

**Does Human Rights Need God?** Edited by Elizabeth M. Bucar and Barbra Barnett.  
Grand Rapids, Mi: Eerdmans, 2005. 391 pp. \$38.00 US. Reviewed by Johan D. Tangelder.

In recent years, the language of human rights has become part of the vocabulary of international politics. And so it should! The threat of terrorism combined with the potential erosion of the legal protection of civil rights and liberty is a matter of immediate and pressing practical concern for all of us. As news of intolerable atrocities splashes too frequently across our front pages and television screens, as prominent international rights organizations become more vocal and apply increasing pressure in world affairs, we should ask some pertinent questions, and become involved in advocacy of human rights.

But what are human rights? On what are they founded? Do individual rights always override contrary collective rights? These questions must be addressed. A welcome contribution to the discussion is the book, *Does Human Rights Need God?* It addresses the issue with a collection of essays from diverse cultural, theological, philosophical, and often contrasting perspectives. But this is the great weakness of the book; the editors purposely avoided giving a definite meaning of the word "God".

### **The United Nations' Universal Declaration of Human Rights (UDHR)**

The United Nations, the world's only truly global organization, emerged from the ashes and horrors of World War II as a response to the cry "War No More!" With great hope and expectation for a more just and peaceful world, hundreds of human rights movements discussed the questions: Which rights? Belonging to whom? Claimed before what authorities? Rooted in what foundation? Connected with what responsibilities? As a result declarations have been signed, and new organizations formed to promote human rights. The declaration best-known is probably the *United Nations' Declaration of Human Rights* [UDHR] (1948), but there are many more – such as the European Convention of Human Rights (1953), and the Helsinki Conference Accords (1973-75).

But how effective are these declarations? Do they protect the rights of all people everywhere? Despite the shared language of human rights (in the West, at least), there is considerable disagreement over the origins of such rights. French Catholic philosopher, Jacques Maritain, comments on the debates preceding the UDHR's drafting: "We agree on these rights, providing we are not asked why. With the 'why,' the dispute begins." The text of the declaration follows Maritain's advice, intentionally remaining vague and general on the "why" of human rights. It affirms that "the inherent dignity [of and] the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world," but bases these rights on an unnamed, unspecified, ungrounded "common understanding." In *A World Made New; Eleanor Roosevelt and the Universal Declaration of Human Rights*, Harvard law professor, Mary Ann Glendon, also describes the ways in which the drafters of the declaration were keenly aware that their goal was a political consensus, not a philosophical or moral treatise on human nature and the rights and dignities attending human nature.

The UDHR reaffirms the national sovereignty of participating nations. But it offers no criteria for distinguishing between good and evil aspirations. As the vocabulary of human rights is

now universalized, it has also become politicized. Consequently, governments and organizations have been unable to arrive at a universally accepted definition. Ultimately, therefore, it is the prevailing needs, habits, societal structures and governments of various countries which have the last word on how human rights are defined and protected. But why do so many governments pay only lip service to the UDHR? It is supposed to protect citizens from encroachments on their freedoms and responsibilities, and it indicates the limits of the state's authority. To complicate matters, there are three main streams of rights language that dominate the human rights scene in the world today. (1) Western nations tend to view rights in individualistic and political terms. (2) Eastern bloc countries perceive rights mostly in a corporate sense. (3) The third world is more inclined to see survival and liberation as more important than individual rights.

## **Jimmy Carter**

Jimmy Carter, the 39th President of the US from 1977 to 1981, professes to be a born-again Christian and repeatedly stresses the importance of religion in his life. During his presidency the protection of human rights formed a cornerstone of his foreign policy. In a commencement speech at Notre Dame, May 22, 1977, he declared that dignity and freedom are "fundamental spiritual requirements." "Fear" and "despair" can be removed by "faith" in democratic values. He expected Americans to be an example to the world. He said that their faith in human freedom will continue "to inspire and to persuade and to lead." Although Carter spoke of human rights as "moral" obligations and that "we can already see dramatic worldwide advances" in protection of human rights, illustrations of these advances were not given. He stated that the world is in a moral crisis. But he described this crisis as not a loss of faith in God but a loss of faith in man's ability to solve the world's problems democratically. In other words, Carter's address on human rights was more secular than Christian.

## **Secularism**

A genuine Christian witness in the public arena of life is often missing. Instead of a Christian approach, Jimmy Carter's view breathes basically the same secular-humanist spirit which pervades the UDHR, and most other modern political documents. If autonomous reason and human conscience express the will of the people, and are acknowledged as the ultimate norm in human affairs, then government is viewed as springing from popular aspirations. There is, then, no room for God as the highest authority. The cause of human rights then gets reduced to a political power struggle between personal, national and international interests. Man is the master of his own destiny – not subject to revealed truths or divine norms. By declaring himself autonomous, independent from God and all divine norms, man himself began to determine the criteria of right and wrong.

The emphasis today is shielding the state from religion. An appeal to God's Word is not considered relevant. We are told to leave our faith in the closet. In the words of Stephen Carter, "In our sensible zeal to keep religion from dominating our politics, we have created a political and legal culture that presses the religiously faithful to be other than themselves, to act publicly, and sometimes privately as well, as their faith does not matter to them." According to secularists, religion is a private affair and, as such, it has no business in the public square. But the freedoms that secularists enjoy to exercise their faith in the public

square have their roots in the Christian faith. Max L. Stackhouse, Professor of Reformed Theology and Public Life and director of the Kuyper Center for Public Theology at Princeton Theological Seminary, points out that the rights of free association, so dear to democracies, have their origins in the rising of Christian churches.

Are secularists devoid of religion? Not at all! All citizens are believers. Secularism is a particular ideology with a particular history, content, and strategy. It is an anti-religious ideology with a particular agenda. As I read *Does Human Rights Need God?*, I thought about the stifling anti-Christian secular spirit at work in Canada. In our Canadian society, religious freedom faces considerable pressure. Secularists seek to keep religion in its place (in the private sphere), while other beliefs are allowed free rein in the open. We face a kind of secular neo-sectarian fundamentalism that seeks to shut down opposition to its agenda at every turn. Iain T. Benson observed in his *The Freedom of Conscience and Religion in Canada: Challenges and Opportunities* that in the past decade and a half, in Canada, religious liberty has been eroded. Denominational education rights in Newfoundland and Quebec have been eradicated. Religious communities and individual believers are often not accorded the respect they deserve and to which they are entitled. Benson says, "In Canada many religious believers and groups speak openly about feeling excluded and threatened by developments they see around them. The breadth and depth of this concern is not something that any citizen should take lightly given the important role that religious beliefs play in society."

### **Secular Feminism**

A blatant secular view of human rights is set forth by Courtney W. Howland in her paper, *The Challenge of Religious Fundamentalism to the Liberty and Equality Rights of Women: An Analysis under the United Nations Charter*. Howland, retired Visiting Scholar in Residence at the International Women's Human Rights Center, Georgetown University Law Center, is blatantly anti-Christian in her views. She claims that religious fundamentalist legal structures regard women's sexuality as potentially dangerous and destructive to men. She charges that "Christian fundamentalists" believe women are inferior in regards to men. She insists that there is high incidence of spousal abuse in "fundamentalist Christian homes." Howland believes that, in the United States, the "Christian fundamentalists" are a direct threat to the secular state in their attempt to turn the United States into a Christian country. She argues that the U.N. Charter is more than just a treaty; "it prevails expressly over all other treaties, and implicitly over all laws, anywhere in the world." According to her, the state is obliged to stop the destructive activities of such "fundamentalist Christian" groups. Howland argues that any "group" which accepts the historic Christian faith and desires to live it in the public square as well as at home, is "fundamentalist," and a threat to society. She wants the freedom to propagate her "secular fundamentalism," while urging restrictions on the freedom of "religious fundamentalists" to live their faith. In a free society, Howland has every right to state her views. And I will defend her right to the best of my ability. But why deny the same right to those who disagree with her? Consequently, I suggest her view of human rights is hypocritical and a threat to freedom of speech.

### **Human Rights from the Confucian Perspective**

No single issue has done so much to shape the popular image of contemporary China in the West as human rights. Its record remains poor. There is no such thing in China as freedom of the press or academic freedom. For journalists, the only perfectly safe subject is a story about the love life of a butterfly. The practice of religion outside official channels is forbidden. Strikes are illegal. What is the solution for the societal problems? The Communist Party advocates a return to the Asian Values embedded in Confucianism. It is accepted as a non-religious humanism that can provide a basis and the value of life.

In his *Enduring Change: Confucianism and the Prospect of Human Rights*, University of Chicago Divinity School Professor Anthony C. Yu, explains the problems of accommodating Chinese culture to the doctrine of universal human rights. He argues that according to Confucian tradition, the understanding of the individual is so intertwined with the community as to call into question any hope of reconciling Chinese culture with human rights. Confucius (551-479 BC) left a legacy which is more than a spiritual discipline: It is an approach to life, a way of behaving. And it manifests itself in "typical Chinese" personal behaviour, including respect for one's family, age and authority, and a tendency to emphasize personal relations rather than rules and regulations in achieving objectives. Traditionally, therefore, individuals in China are less important than the wider community. Group interests – the family, clan, village, work-place and, in the twentieth century, the state – come first, individuals come last. The latter derive their values and identities from their participation in communities rather than the other way around. Yu warns that even affirming the possibility of adapting the Confucian view to the human rights doctrine presupposes a radical change in how the person and the group are conceived.

## **Islam and Human Rights**

All Muslim member states except Saudi Arabia voted for the *Universal Declaration* after stating their misgivings about the meaning of Article 18, and noting the intentional rejection of making any particular religion the determinative source for human rights. This disputed Article 18 states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance." If Islam is in disagreement with Article 18, how can Islam ever support democracy? Khaled Abou El Fadl, professor of Islamic law at the UCLA School of Law and recent presidential appointee to the U.S. Commission on International Religious Freedom, believes in the compatibility of Islam with democracy and individual rights. He acknowledges that God is the only sovereign and source of legitimate law in Islam. Yet he also argues that an Islamic constitutional democracy "offers the greatest potential for promoting justice and protecting human dignity, without making God responsible for human injustice or the degradation of human beings by one another." But if God is the only sovereign and source of law in Islam, is it meaningful to speak of a democracy within Islam, or even of Islam within a democracy, and can an Islamic system of government ever be reconciled with democratic governance? I don't think so. For example, in November 1994 an international Christian-Muslim Consultation on "Religion and Human Rights" met in Berlin. The conferees issued a report calling for a reconsideration of the basic human-rights instruments in international law. Why? They charge that these documents, such as the 1948 Universal Declaration of Human Rights, arose "out of a historical experience whose framework is

primarily secular-humanist."

Islamic nations do not favour democracy. They are notorious for their denial of any human rights that could challenge the absolute authority presumed by those who have power in these non democratic societies. As Amir Taheri points out, there is often a close connection between religion and politics. "Overall, the human rights situation in the Middle East showed a marked deterioration in the 1980s compared with the preceding decades. Part of this was due to the Islamic Revolution in Iran and the Gulf War [or the Iran-Iraq], events that frightened many states of the region and wrongly persuaded them that concessions on human rights could lead to revolution." For example, after Sudan was declared an Islamic Republic in 1983, the government began a campaign to pressure the Christian south of the country, the homeland of the Dinka tribe, to conform to the Sharia (Islam law). A brutal civil war followed. It is well documented that Christians have been sold into slavery and starved, and their pastors have been crucified. In other words, there is a real tension, if not an inconsistency, at this point between the traditional Islamic responses to conversion and UDHR. Conversion to Christianity or any other religion is generally regarded as a betrayal of family and the community. It is apostasy which deserves the severest punishment. How can anyone claim that Islam supports human rights when Abul A'la Mawdudi can state, "Islam is a one-way door, you can enter through it but you cannot leave"?

## **Human Rights Abuses**

Although progress has been made in the advance of human rights, the stark reality is that abuses continue to occur all around the world. Efforts to promote human rights frequently sound hollow and hypocritical, when some states use human rights slogans only to hide their self-interested actions that end up doing little for, and perhaps even hurting human rights in some parts of the world. Accounts of murder and torture of street children in Brazil, kidnapping and forced prostitution of women in Thailand, are just a few examples of the atrocities that mark our modern failures to enforce human rights. Millions of marginalised people in the world can hardly be expected to keep a straight face when hearing the UDHR say that "all human beings are born free and equal in dignity and rights." The *Mail & Guardian* (June 2007) reports that in South Africa, human trafficking is the third-largest source of profits for organised crime with only small-weapons trafficking and drug smuggling more lucrative. And in its April 26 to May 3, 2007, issue it notes that in Zimbabwe the human rights situation is deteriorating. The dictator Robert Mugabe's brutal regime has the steadfast resolve to curtail any right to freedom and expression and the free flow on information in Zimbabwe. And sadly, Zimbabwe is not the only African country with a poor human rights record. Pansy Tlakula, a member of the African Commission of Human and Peoples' Rights and Special Rapporteur on Freedom of Expression in Africa, observes, " Failure by state parties to take seriously their own human rights instruments and institutions will sadly ensure that the rights and freedoms enshrined in the charter remain paper rights for the people of Africa."

## **Conclusion**

Why do we witness the erosion of human rights, especially the right of freedom of worship? The question of liberty and tolerance for Christians as well as non-Christians has become increasingly problematic with the continual growth of government interference in nearly every

sphere of life. We are faced with more and more regulations regarding what we may believe in private but not promote in public. Is it possible that the current failures of human rights protection stem from the concerted effort to avoid addressing the rationale of human rights? What are human rights based on? *Does Human Rights Need God?* Of course, human rights need God. But Who is this God? This leads me to ask, "Does the Bible offer a working perspective of human rights? If, so what is it?" In the concluding article on the subject, I intend to offer an answer.