate what constitutes proselytism and determine if it always aims at conversion: leading us to ask the question, what are the contours of conversion? We will consider Bernard Lonergan’s suggestions on conversions as the backdrop for examining the contentious nature of proselytism. His insights will lead us into the present quagmire of human rights and religious proselytism in clashing international covenants, philosophical and legal principles. We aim to sort through the confusion on proselytism among the international community, particularly analyzing a sample of relationships between proselytism and sovereign nation states in recent times. Next, we employ an analysis of Roman Catholic and Evangelical dialogues on proselytism as a case study for potentially distinguishing between evangelism/witness and sheep-stealing/proselytism intra-faiths. We pursue these lines in hopes of determining a model for a Christian perspective on proper proselytism. Finally, between our individual and communal rights to various freedoms of religion and expression, the *presence of Christian religious communities with a particular confession* will serve as a potential way forward.

Searching for Conversion, Proselytism comprehensive appeal:

Why the big hoopla over the issue of proselytization? If one speaks with students on a university campus most will only recognize it as a general concept. At my seminary, few nod knowingly to this phrase, even though a majority have practiced it at one time or another. One of our core classes requires ten acts of proselytism in a single semester. Conversion is the underlying reason why we must address this topic right now. Engagements with the values of others’ ultimate concerns vary in intensity along a wide spectrum, from popular American short-term “mission” trips to the sweeping actions of His Holiness, Tenzin Gyatso, and the inculturalization by Jesuits. These divergent missionary endeavors have a unifying theme; they all manifest a call for transformation. Estimations of efforts among Pentecostals to win Roman Catholics to their fold claim that daily 8,000 proselytes came under their care in the 1990’s.² Thus, while ranging from the aggressive to the informational, attempts at conversions are ubiquitous.

A conversion may be as dramatic as the Apostle Paul’s Damascus road experience or follow the subtle lines of someone coming up through the ranks of a local Sunday or

¹ Marty E. Martin and Frederick E. Greenspahn, ed., Pushing the Faith: Proselytism and Civility in a Pluralistic World (New York: New York Crossroads, 1988) 157.

²Veli-Matti Käkkinen, “Evangelization, Proselytism and Common Witness: Roman Catholic and Pentecostal Dialogue on Mission, 1990-1997” International Bulletin of Missionary Research 25 no 1 (Jan 2001).

Hebrew school.³ Regardless of its individual shape, a conversion normally reflects congruence of “cultural, social, personal and religious systems.”⁴ We will limit our purview and not address debates concerning conversions as process or event, or examine Western or Eastern religious lines of thought on the subject. The length of this paper limits a full survey of the variance among religious conversions. Taking up the intricate concept of conversion, not to sound its depth, but primarily as it relates to proselytization. We argue that proselytism never serves itself as an end. It inherently seeks converts; anything less does not constitute proselytism. The rationale for proselytizing is the hope of conveying the best or only means to this-worldly and other-worldly salvation through transformation. This warrant justifies (for the proselytizer) efforts to convert others. From the helpful guidance of Lawrence Uzzel, we find “secular specialist on human rights and international law, even those who defend freedom of conscience now use the word ‘proselytism’ to mean any attempt by any religious believer to win converts from other religions or irreligious.”⁵

It is helpful at this point to distinguish between the two forms of proselytism: intra-faith and inter-faiths. We discover a bifurcation of meaning intra-faith: first, conversion light employs such concepts as “fullness” of life both in this world and in the one to come as its motivation for proselytizing.⁶ On the second approach, we find comprehensive conversion, illustrating this version Timothy Ware writes, “If anyone is saved, he must in some sense be a member of the Church; in what sense we cannot always say.” Many intra-faiths mandate proselytism so that an entirely “true” conversion can take sanctuary in the other’s soul. Nevertheless, as Ware indicates no clear definition marks off comprehensive conversion. Unique to the Christian faith, “sheep-stealing” provides a functional equivalent of proselytism and increasingly interchanges as a phrase marking proselytism. On the other hand, inter-faiths, proselytization often serves as a term denoting the presentation of an entirely different path unto “true” this worldly and

³ John Witte Jr. and Richard C. Martin, ed., Sharing the Book: Religious Perspectives on the Right and Wrong of Proselytism (New York: Orbis Books, 1999) XV.

⁴Lewis R. Rambo, Understanding Religious Conversions, (New Haven and London: Yale UP, 1993) 7. These four broad categories come under serious analysis. I agree with Dr. Rambo’s decision to also briefly mention, “politics, economics and biology” as subsidiary concern: at the same time leaving them out of an essential matrix of conversion. Later this paper singles out the individual as the final locus of conversion. Any dialogue that acknowledges universal human rights must reckon with individuals as the final end of proselytism. As John Locke’s argues in A Letter Concerning Tolerance, conversion when related to the issue of salvation only makes sense when sincere and personal. “No man can, so far abandon the care of his own salvation as blindly leave to the choice of any other, whether prince or subject to prescribe to him what faith or worship he shall embrace. For no man can, if he would conform his faith to the dictates of another.” Although Locke’s own views on toleration were unscrupulous, this paper broadly agrees with the argument that ultimate concerns and conversion must in the final analysis be personal, albeit they can still be studied in the aggregate.

⁵Lawrence A.Uzzel, “Don’t Call it Proselytism,” First Things (Oct 2004) 15.

⁶“The Challenge of Proselytism and the Calling to Common Witness,” (World Council of Churches, Joint Working Group between WCC and the Roman Catholic Church, 1995) 7. Speaking broadly, intra faith proselytism, also called sheep stealing, describes a “conscience effort with the intention to win members of another church.” Thus, on this thrust, it is not just sharing one’s faith, but one’s faith and particular church-community that cause such dissension.

other-worldly salvation.⁷ The fact that someone must seek to influence another to a different vision of salvation under proselytism, elicits the confusion and stigma associated with the concept.

Inter-faiths proselytism normally requires comprehensive conversion. Furthermore, it is particularistic faiths that proselytize, deeming the potential benefit of salvation for the other worthy of the cost of compelling intrusion into the “alien’s” world.⁸ This paper argues that proselytism, broadly defined is any attempt to win converts. Scholars from various disciplines take positive, negative, and neutral positions regarding proselytization. Cautiously we note that precisely because of the vague and sweeping nature of the term, proselytism for our general purpose remains a descriptive term, intra-faith and inter-faiths.

The multifarious nature of this term does not discline one of the appurtenant premises of this paper that proselytism’s singular purpose is religious converts. Overtime proselytism, has taken on a vast set of usage. Paul Griffiths reminds us of the obvious but subtle nature of proselytism; stating, “We are all proselytizers,” except perhaps, “hermits and long-term coma patients.”⁹ Our garden variety simply depends on which genus we invite others to join. It may be political parties in favor of a particular legislation or a car salesperson lauding his latest and most expensive model. Proselytism denotes a wide reach as a cultural act; two of its modern colloquial applications involve business transactions and philosophies of management. However, religious conversions involving an emphasis on transformation are the primary loci of its present use and the focus of this paper.

Does conversion stand as the normative goal of proselytism among all religions? With this question in mind, it would be helpful to lay a backdrop of what one means by the phrase “religious conversion.” Is it mere religious education or information? We seek a specific standard designating religious conversion in hopes of clearing the field when wielding the indistinct phrase, “religious proselytism.”

William James poises a religious conversion between the self’s intellectual and moral understanding. Arguing that the divided self unifies in conversion, he presents an interesting metaphor of a President going into the woods and never coming back to his prior duties and concerns, thus, the President by going into the woods is forever transformed. In his famous Gifford lectures, James voices the self and personality’s requirements, “*to be converted, to be regenerated, to receive grace, to experience religion, to gain an assurance, are so many phrases which, denote the process gradual or sudden, by which a self hitherto divided, and consciously wrong inferior and unhappy, becomes unified and consciously right superior and happy, in consequence of its firmer hold upon religious realities.*”¹⁰ James’ vision stands as one of the most significant proposals of a naturalistic perspective of conversion. Regardless of one’s opinion of the

⁷George M. Thomas, “Religion in Global Civil Society,” *Sociology of Religion* 62:4 (2001) 527. “An individual can convert without having been proselytized; proselytizing however, is a natural accompaniment to conversion.”

⁸Witte ed., 322. The Bah’á’í faith while inclusive of most religions, for instance, still understand its’ one perspective as “a more inclusive way of seeing the progressive revelation of divine will in history.” Then in a sense for the Bah’á’í, practically every religion relates intra faith.

⁹Paul J. Griffiths, “Proselytizing for Tolerance,” *First Things* 127 (Nov. 2002) 31.

¹⁰William James, “The Varieties of Religious Experience: A Study in Human Nature” Being the Gifford Lectures on Natural Religion Delivered at Edinburgh in 1901-1902. Section XI.

necessity of a direct divine operation in bringing about a religious conversion, attaining a firmer grasp on ultimate concerns remains at the heart of religious conversion. Among the different religions and irreligious traditions, the particularity of conversion widely modulates.¹¹

The common denominator in these reformations of the religious is the critical mass of attaining self-transcendence; again, conversion and self-transcendence occur at various ages and degree. The number of families under the genus of conversion seemingly increases exponentially. Under Karl Rahner's transposition of the word, conversion takes root only in an individual's consciousness producing sublation.¹² Taking the "raw material" of what exists within one's knowledge and life experience, conversion remakes the individual's self, what was previous becomes something new. Hence, conversion cannot be only a "bootstrapping" exercise.¹³

When examining proselytization and conversion, we first take an antidotal route: numerous cases of conversion, notably, the Apostle Paul, Augustine of Hippo, the Buddha and Bob Dylan, conjure up benchmarks for general comparison. These examples offer wide discrepancies and from these illustrations, we see that no one of them functions normatively.¹⁴ Paralleling a simple analogy, conversion compares to the common cold, in that it may originate from many directions, people and sources, functions nebulously, operates on no set timeline, but consistency produces a singular result of a reorientation of values.¹⁵

In the instances of comprehensive conversion, we find what the philosopher Bernard Lonergan attributes as a necessary outcome of any religious conversion, a reformulation of one's values and "no less a change in one's self, in one's relation to other persons, and in one's relation to God."¹⁶ These values constitute an entire stance of relating to the other, which takes its cues from the recognition of a completely new way (supernatural or not) of looking at people, the world and ideas. A different god sits atop Olympus, be it Allah, Marx, Yahweh or self, and the proselyte who converts begins to see the world with remade set of eyes. The reference points for meaning and value are rewritten.

¹¹ Newton H Malony and Samuel Southard, Handbook of Religious Conversion (Alabama: Religious Education Press Birmingham, 1992).

¹² Karl Rahner, Francis A. Eigo, ed., The Human Experience of Conversion: persons and structures in transformation (Pa: Villanova UP, 1987) 97.

¹³ Susan Carey, "On the Origins of Concepts" Daedalus (Winter 2004) 59-60. Central to humans' ability to learn is the formulation of concepts, their transmission through language and our ability to interact with others. Those are commonly held notions and Dr. Carey wants to include another central feature to the cognitive process of human learning: "bootstrapping." By this she means, accomplishing the impossible, the introduction of a new idea that originally transcends all prior learning. Concepts are the alphabet of our "mental structures," there is a threefold process by which concepts arrive in the mind, representation, developmental change of the representation and the learning mechanism that allows for the change to occur. Conversion and proselytization are particularly linked in that one does not proselytize oneself, proselytization requires more than bootstrapping, in reality, there has to be a proselytizer and proselyte and an interchange of concepts between them for proselytization to occur.

¹⁴ Newton H. Malony, Martin, ed., Pushing the Faith: Proselytism and Civility in a Pluralistic World (New York: New York Crossroads, 1988) 128.

¹⁵ Again we are not analyzing those faiths that claim no need for conversion, since an adherent is born as such for all time. The conversions that concern us are those that are born within the scope of proselytism.

¹⁶ Bernard Lonergan, Francis A. Eigo ed., The Human Experience of Conversion: persons and structures in transformation (Pa: Villanova UP, 1987) 20.

Loneragan continues, “fundamental to religious living is conversion. It is a topic little studied in traditional theology since there remains very little of it when one reaches the universal, the abstract, the static.” This quandary transpires in large part from the simple fact that “conversion occurs in the lives of individuals.”¹⁷ Deciphering the differences and similarities among the unique species that comes under the shift of conversion has led to confusion over the aggregation of conversion. Since there are so many forms of conversion, and such a wide range of sociological demarcations, it has been difficult to systematize or locate this term within suitable statistical boundaries. A taxonomy of conversions would be helpful for understanding proselytism, but remains elusive.

Despite conversion’s chameleon nature, we are arguing that proselytism’s endgame is conversion. Flirting with religion may be a result of proselytism, but it is not its true telos. A half-hearted proselyte is a contradiction. Additionally, by its inherent nature, conversion begins to reorder one’s understanding of the facts of the world. This indicates that religious conversion and proselytism will remain a weighty issue in the human rights dialogue in the future. For instance, few proselytizers fly over oceans and seas to merely share information about their faith; it is genuine conversion that feeds the zeal of proselytizers.

The profundity of conversion in part explains why so many communities impose limits on religious freedoms. States work with venerable religious bodies in hopes of curtailing migration from historical majority faiths. In the past two decades, with remarkable changes in political identities, proselytism has become a vital concern of the international community in many of the fledgling “market-places for ideas.” Conversely, the reemergence of the Dostoevsky’s dictum that “to be Russian is to be Orthodox,” produces this *quid pro quo* equation and lends volume to the difficulties of transfer within communities to other religions. This statement, an absurd argument for seventy years under Communism, by 1995 resurfaced as a resilient battle cry.¹⁸

Putting a face on proselytization, so as to legalize it and place appropriate limits requires a diverse response to many conditions that surround attempts to convert others. Situated at the individual level, conversion and proselytization does reproduce, therefore, we can hope to identify how it “becomes communal and can become historical.”¹⁹ Remember that religious proselytism can be as simple as a mother sharing her faith with a child. Or it can manifest irreligiously as an adult is indoctrinated as a communist. Thus, to keep straight why proselytization suffers such egregious accusations; we cannot forget its intrinsic relationship to conversion. When a Jewish father sees his son become a Christian or vice versa, it is no small matter. Thomas Thangaraj shares with us that conversion has the “personal transformation” that James celebrates, but there also is the “societal transformation” that stirs such widespread controversy.²⁰

¹⁷ Ibid., 15

¹⁸ Donald Shriver Jr. and Peggy L. Shriver, “Russian Orthodoxy in a Time of Upheaval” Christian Century April 1995: 367.

¹⁹ Lonergan, Egio ed. 15.

²⁰ Cited Thomas M. Thangaraj, Witte, ed. 349. Mahatma Gandhi had this to say about conversion, “I am against conversion, whether it is known as *shuddhi* by Hindus, *tabligh* by Mussalmans or proselytizing by Christians.” Another precursor of its importance and controversy, as porous society (e.g. Iraq, Russia, America) must deal with it on an ever increasing scale.

Conversion is central to understanding religion in a geopolitical world that stands after dogmatic theology. Conversion ought to no longer be studied just as an abstract individual transaction, but also its results, which are an “ongoing process, concrete, and dynamic, personal, communal and historical.” Lonergan’s recommendations find further outworking in this study of proselytism amidst disparate visions of human rights. As we quest for appropriate boundaries for conversion under the canopy of human rights, we return to the question of when “sharing one’s faith” violates another person’s rights and freedoms. What universal or at least apropos limits can we distinguish, if any, when attempting to convert others or, as Martin E. Marty conjured, “change their world” without threatening discrimination?

Competing Rights: Proselytism at the crossroads of the individual, religion and state.

Ira Rifkin remarks that the evolution of a global society has brought with it a “relative ease...to worldwide proselytism.”²¹ Witnessing the transfer of allegiance from tribe to creed, as located by Max Stackhouse, allows us to gain insight to the various structuring of human rights.²² Presently, any universal creed comes under pressure from tribalism and undergoes a lambasting.²³ When called upon, human rights theory has historically asserted a universal standing, but as we will now discuss increasing attacks on the notion of universality argue it is inconsistent, if not contradictory. In the case of proselytism, one cannot presently find any normative global standard for undertakings intent on conversions regarding this-worldly and other-worldly salvation. In light of this dilemma, we now turn to how international law situates proselytizing in and outside of one’s nation, as well as historically and contemporaneously.

Firing an initial salvo, we consider if it is still possible to bring proselytization back into the fold of human rights. Understanding this thesis requires the recognition of a simple equation of interdependent relationship between the individual, the state and the religious or irreligious body that have interests in the regulation of proselytism. First, the individual has the right to convert. Second, ethno-cultural groups argue for a right to self-preservation (determination). Finally, we see the intervening variable of religious groups whose “sincere” beliefs follow two different mandates. Mandate (A), the intrusion of their religious members into other religious bodies’ spheres of influence to precipitate a transfer of allegiance; and, mandate (B), religious bodies that vehemently deny any attempts at proselytism among their members. Each of these religious bodies claim something close to territorial integrity, but few (except perhaps nations that strictly adhere to Shari’ a law and Russian Orthodoxy) have anything close to a geographic boundary. These parties’ interrelationships multiply into a rough escalation of conflict with no definite sum within the rubric of human rights and responsibilities.

Fuzzy semantics confuses the language between the individual and certain cultural or communal group rights in the present debate over proselytism. In it the foreign witness and local proselytizer transfigure into predators. Imaginary or material shrouds of violence permeate any hypothetical discussion of proselytism. Leading those from

²¹ Ira Rifkin, *Sightings: Faithfully Considering Globalization* (IL: Chicago UP, 2001).

²² Max Stackhouse, *Creeks, Society and Human Rights: A Study in Three Cultures*. (MI: Grand Rapids, Erdemans, 1984).

²³ Samuel P. Huntington, “The Clash of Civilization?” *Foreign Affairs* 72. (1996) 22-49.

mandate (A) to exclaim, “must this continue to be the tenor of this discourse?” Proselytizers, not proselytizees’ rights, we shall argue, suffer intense scrutiny. Legal permission from international law allowing them to follow through on proselytizing convictions stands as a matter of intense debate.²⁴

Taking a step back, we can retrace the dispute’s origins from the fact that within any legal structure, a hierarchy exists in which countering and complimentary rights and obligations duel for sovereignty, consequently the same holds true in regulating proselytization matters. Central to our search for equilibrium between the right to share one’s faith and communal rights, we also question, “what does it mean to have communal or community rights?” By definition, their grounding is not wholly in the individual’s human dignity; rather, their contours take shape in deep reflection on historical, cultural and political considerations. Now, we discover coming into relief a sharper distinction between one’s right to seek converts and proselytize. In many cultures’ hermeneutics of human rights, conversion by its very nature only creates pariahs and functions disingenuously towards their religious heritage, thus, proselytism connotes an *a priori* evil.²⁵

Mark Elliot, director of the Beeson Global Center, provides a succinct primer for the present status of human rights law and proselytism:

Missionary faiths, such as Christianity and Islam, strongly enjoin their adherents to witness to their convictions for purposes of converting nonbelievers. In this propagation they are both aided and restricted by modern human rights ‘covenants; namely,

1. The Universal Declaration of Human Rights (1948)
2. The European Convention for the Protection of Human Rights and Fundamental Freedoms (1950)
3. The International Covenant on Civil and Political Rights (1996) and
4. The Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief (1981)

The 1966 U.N. International Covenant, for example, protects one’s right to “impart information and ideas of all kinds, regardless of frontiers. But international human rights accords also have set limits on the expression and propagation of beliefs where they infringe on the “right of individuals to hold a belief of their choice without impairment.” These covenants circumscribe proselytism, the act of converting an individual from one faith or church to another by specifically disallowing coercion, material inducements, violation of privacy, and preachments to captive audiences.²⁶

In view of the clashing rights and responsibilities, where do we find ourselves today? Do human rights’ covenants articulate strictures for free religious expression with the goal of converting others? Has the international community determined it better for peace and justice to reign in not only coercive witnessing, but any that is not intentionally requested, essentially by inference creating an ethos where proselytism ought to occur by request only. We are not arguing that this is explicitly stipulated in any of the legal statutes, but

²⁴Natan Lerner, “Proselytism, Change of Religion and International Human Rights,” Emory International Law Review (Winter 1998) 1-30.

²⁵“Armenian Church Faces up to Post-Communist Challenges: Catholicos Karekin II Defends country’s religion law, which limits evangelism.” Christianity Today March 5th 2001. From the perspective of a mandate (B) religious body; the leader of the Armenian Apostolic Church, the first church condoned by a state in 301, presents a clear and helpful vision for differentiating between historical ethnic-cultural faiths’ right for communal preservation and the right of free expression of religious thought.

“‘Sometimes freedom of conscience was being confused with anarchy,’ Catholicos Karekin said, admitting that he might be ‘a little strong in my expression,’ but adding: ‘If you were in my place you have said the same things. We are not against evangelization. We are against those who are dividing families, especially parents from children, by promising a good life to the child,’ he said, ‘If through genuine evangelization they are able to convince our people and convert them, we have no objection to that,’ he added, saying that the church was against the methods being used that contravened the laws of a country and Christian values.”

²⁶Mark Elliot, “Evangelism and Proselytism in Russia: Synonyms or Antonyms?” International Bulletin of Missionary Research (April 2001) 72-73.

acts as a religious variation on the American military's "don't ask, don't tell," policy. In this international social or legal milieu the policy unfolds along these lines: "If I, the potential proselyte, do not ask you to share your faith with me, you have no right to even make the attempt." This quagmire of human rights and proselytism today comes in part from the fact that treaties are commonly ratified and then, at best, selectively enforced.²⁷ We find a hierarchy of laws in league with the name of human rights, but no clear arbiter or hermeneutical key. The primogeniture rights of nation states relegate international law to a (dissonant) prophetic voice in many instances.

Turning to a support beam of the modern human rights movement, we now inspect "The Charter of the United Nations." This landmark document responds to the horrors of the two World Wars with two separate foundations for human rights. First, it sought to "reaffirm faith in fundamental human rights, in the dignity and worth of the human person,"²⁸ but the bifurcating catch comes in the incompatibility between the completely "equal right of men and women," when they continue out these legal rights to the realm of states. Once we grant that "equal rights" correspond to "nations large and small," we now have no clear arbiter to determine whether a particular state with semblance to one religion retains international rights to squelch what other religions might consider primary rights of their religious members. The ensuing consequence is a dalliance of states and individual religious members and their respective bodies squaring off in a duel in nations worldwide.²⁹

In claiming the reality of both these sets of rights as grounds for the future of the nations and their citizens, we find a similar discontinuity over scholarly interpretation of human rights. These complications have led writers such as Kwame Anthony Appiah and Michael Ignatieff to mount significant defenses for the universal appeal to human rights. They argue that the creation of "us and them" identities does not solve our international human rights issues; instead, it breeds two problems. First, it diminishes the value of human rights within religiously pluralistic societies and drives others, such as the Islamic or East Asian critiques to discount the human rights language *en masse*.³⁰

Nicolas Sagovsky points out that another cause could be at work in undermining human rights' universal appeal. He traces out the "fracture between two sorts of rights...political or civil and social or economic."³¹ These development in Western theory on human rights, demonstrate that not just an Eastern or African critique perceives

²⁷ A prime instance of this selectivity can be seen in the appointment of the Sudan to the UN Human Rights Commission a few years ago. In light of the Daufur, horror might be the only appropriate response to the legitimacy of this appointment.

²⁸ Cited Natan Lerner Religion, Belief and International Human Rights (New York: Orbis Books 2000) 129.

²⁹ Barbara G. Baker "Istanbul Police Arrest Turkish Protestant Group" Christianity Today (May 30th 2000). "Religious proselytism is legal, apart from proven political motivations. Even so, foreign Christians suspected of such activities are frequently arrested and deported without legal recourse." Who rules the day, international human rights or unproven motives? This is just an illustration or a tip of this question's iceberg of meaning.

³⁰ Geerie tar Haar, Joseph Runzo, Nancy M. Martin, and Arvind Sharma, ed., Human Rights and Responsibilities. In the World Religions (England: Oxford, One World Press 2003) 80-91. In America we find the case of wise spread horror at female genital mutilation or the complications of Native American's religious use of peyote. Additionally, recent documents such as the Bangkok Declaration or the Islamic Declaration of Human Rights circle like a fugue on one central theme, "Every country should be allowed (or so it is argued) to develop its particular philosophy of human rights, based on its own cultural values."

³¹ Nicholas Sagovsky, Religious Liberty and Human Rights, (England: Cardiff, Wales UP, 2000) 50-51.

universal human rights as arbitrary in its claim. He documents an internal development in European human rights thought showing that in contrast to Article 1 of the Universal Declaration of Human rights of 1948, which reads, “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” Subsequent human rights documents move away from a “teleological, normative, and integrated account of human flourishing, towards one based on a more formal, less dynamic, less integrated, ‘thinner’ induction.”³² While the original human rights documents claimed universality, continued reinterpretations in the realm of scholarly work, political rulings and later international treaties move to limit its scope to civil and political rights. These reformulations walk away from the primacy of the individual over their respective communities.

Both the UN Charter and Universal Declaration on Human Rights set off humanity and person-to-person relations as the final community binding individuals, but subsequent international human rights have splintered this homogeneity. Concretely, the two visions of human rights presently at impasse coalesce from largely different starting points: i.e., communitarian and individualistic. Strangely reminiscent of the Cold War, we now have a stalemate in human rights; however, Moscow no longer serves as the capitol of one of the blocks. Arguably the communitarians have no central headquarters while London and D.C. might make a mutual claim on the individual perspectival. The new debates center on perspectives, not a locatable geopolitical force such as the Soviet Union. This means that there is no Kremlin or White House for either the communitarian or individualistic interpretation of human rights.

Moreover, these clashing views lead us to ask why are universal conceptions of human rights under attack? Human rights that look to the individual fluctuate in regards to which historical, political, economic and religious definitions of human flourishing will guide the international community’s dialogue. The voice of many in the West articulates freedoms in the form of liberty: the freedom *from* outside forces. A few that pertain to proselytism are freedom from arbitrary arrest, from persecution in practicing religion, and now, in a strange recapitulation of religious liberty, the argument goes that individuals and communities should be free from proselytization. Yet how does this line up with Article 5 of European Convention, which stipulates “Everyone has the right to liberty and security of person,” and the UN World Conference on Human Rights that articulates human rights freedom this way, “All human rights are universal, indivisible, and interdependent and interrelated?”³³ The international community must treat human rights in a fair and equal manner. It is the duty of states, regardless of their political, economic and cultural systems, to promote and protect all human rights. (Part I para.5)³⁴ Human rights, *ispo facto*, incline towards the creation of a broad sphere of autonomy for the individual in relation to the state. Proselytization however serves as a particularly controversial model for where the state steps in as a referee on subject matter that international law arguably designates the responsibility of individuals to work out.

³² Ibid., 23.

³³ Cited Natan Lerner Religion, Belief and International Human Rights (New York: Orbis Books 2000) 131.

³⁴ Cited Beach, B.B. “Evangelism and Proselytism---Religious Liberty and Ecumenical Challenges” International Religious Liberty Association, (Newbold College, 1999) 2.

The UN and other cited treaties show that few regulations can be derived from these international legal principles as rightly applying to free expression of thought, religion, conscience and speech. In theory, if limits are not stipulated in other legal statutes regarding the legality of actions pertinent to actions subject to state regulation there is no need for a genesis of an alternate purview of proselytism. Where would this end? Can a religious member not even pray or hold vigil for potential proselytes? One must not commit the fallacy of normative determinism, simply because the general international legal principles on the books largely protect proselytism that acts as no guarantee in today's geopolitical struggles. Allowing proselytizers to continue their efforts should be the rule according to international legal convention.³⁵

Of course, on the other hand, *prima facie* it is wrong to bribe or morally manipulate someone to join your community, at least ethically, if not legally. A dilemma arises since the nature of proselytizing actions happens just below the radar of international legality; it is illegal specifically in four countries worldwide, including Greece and Saudi Arabia, but making attempts at conversions illegal requires shutting down many other corresponding religious rights. In a Solomonic judgement, cultural relativism, in the form of suppressing religious liberty, trumps the universality of religious freedom purported by the UN and organizations that support human rights.³⁶ We find that instead of allowing religious liberty to be free to gestate worldwide, cultural relativism argues for cutting the freedom in half, allowing nations states to make up their minds as to preserving the life of these liberties in their societies. When proselytization is shutdown, often states after reflecting on their cultural inheritance arbitrarily deny the necessity of religious rights. Thus, proselytism and the right to change one's religion are not absolute rights and unsurprisingly find scant footing in related international law jurisprudence.

From our study of the related documents, individual citizens' rights, by international law standards ought to overrule the potential eclipse of rights by states with malleable understanding of the wholesale protection of their public. But, interpretations of the common good, even among those from a dominant individualistic vision of human rights, as with the USA's war on terror, allow for the abrogation of various individual freedoms. This development reflects the complications in properly grounding human rights, leading us to a "downward trend" regarding protection of rights to proselytize and for changing one's religion. Originally, these rights were clearly stipulated in Article 18 of both the Universal Declaration on Human Rights and the International Covenant on Economic, Social, and Cultural Rights, from 1948 and 1981, respectively. Many states appear to be on the offense, acting as coconspirators with hegemonic religious or

³⁵ Reflected in the consensus from the 8-1 ruling by The European Commission on Human Rights and the European Court on Human Rights 6-3, in the late 1980's case of *Kokkinakis vs. Greece*. They both ruled that his Article 9 or right to freedom of thought, conscience and religion had been violated, when he was fined and threatened with prison for actively "initiating a discussion" or proselytizing for his Jehovah Witness' faith. As Lerner in "Proselytism, Change of Religion and International Human Rights" points out, continued ambiguity stretches on for the international community regarding proselytism, since the courts did not unequivocally revoke Greece's law that distinctly placed proselytism under indictment for reasons of the "rights and protection of others." In this case, the court found that those rights of others were not violated, letting stand vague limits on proselytization in Greek law.

³⁶Natan Lerner, "Proselytism, Change of Religion and International Human Rights," Emory International Law Review (Winter 1998) 24-28.

irreligious bodies, again followers of mandate (B), who wish to fight proselytism and any change of religion among their recognized constituents.³⁷

Proselytism: Legal and Human Rights Currents

For many, primarily in the West, proselytism falls under what Richard Rorty describes as the great civic “Conversation-Stopper.” On the other hand, the silencing of religion from the public square extends in many countries into solitary person-to-person relationships; e.g., China. Much more than stopping comfortable dinner conversations, religious proselytism retains the status not of a foreignness, but imperialism. We now inquire whether this argument warrants a betrayal of non-discrimination, which has been one of the fundamental guidelines for human rights since the UN’s 1948 Universal Declaration on Human Rights.

Exiling religious dialogue, we argue constitutes a far greater act of exclusion and censorship than any risk of permitting for genuine freedom of religious expression. Lawrence Uzzell insightfully explains that three parties have an interest in disenfranchising the right to proselytize or convert. In a sense, while not all are religious, they each fall under mandate (B). Starting with the most active, we find religious bodies that seek to establish historical prerogative with certain communities. Next, “lukewarm relativists” articulate the need for psychological and interpersonal barriers for weak and vulnerable “prey” from proselytizers. Most egregiously, we find “the bureaucratic, corporate, and academic elites who set the rules of public discussion in Western Europe and North America are uncomfortable with ultimate questions and with theological answers to those questions. They wish to avoid not only answering such question, but even hearing them asked.” This multi-layered approach extends in spirit the character of the public school “religion free zone” into the entire public square.³⁸ As we will next examine, these efforts are presently underway in a number of “pluralistic” societies. Would it be speaking too soon to ask if the sanctity of the four walls of a synagogue, mosque or shrine might not become fair game in the near future?

We turn now to a few case studies of legal limits on proselytization in various countries in order to gather a lay of the land. Is it paranoia, one wonders, to argue that conditions for religious expression are under vast cultural and legal shifts in even Western social climates? First, failed attempts have mounted in America to place limits on Jehovah Witnesses and similarly proactive proselytizing groups. Elsewhere these legal

³⁷ Herb London from the Hudson Institute says this about surrendering individual rights for greater protection from terrorist and it might also apply to certain lines of thought on proselytism. “In the freedom - security equation, a tilt in the direction of greater security has become obvious. What are not so obvious are the security measures that should be applied. It seems to me that actions which thwart terrorist acts should be given latitudinarian authority with appropriate sunset provisions.” Another Prime application of this is the rise of Communitarian views of Human Rights, following the [Unity in Diversity Platform](#), from the Communitarian Network, an NGO based out of Washington, DC.

“Leading the universal category are basic human rights, as defined by the country's constitution, basic laws, the laws of regional communities such as the European Union and the United Nations Universal Declaration of Human Rights. Thus no one can be legally bought and sold, detained without due process, refused the right to vote, and so on, by any member group of any society. Leading feminists are correctly opposed to several group variances because they fear that these would entail ‘losing whatever we gained in terms of gender equality.’” Alongside the feminist’s critique, a large number of critiques and domestication of human rights are now in progress.

³⁸ Uzzell, 17.

limits have been far more successful in shutting down door-to-door campaigns with a message intent on conversion and even less aggressive tactics.³⁹ In a Supreme Court ruling, Justice John Paul Stevens wrote this in the majority opinion. “It is offensive---not only to the values protected by the First Amendment, but to the very notion of a free society---that in the context of everyday public discourse a citizen must first inform the government of her desire to speak to her neighbors and then obtain a permit to do so.” This was written in response to actions taken by the village of Stratton, Ohio---not originally directed at Jehovah’s Witnesses, but out of desire to reign in “solicitors and fraud by con-artist going door to door” targeting elderly residents. Upholding the primacy of free speech and integrity of the market place of ideas won the day in this instance in an 8-1 ruling. But, elsewhere, the road for groups like the Jehovah Witnesses has increasingly run into pressure and legal roadblocks to their proselytization activities.

France has one of the most bizarre laws on the books regarding proselytism. In June 2001, the About-Picard law was passed, against the behest of such luminary human rights organizations as the Helsinki Federation for Human Rights, the Belgium Human Rights without Frontiers and the Italian Center for Study of New Religions. National Assembly member Catherine Picard, who co-authored the bill, wrote this legislative language, “Proselytizing is not authorized by the French government. When religious groups talk about having the right to proselytize---the local government may authorize such activities but in reality such practices are illegal.” She later stated in an interview with Christian Broadcasting Network (CBN) concerning the legislation that she has “met with Chinese leaders of religious affairs,” in efforts to instruct them how to draw up similar legislation!⁴⁰ As legislators from France and China dialogue on how best to clamp down on religious proselytism, we see that limits on attempts to convert are not merely an issue in the East, with historically more resistive stances towards change of religion. Nor can we take proselytization lightly, even in nominally pluralistic societies. Again, these legislative activities hearken back to the conflicting UN’s allowance for both individuals and states to hold equal rights in self-determination. Here, we see developments in the name of preserving culture or communal rights taking precedent over individuals’ right, in one of the birthplaces of citizens’ rights.⁴¹

As argued earlier, multiple interpretations abound throughout the states of the world, and their respective dominant religions subdivide into further splintering of the universality of human rights. From the earliest days of drafting the Universal Declaration on Human Right, Islamic nations simultaneously denied and affirmed various sections. The right to convert and the right to make attempts at converting others, interestingly, were contentions from the start. Some Islamic scholars argue that any notion of universal

³⁹ “Doorbell evangelism is part of free speech” Christian Century Vol. 119 Issue 14, (July, 2002) 18-19

⁴⁰ “Latest: MP Picard: ‘Proselytism is Illegal in France’ Church of Scientology International Human Rights: Press Release (March, 2004). Quite different than the motive to put limitations on door-to-door evangelism proselytism in the USA, this bill sweeps across a wide spectrum of Christian and Muslim “sects.” An “Interministerial Mission to Fight Against Sects (MILS)” has been established to ensure that this is not just legislation on the books in France, but actively enforced. A former church member has sued one Pastor of a “Christian Church,” Samuel Peterschmitt in Mulhouse, on charges of proselytism, under this new law, he could face a prison sentence if convicted.

⁴¹ Stuart A. Wright “No Good Sects in France: Social and Political Implications of the Picard Law” A paper presented at CESNUR 2002, Salt Lake City and Provo. The Picard law is a natural development in a long process where France has sought to find an appropriate place for the Church in a world dominated by French secularism.

human rights diametrically contradicts its community rights, contending that universal rights completely oppose the jurisprudence, political thought and historical tradition of the Islam. Others, such as Farid Esack, argue that the Qur'an "makes it a condition of faith to believe in the genuineness of all revealed religion (Q 2:136; 2:285; 3:84)"⁴² But as he also acknowledges this interpretation of the Qur'an is not widely accepted by Muslims. Rather there is "widespread rejection of their salvation," when it comes to other socioreligious communities including Judaism and Christianity. In view of the dominant trajectory of Shari' a law modern interpretations, it is unsurprising, then, that proselytism and the right to convert have been significant sticking points for Islamic nations, as particularly evidenced in strenuous revisions of Article 18 of UDHR and ICECR.⁴³

In concurrence with many Islamic legal scholars, the postmodernist critique from human rights scholars ranging from Pollis to Schwab, agree that any placement of the individual over the community only serves to remove the mask of "Western intellectual hegemony,"⁴⁴ and indicts it, again, as exclusively particularistic. The salience of the "Western construct" argument reinforces the Islamic critique; the postmodern view reproves human rights as the latest display of the West's attempts to impose its values on other nations and proselytization is a prime example where Islamic nations agree.⁴⁵

Moving further around the globe, the East Asian critique also poises upon a proposal of "communitarian values," contrasting theirs to the radical individualism decried as the headwaters of the human rights dialogue.⁴⁶ Asian cultures diverge between their freedom to embrace the global economy in which they intend to reap the benefits of jobs and economic gain of globalization, while simultaneously enacting it on their own *moral* terms. As they become co-equals economically with the West, they counter that human rights language no longer needs to find its locus in citizen with rights due them from their state. Furthermore, many in the West can only nod in agreement. Perhaps, concerning the fight over individual verse communitarian rights, *Perestroika* might occur again, but as we saw in France this time the revolution might be in the West.

Hanging in the balance between these competing visions of human rights, Western countries proffer divergent lines of the co-existence between freedom of expression and the limits to this right in the name of tolerance. A dangerous tight-wire swings in this arena's equilibrium. We have seen France move towards increasing commonality with China in limiting religious conversion attempts. In America, the other primary country in the West without an established religion, court determinations presently follow the non-Establishment clause when reigning in free religious expression, yet by allowing the 1st Amendment a pride of place, a penumbra of freedom of

⁴² Farid Esack, Witte, ed. 134.

⁴³ Natan Lerner, "Proselytism, Change of Religion and International Human Rights," Emory International Law Review (Winter 1998)10-20.

⁴⁴As cited in Michael Ignatieff, "The Attack on Human Rights," Foreign Affairs 80:6 (Nov/Dec 2001).

⁴⁵Ann Eliz Mayer, Islam and Human Rights, (S.F.: Westview Press Boulder, 1999) 10. Iran's former UN representative Rajaie-Khorassani writes this scathing critique of universal human rights theory. "Apart from Islamic law...conventions, declarations and resolutions or decisions of international organization, which were contrary to Islam, had no validity in the Islamic Republic of Iran...The Universal Declaration of Human Rights, which represented secular understanding of the Judaeo-Christian tradition, could not be implemented by Muslims and did not accord with the system of values recognized by the Islamic Republic of Iran. At least for Iran, the highest appeal in legal matters will certainly not be human rights covenants, but their interpretation and implementation of the Qur'an and Shari' a law.

⁴⁶ Ignatieff.

expression, including religious, gives refuge to proselytism. It has largely not yet fallen under legal stigma except in government controlled spheres.

One example of this swinging tight-wire in America was exhibited in a confrontation between the FCC and the religious broadcaster Cornerstone TeleVision. The two parties squared off after CTV's request to transfer from a commercial license to "noncommercial-education" was denied. The FCC's reasoned that in order to be on air and retain 501c3 status, an ambiguous litmus test now rules the day. They declared that programming could not be "primarily devoted to religious exhortation, proselytizing or statements of personally held religious views."⁴⁷ Congress counteracted this maneuver by the FCC and pushed to suspend the litmus test, but the subtle debate behind the obvious non-profit and non-establishment issues was the boundary where rights for coherent, faithful religious expression were outweighed by concerns over proselytization. The legal tight-wire disturbed the right to proselytize, while finally allowing it to proceed.

Another instance of the tight-wire's tenuous suspending came in the enactment of the Human Rights Act of 1998 in the UK. The United Kingdom kept its sovereignty over domestic legislation taking precedent, though it also installed a "fast track" system in parliament to reconcile domestic and international law on human rights disputes. All states, not just Britain, are reticent to subjugate themselves to any external jurisdiction, but the HRA furnishes a progressive model for putting these two forces into a binding legal dialogue. Taking a closer look at how states function in the international community, in the UK context post-HRA, Strasbourg continues to be subservient to London. The aim of this legislation is an increasing measure of good faith on human rights issues between the UK and the European Court of Human Rights. Here we find the European Court with a healthy reciprocity with UK citizens. Unlike a nation such as Iran, the highest appeal is not to the nation state only. Legal appeals on human rights matters can be made moving beyond the classical sovereignty of London, even if it still retains the "right of way." Placing that court and related treaties within reach of average citizens in the UK furthers individual human rights. One waits to see if this new reign of *Unum Sanctum* can find resonance.

In religious matters we find a "trend throughout Europe and the USA to differentiate between the sacred sphere and the secular sphere."⁴⁸ Yet, we can hardly say this for religious human rights worldwide. In the East, conditions that are more complicated exist where the boundary lines of Mosque, Temple, Shrine and state are incredibly blurred. Yet, a possibly salutary way forward for proselytism comes to us in the UK's Human Rights Act, particularly section 13 (1), establishes a firm separation and *liaise-faire* directive of the state towards the church. It "creates a spiritual sphere into which the courts will not trespass."⁴⁹ In European courts it remains to be seen whether

⁴⁷ "Pulling God's License" *The American Enterprise* 11:2 (March 2000).

⁴⁸ Mark Hill, *Religious Liberty and Human Rights* (England: Cardiff, Wales UP 2000) 9.

⁴⁹ *Ibid.*, 12. Section 13 (1) reads, "If a court's determination of any question arising under this Act might affect the exercise by a religious organization (itself or its members collectively) of the Convention right to freedom of thought, conscience, and religion, it must have particular regard to the importance of that right." Note that a religious organization includes all its members, thus the thought and conscience that stands compelled by religion to proselytize, might find footing for its actions if those efforts do not overtly cross over from the sacred sphere to the secular. Again, just as there is a blurred line between evangelization and proselytism, so also, we find religious expression and fanaticism to be not so distant cousins.

this queue will be easily and often breached. Proselytizing in the context of these developments on human rights legislation exhibits a necessary reliance on freedom of expression. A foreseeable debate might proceed along questions of deference over how private “thought and conscience” ought to enter the public square. We must wait to see if the courts in Europe rule that a potential proselyte retains an absolute right to preemptively shutdown all proselytizers.

Evangelism verses Proselytism: American Evangelical and Catholics Together, a case study from the Christian faith as a potential model for the world religions.

Before we examine how two major denominations within Christianity have attempted to resolve proselytization difference, we do well to remember that general definitions of religious proselytization, while increasingly pejorative, stem from the common roots of the Latin *proselytus* and Greek *proselytos*. These terms carry a candid meaning of the proselyte as “one who has come to a place.”⁵⁰

Again, it is helpful to diagram the act of proselytism; in it, we have two primary players: the proselytizer and proselyte. Since proselytism usually involves initiation from someone following mandate (A), regardless of the style of his or her approach, whether informational, educational or apologetic of some form by the proselytizer, we come to know this actor as the aggressor, rendering the proselyte, the victim. That may be an unfair simplification. On a counter model, the potential proselyte has requested the information or apologetics. At that juncture, where does answering questions in good faith about one’s beliefs become physical or psychological inducement or “improper proselytism?”⁵¹ Because of this complexity, John Wilson editor of Books and Culture offers the suggestion that the word proselytism has run its course and it might be best to clear our minds by “retiring” the word in these debates.⁵² A perspicacious suggestion at its root, but from surveys of the literature severance pay and early retirement do not appear to be a likely next step for the concept of proselytism.

Less clouded terms exist that describe the concept of seeking converts, which could possibly distill a homogenization of human rights and proselytization. The primary alternative in the Christian faith stands under the banner of “evangelism.” Traditions within Christianity go so far as to associate with this concept as an institutional imperative.⁵³ One turning point in the debate that compares evangelism against proselytism, at least by locutionary and perlocutionary standards was set forth by the 1994 Evangelicals and Catholics Together participants in, “The Christian Mission in the Third Millennium Declaration.”⁵⁴

Under the section “We Witness Together,” decisively set off from the “We Search Together” portion, an acknowledgement of “serious tension” and “difficult and long-

⁵⁰ David A. Kerr, “Christian Understanding of Proselytism” International Bulletin of Missionary Research Jan 99 Vol. 23 Issue 1, 10.

⁵¹ Chuck Colson, “Reaching the Pagan Mind” Christianity Today (1990).

⁵² John Wilson “Editorial” Books and Culture (Oct-Nov 2001) 34.

⁵³ I am an active adherent in an Evangelical Free Church of America. “Evangelical” and “Free” from the state are two of our institutional indicatives since inception in Scandinavia in the 19th Century.

⁵⁴ “Evangelicals and Catholics Together: The Christian Mission in the Third Millennium” First Things 43, (May 1994) 15-22.

standing problems” rightly alerts us to the confrontational nature of proselytizing among various Christian communities. This dialogue by a wide assortment of leaders in these two ecclesiastical jurisdictions brought to the fore of American Christian thought the need to address this rising storm.⁵⁵

The fact that so much common ground was affirmed in the document and unofficial dialogue took shape was remarkable progress in the light of many long-standing intractable theological arguments. Laying down a basic framework for their vision of proselytism, these leaders---whose span included Father Avery Dulles, Father Richard John Neuhaus, Dr. Bill Bright and Mr. Charles Colson---not only put proselytism on the map as a major issue of Christian theological and community concern, but lent legitimacy to an effectual call for a moratorium on---“reevangelization or sheep stealing.”⁵⁶ This moratorium argued that if a woman is Roman Catholic or Protestant she ought to be left alone in communion with her church, undisturbed by proselytizers from the other community.⁵⁷ The signers of the document were seeking a possible theological moratorium in hopes of curtailing the efforts of various members within their community from continuing to understand the other community to be a rightful site for winning converts. In protection of the integrity of their own communities, these two intra-faith communities normally associated with mandate (A) attempt to join forces by switching to mandate (B) when dealing with the other.

Treading carefully, ECT condemns “aggrandizement” as a motivation for sheep stealing and warns against force in witnessing, specifically naming “any form of coercion—physical, psychological, legal, economic,” or caricaturing the others’ beliefs. They insist that true Christian witness must originate and constantly evidence “a spirit of love and humility.” Distinctions are made between evangelism on the one hand, and proselytism, sheep-stealing, and reevangelism on the other. These categorizations distinguish along lines of continuation with historical faith resulting in an attempt to clear away much of the rhetorical confusion in the landscape of American intra-Christian faith proselytism.⁵⁸

Is it defensible to assign proselytism the stigma of sheep stealing and default correlation with coercion? Following this question out to discussions on human rights, it is important that we look for appropriate distinctions between proper and improper

⁵⁵ As wide in scope as the ECT document’s reach, likewise there a plethora of divergent reactions in favor and against its proposals. In favor one can read follow up editorials in First Things and for a brief litany of criticism, “Evangelical-Catholic Statement criticized” The Christian Century V111 (May 94).

⁵⁶“ECT: The Christian Witness” 20. The central line that infers this moratorium, reads “In view of the large number of non-Christians in the world and the enormous challenge of our common evangelistic task, it is neither theologically legitimate nor a prudent use of resources for one Christian community to proselytize active adherents of another Christian community.” Note the phrase; “*active adherents*” becomes the recommend boundary for appropriate and inappropriate proselytism.

⁵⁷ To be fair, this document was only a first step in a long tango to come, not a definitive touchstone for all Catholics and Evangelicals in all places in all time. For further reading see in particular the ECT’s “The Gift of Salvation.”

⁵⁸“Evangelicals and Catholic Together: The Gift of Salvation” First Things 79 (January 1998) 20-23. This document does considerable work to flesh out the continued disagreement between Catholics and Evangelicals on what the Scripture reveal as “justification” from sins. Some critics of the document such as John MacAuthor argue that Evangelicals and Catholics remain insurmountably apart on a number of theological issues. He believes, at this point and time, Evangelicals and Catholics should not work together, in fact Roman Catholics are a prime community for evangelism in Dr. MacAuthor’s understanding of witness.

proselytism before examining its position *vis a vis* human rights. Father Neuhaus, writing in the “Public Square” for First Things, a decade later, followed up on the ECT declaration and acknowledged the continuing unsuccessful search for a “bright definitional line” between respectful evangelism and intrusive proselytism among Christians regarding a witnessing doctrine. Exactly when evangelism stops and coercive sheep-stealing begins, and where consensual witnessing and coercive deception intersect remains the “holy grail” of proselytization and human rights. In its final judgement, ECT stated that whether one accepts their distinctions and moratorium or continues to proselytize that *decision must ultimately be left to the conscience and context of the individual witness*. It is by this means that religious human rights will preserve. It stands to reason that if we beg the state to enforce our “mandate,” whether (A) or (B), we could one day find our religious expression under a regulatory agency such as the Food and Drug Administration.

What does this document enjoin for those beyond the pale of North American Christendom? Does this argument hold any water in post-Soviet Russia or Yugoslavia? Does a moratorium on evangelism of any kind, let alone forceful proselytism, easily translate into the dialogue between Russian Orthodoxy, Roman Catholicism and Baptists? What bearing would a moratorium have on the relationship between Christianity in consideration with less congruent religious communities?⁵⁹ We must keep in mind that the ECT document implies that even their discussion with regards to intra Christian proselytism in North America must remain under vigilant construction. If the deliberations over proselytism requires nuance and disagreement in this limited arena what does that portend for other sites of religious proselytism where its softer form, (i.e., evangelization), might not even be a viable option?

The ETC’s document champions the formulation of broad guidelines for adjudicating between sincere witnesses and stealing adherents from another community. Divisions and reconciliation over witnessing, by design, provide only a narrow perspective. One must ask if these guidelines serve as a benchmark for the larger concerns of proselytism and human rights. Indeed, what of those faiths and their adherent’s witnesses whose division lies not in practice, but in completely inimical theological beliefs? Where there is no common good, or revelation, what can serve as the language and grammar to begin determining appropriate proselytism?⁶⁰

⁶⁰ Paul Mojzes “Proselytism in the Successor States of the Former Yugoslavia.” Journal of Ecumenical Studies v36 (Winter/Spring 1999) 222. To begin understanding the battle-lines among hostile religions and ethno-cultural people groups one need look no further than the hotbed of former Yugoslavia. Mojzes provides an indispensable matrix for moving from sheep-stealing to more overt forms of proselytism. Sheep-stealing by foreign missionaries, largely Protestants is a side issue of “minor” importance in Yugoslavia even if it tends to get more press. The dominant forms of proselytization in the former state of Yugoslavia, he argues are:

“As follows: (1) to attempt to convert or absorb members of a different ethnoreligious unit into one’s own; (2) to continue in a modified form during the post-communist period the process that had been vigorously pursued by the Communist Party of converting people from religion to atheism; and to reconvert or bring back into the fold of a church all members of an ethnoreligious unit who allegedly “naturally” belong to that church, even though they had drifted away from religion. These major types of proselytism can be explicated further. (1) The three major religious communities — Eastern Orthodoxy, Roman Catholicism, and Islam — are locked in conflict with each other such that conversion of other ethnoreligious groups into one’s own community is seen

One wonders if the ECT's intra-dialogue among American Christians could serve as a model for reconciliation in the greater confrontations between the many faiths of global society. If it is time for Christians to lay down their intra-ecumenical ambitions, there must be due cause for this change. But will the reconciliation at home give birth to added confrontation abroad? ECT argued in their 1994 document that by abandoning the family squabble of the baptized, Christians ought to search their hearts and determine that "it is neither theologically legitimate nor a prudent use of resources" to win convert among other Christian community adherents. ECT in no way calls for Christians to abandon their witness; instead, they ask where proselytization "resources" would be most wisely employed.

American Christians have begun working towards a nascent resolution among "brothers and sisters" regarding sheep-stealing, but what of those in other folds? Will the true reciprocal effect of following the ECT's recommendations be a Christian mission or proselytism "springtime" shining its light into other recesses? As long as global civil society remains culture and state based without a transnational world-state, we believe to some extent proselytization will stand as an open question.⁶¹

Conclusion: The Implications of Proselytism and Human Rights for Christianity

Finally, providing a possible constructive option for responsible Christians relating to other faiths, we follow the lines of D. Stephen Long's argument that "perhaps the inescapable unity of our daily practices in service to a global reality has become our 'confession.' Then the only way to maintain some sense of diversity is through an alternative confession with different practices."⁶² How should this Christian "confession" operate: should it be a systematic moratorium on proselytism not only intra-faith, but also inter-faiths? We will then investigate how diversity can serve, not silence Christians. Christian confession requires action and to help us reflect on our endeavors, we seek to know how the human rights dialogues regulate the difference between the exchanging of faith and religious fanaticism. Thus, we ask where the boundaries are between intruding into communities verses openness for ideas and beliefs to migrate through porous cultures.

Throughout this paper we have found that human rights concepts do not provide a clear vision for the future of proselytism; additionally, the crosscurrents of national legislation and countervailing critiques continue to gain ground against any hegemonic visions of religious rights. Arguably the currency of human rights has experienced inflation, no longer holding the same cash value it once brought to the international community. The global community increasingly agrees on the pragmatics of a global commercial market place, but we can grasp this economic force's tension with religious interest if we note that, "in a sense, then, there is a world proto-state that is cultural and

not only as desirable but also as the fulfillment of an age-old imperative of reintegrating into the community those who had allegedly strayed in the past, thereby presumably correcting a historical injustice."

⁶¹ Richard Falk, *Religion and Human Global Governance* (New York: Palgrave, 2001) 5-15

⁶² D Stephen Long, *Divine Economy*. (New York: Routledge Press, 2000) 69.

organizationally decentralized.”⁶³ Meanwhile a corresponding bazaar of religious ideas appears to have an invisible hand moving towards religious extremism and egoism.⁶⁴ In the midst of these cacophonous times, is it possible for Christians to justly sound a voice, arguing that the right to convert overrides ethno-cultural biases against it?

It does not appear that we will always find footing in nation-state legal statutes, nor in an international “moral project of value attainment” in an ascending “world culture.”⁶⁵ Yet, Christians cannot settle for a seat at the tables that discuss human rights, such as state legislators, NGO’s, international conventions and courts, if once they get sit down, walls of silence overwhelm them. Christians that address the human rights dialogue cannot bend to cease and desist orders, simply because an international body or nation state so orders them. The Christian confession requires a prophetic voice that defends the right to share one’s faith peacefully.

Why do we declare this so strongly? Philip Jenkins describes the dramatic upsurge of Christians in third world countries, particularly in the southern hemisphere in The Next Christendom. The fact is now upon us that “the great majority of Southern Christians (and increasingly, of all Christians) really are the poor, the hungry, the persecuted, even the dehumanized. India has a perfect translation for Jesus’ word in the term Dalit, literally, ‘crushed’ or ‘oppressed.’”⁶⁶ More than most Christians in the West, these men and women are under great pressure to keep their message of salvation to themselves. Not only are their hands tied by legal statutes that appear to violate their rights as stipulated in various UN treaties, they also face a disappearance of support from the international community for engaging in “distasteful” proselytism. With the voice of the “human rights” movement in danger of being drowned out by a cacophony, Christians ought not to compel other Christians to embrace a moratorium on sharing their faith in violation of their conscience and convictions. For a Christian to move from mandate (A) to mandate (B), a sound biblical-theology rationale must be provided.

If they are violating legal statutes of the state they live in, one of two things must take place: first, these laws must be brought under reconsideration by the international community as happened in the *Kokkinakis vs. Greece* case. Second, the decision to abide by them must be left to the conscience of the individual proselytizer. A historical precedent for this is located in Russian Orthodox and Baptist who were incarcerated for their persistence in sharing their faith under Soviet communism. A bare minimum of the Christian confession must be that they have the right to choose how and when to share their faith; if in a non-violent, peaceful fashion they choose to continue their activities. If critics arise, so be it, they have faithfully executed the charge of their mandate.

Many in the human rights movement call for “progress” towards an “ethical ecumenism,” as this happens it is imperative that Christians negotiate for the soul of the human rights language.⁶⁷ We must not cede ground to attacks on Scripture and Christ’s own teaching of a particular way to God.⁶⁸ The Christian responsibility is to share peacefully and in deep respect for others regardless of the extent states grant us this right.

⁶³ George M. Thomas, “Religion in Global Civil Society” Sociology of Religion 62:4, (2001) 516.

⁶⁴ Joseph Runzo, Martin, ed. 20-21.

⁶⁵ Thomas, 517.

⁶⁶ Philip Jenkins The Next Christendom (England, Oxford: Oxford UP, 2002) 216.

⁶⁷ Falk, 3.

⁶⁸ William Lane Craig, Timothy Philips and Dennis L. Okholm ed., Christian Apologetics in the Postmodern World. (Downers Grove, IL Intervarsity Press 1995) 75-101.

Attacks that denigrate proselytism as a holdover from rigid irrationalism contend in parts of the West that we must make room for modern sensibilities. On the other side of the UN aisle we find the repeated undermining of the right to convert and other religious liberties in Article 18 of the UDHR. Ostensibly those who subvert universal human rights jointly lay claim to the special character of their historical/territorial community, granting themselves superior right to chastise proselytizers (indigenous or not) as enemies of the state. This “identity politics” as we explored earlier gives ammunition to critics of universal human rights, attacking that notion’s origin as mere cultural imperialism.

We cannot overlook the fallacy of origins in this argument, which ask us to shrug off subversions of individualistic human rights. Under this attack, proselytism transforms into a tragedy, but this is a red herring, since cultures go through series of gestations; locking in the present form as determinant reeks of historical short-sightedness. Dr. Higgins tells the story best by showing that these arguments against a universal concept of human rights do not come from those who cry out for their freedom. He writes, arguments against universal human rights, state that “it is necessary to take into account the diverse cultures and political systems of the world. In our view this is a point advanced mostly by states, and by liberal scholars anxious to impose the Western view on others. It is rarely advanced by the oppressed, who are only too anxious to benefit from perceived universal standards.”⁶⁹ For instance, in debates over the About/Picard bill in France, we see that imposing vague limits on proselytism has repercussions on a wide scope of the religious life in a nation, in the West as well.

On Sept 2nd of this year, the actual implementation of a ban on female veils or *burkhas* transpired in France. A torrent of thought has built to the point that religious symbolism, not just proactive conversational religious arguments, are now seen as a threat to France’s *la loi sur la laïcité* or the law on the secularity. A year ago, in the Guardian, Jacques Chirac reasoned that most French people saw “something aggressive” in the veil and that the secular state could not tolerate “ostentatious signs of religious proselytism.”⁷⁰ Chirac sends a not so subtle hint in this statement, which does not bode well for religious human rights; in essence laying down a litmus test for the French state’s advances against proselytism. “Aggressive signs” perceived, not even willfully intended as affronts, now stand as reason enough for preemptive legal action in France. Transforming a hundred year old wall of separation established in 1905 between the secular and religious realms of France into a battering ram to counter sharing faith in methodology it determines intrusive.⁷¹

⁶⁹ Higgins, Problems and Process: International Law and How We Use It (England, Oxford: Oxford UP 1994) 96.

⁷⁰ “Something Aggressive About Veils, Says Chirac” Guardian Newspapers, 12/6/2003

⁷¹ “Censure Interview with Régis Dericquebourg” >http://www.cesnur.org/2004/pa_cfp.htm “There is not much talk about MIVILUDES because the media also brings up the issue of “sects” less often. In general, the anti-sect policies have been toned down. The new government has other priorities. Moreover, it does not want to collide with the United States when it comes to religious freedom. The first MIVILUDES report was considered less aggressive in comparison with MILS reports.” Regardless of the acronym each of these bodies are proactive, FBI-like agencies that appear set to fight the religious liberties of minority religions, pejoratively known as sects. Pope John Paul II, see the danger of this system of Orwellian religious watch-group and condemns it, “upon accepting the new French Ambassador to the Holy See, Mr. Alain Dejammet, on June 10, 2000 John Paul II reminded the Ambassador that “religious liberty, in the full sense of the term, is the first human right. This means a liberty which is not reduced to the private sphere only”. The Pope noted that “to discriminate between religious beliefs, or to discredit one or another form of

Should a French proselytizer (Muslim, Bahai, Christian, etc.) surrender her vision of human flourishing, which includes sharing her faith concerning this-worldly and other-worldly salvation, so as to avoid *potentially offending* those who do not wish to grant her faith a public audience? The argument that proselytization equals being a sect or cult, implies that anyone willing to overtly represent their faith in public endangers other's rights to retain their religion. Are we to return to drawing *igthuses* in the sand before we start to discuss religious matters as a Christian? Would that constitute an aggressive sign? In America, with its weighty First Amendment, few cases overtly demonstrate threats to a basic freedom to proselytize on the interpersonal level. But differing libel laws in the UK and other European countries, in accord with traditions of less distinct spiritual and secular spheres encourage more dramatic exercises of vertical power from state to religious organization regulating the horizontal freedom of interpersonal relations.⁷²

After looking at the significance of religious conversion, the ubiquity of proselytism and the present clash of communal verses individual rights in sharing one's faith, we want to propose that from the Christian perspective, a minimum standard on proselytization includes a universal human right to hear the gospel. This mandate must correspond with the right to choose to share one's faith. Religious conversion from a Christian perspective is a weighty issue and worth defending internationally. The Biblical witness calls for Christians to distinguish between submission to civil authorities and when necessary obeying God rather than government, as Luke articulated in Acts 4. The resolution of tension in matters concerning proselytism requires examining the priority of related theology from Scripture, then determining a perspicuous way forward. Importantly, the path forward also has a historical antecedent in the influence of Christianity on the development of human rights in the first place.

Max Stackhouse and Deirdre Hainsworth make this fact dramatically evident by telling us that not only is conversion basic to Christianity, but in the heart of Christianity any vision of rights orbits within the necessity of conversion, "those involving the freedom of religion and the right to change one's community membership."⁷³ They go on to state that "in brief, a decision for the God whom Christians know through Jesus demands a turn to articulate convictions and an organized church. And this requires a freedom of conscience, a freedom of speech, and a freedom of association, and a right to attempt to convert others."⁷⁴ In making this argument the writers also note that human rights theory has a deep debt, if not birth right to Protestantism and its vision of human flourishing, which include the above mentioned freedoms intrinsic to debates over proselytization. This flagship interpretation of human rights has at its core a universal vision of rights that every person are due rights and responsibilities descending not from the fecundity of the their humanity or as a member of civil or religious society; rather,

religious practice...is a form of exclusion contrary to the respect of fundamental human values and will eventually destabilize society, where a certain pluralism of thought and action should exist, as well as a benevolent and brotherly attitude. This will necessarily create a climate of tension, intolerance, opposition and suspect, not conducive to social peace."

⁷²Hill, 13. The language used in America remains a "presumptive priority," whereas the UK tends to allow a "particular regard," as its mandate when judging the religious expression and action when its foundation is freedom of speech and other statues seemingly limit its circle of proprietary action.

⁷³ Max Stackhouse and Deirdre King Hainsworth Witte, and Martin, Ed., 201.

⁷⁴ Ibid., 201

this circle of rights and responsibilities are given from their *imago Deo* nature. It is that starting point that leads to ensuing freedoms of religion, expression, and conversion.

Thus when this vision for human rights sheds its light on attempts at conversion, its interpretation ensures we take up what it means to hear the good news of Jesus Christ. Various definitions abound as to a coherent axiom of the Christian theological imperative, “to make disciples of all creatures.” Some argue that this is merely a “*Sitz im Leben*” construct of the Apostle, which never came from the historical Jesus.⁷⁵ Yet, from the upper room of 120 followers as described in Acts 2 to the present day number of roughly 1/3 the population of the earth today, the gospel writers would have had to pull the greatest hoodwink on history imaginable.⁷⁶

Indeed, conversion “remains centrally associated with Christianity,” since “no one is born a Christian.”⁷⁷ Discipleship and conversion are intrinsically linked. One cannot become a disciple without conversion on a Christian understanding of faith. Baptism, faith and other outworking of a Christian social matrix have no intrinsic claim on children in societies worldwide, much less adults. New relations to the mysteries, enigmas and the place of faith in one’s life mean that Christianity, by definition, requires conversion and therefore religious proselytism will be with us as long as there are Scripture anchored Christians in our midst. The Great Commission of Matthew 28 and passages such as Acts 4:26, John 14:6, Mark 10:28-30 and Luke 14:26-27 would necessitate a Jeffersonian removal from a canonical reading of Scripture for Christians to retire as proselytizers.

Here is where the story gets interesting. As stated earlier, the reason that Christ followers cannot lay down proselytization comes not from a human right that can be discovered in our anatomy or person to person relations. Our central goal should never be to man the fort of universal human rights. Simply put, this is not our hope. For that we turn to a Biblical text regarding the Christian hope; 1 Peter 3:15, tells us,

“But in your hearts set apart Christ as Lord. Always be prepared to give the reason for the hope that you have. But do this with gentleness and respect, keeping a clear conscience, so that those who speak maliciously against your good behavior in Christ may be ashamed of their slander.”⁷⁸

It is precisely the fact that Christians believe in a present brimming with salvation and a future full of meaning, given not from merit, but acquired by way of faith in the death and resurrection of our Lord Jesus Christ that we are respectful, conscientious, and gentle proselytizers. It is trusting in Christ, faithfulness to God’s will, and in remembrance of his struggle unto death that we strive to share our faith, in non-coercive ways.

In Act 15, the Apostle Paul equivocally ridicules his own ardent proselytism if not for the beautiful truth that he serves a risen Lord, unto whose overwhelming love he could not help but submit. Christians may discover over the years that universal human rights implode from a chorus that rises against it as a demeaning metanarrative to be discarded on the ash heap of history. Christians particularly in the South daily resist

⁷⁵ Michael Lattke “Call to Discipleship and Proselytizing” *Harvard Theological Review*. V 92 no 3 (July 1999) 359.

⁷⁶ Jenkins, 216.

⁷⁷ Stackhouse, Hainsworth, in Witte, and Martin ed., 201.

⁷⁷ *Ibid.*, 201

⁷⁸ *Holy Bible*, New International Version (Tennessee, Nashville: Holman Bible Publishers 2002) 942.

brutal dictators, abusive regimes and critics pressing on them from all sides, but remain undeterred. Christians continue to speak the truth that they are not their own. Their rights are not something conjured up through language or assertion. No. We were bought at a price, Christ's life, and this truth must be proclaimed in freedom and at various volumes, so as to be most intelligible in the respective societies of the world.

In closing we reference the missionary scholar Leslie Newbigin. He provides us with this powerful treatment on the Christian and rights, which I believe flows beautifully into consideration of proselytism. He writes in The Gospel in A Pluralistic Society:

“Contemporary society speaks much about ‘human rights.’ It is uncomfortable with ‘charity’ as something, which falls short of ‘justice,’ and connects the giving of thanks with an unacceptable subservience. In Christian worship the language of rights is out of place except when it serves to remind us of the rights of others. For ourselves we confess that we cannot speak of rights, for we have been given everything and forgiven everything and promised everything, so that as (Luther said) we lack nothing except faith to believe it.”⁷⁹

This powerful recapitulation of the Christian understanding of human rights reminds us that justice is much more than fairness, nor is justice bound by human laws that incessantly contradict. This quote is taken from a chapter entitled, “The Congregation as Hermeneutics of the Gospel” and we agree with Bishop Newbigin’s premise that no matter how many appropriate avenues Christians take to share their faith, they “have power to accomplish their purpose only as they are rooted in and lead back to a believing community.”⁸⁰ Christians will fail when staking our prerogative to proselytize, in similar fashion of Christ in the marketplace (Matthew 27) and in private (John 3), if we ground our claim upon the shaky foundation of universal human rights. Our confession of Christ as Lord will not submit to laws that attempt to overrule this given mandate. We must see that our witnessing presence ought to follow the line of Christ’s Farewell Discourse in (John 15-17.) The church’s confession must be known by its love, a love that reassuringly leads us in gentleness and humbleness, like our Lord, back into the crossfire of proselytization.

⁷⁹Leslie Newbigin The Gospel in Pluralistic Society (Grand Rapids, Michigan: Eerdmans Publishing Company 1996) 228.

⁸⁰ Ibid., 222-233.