

Human Rights and Religion; a case study of

Christianity

Abstract:

This paper aims to explore the relationship between religion and human rights in a progressive and positive sense. It will argue that the two inherently overlap and can be understood on three conceptual levels, the theological, the political and the local. The paper draws heavily on the works of Sally Engle Merry to suggest that you need a localised understanding of international issues to fully understand their relationship. Throughout the case study of Christianity will be used to show that even the ‘western’ religion of Christianity can have an ambiguous relationship with human rights. This relationship has to be explored for the good of the human rights framework and for the good of the religious, both institutionally and individually.

Preface:

This paper will argue that you need to obtain a relativistic understanding of religion and human rights because firstly, this represents the reality of how they are enacted on in everyday situations; and secondly, it is only in this sense that a positive and progressive relationship can be obtained. It is apparent that it is in conditions that perceive human rights or Christianity in an absolute sense that the morality within both discourses are least effective; this is illustrated through so called 'religious' conflicts, through to political manipulations of religious discourse. An understanding of human rights relationship with religion is imperative to further the human rights discourse but also to protect religion on an institutional level and an individual level. This relationship is complex and can be easily misused; thus a theoretical framework is developed to explore religions relationship with human rights on three broad levels, the theological, the political and the local.

This piece is based on secondary research that has focused on authors who have sought to reconcile human rights with Islam and or Christianity. The majority of the literature is based in the field of Islam, as this is where the current socio-political pressures remain. It is apparent however, that if Christianity, human rights' supposed cultural sympathiser cannot be shown to reconcile with human rights then there is little chance of it fitting with other world religions. This paper aims to address the often stated antagonisms not only between human rights and religion but also specifically between human rights and Christianity. This is undertaken in positive sense to build cooperation between two of the most powerful discourses that remain in the twenty-first century.

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Introduction:

‘I can’t change the teachings of Christ’

(Jimmy Carter’s response in his infamous ‘playboy’ interview quoted in Clendinen and Nagourney 2001:283).

This paper does not suggest that Mr Carter could change the teachings of Christ. What it does suggest is that his understanding of Christ; is firstly one interpretation of the Christian faith. That secondly it is placed in a heavily significant political context and that thirdly, the same issues that he was being pushed to comment on could hold a different meaning and understanding in another place or time. Mr Carter’s response illustrates one of the most basic problems that this paper aims to address, the perception that either ‘religion’ or ‘Christianity’ is one cohesive idea and not a series of interpretive understandings. The same argument will be shown to apply equally to human rights.

Modern history is littered with examples where religion and often Christianity, plays a significant role in guiding international affairs and, too often, conflict. For example, the early 1990’s Bosnia-Herzegovina conflict amongst Serbs, Croats and Bosnians ‘degenerated into a de facto religious conflict’ (Haynes 2002:17). The United States ‘war on terror’ and the role of Islam and Christianity within it. In Russia, Chechnya and Dagestan were subjected to serious attempts of Islamisation. There is the ongoing Muslim, Hindu conflict within India and Pakistan, while the Israel, Arab conflict remains one of the biggest issues on the international communities’ agenda. Nigeria was polarized between Muslims and Christians. This list could go on; it is clear though that religious discourse still guides international relations and national politics.

Religion and human rights are often presented as dualistic, secular and religious; this is unhelpful and ultimately detrimental. The power of these two discourses means that an understanding of their relationship must be sought. This has been attempted by a number of theorists in relation to Islam (An-Na’im 1990, Afary 2004, Bielefeldt 2002), although there are lessons to be learnt here, it misses the broader issues around religions

relationship with human rights in general. This relationship must be explored; it is thus an exploration between human rights and Christianity will be sought. If human rights cannot be shown to work with its supposed cultural sympathiser Christianity, with which it is often claimed to share a cultural heritage, then what chance does the discourse have in spreading to other world religions? To understand these complex and at times contradictory relationships three theoretical levels will be used to explore religions relationship with human rights before the same structure will be applied specifically to Christianity. You can understand this relationship on three broad levels, the theological, the political and the local.

This paper will start with an overall discussion on religion and human rights, particularly picking examples from the extensive writings on Islam and human rights. Within this it will progress to examine whether human rights needs to be grounded in a religious discourse or whether it is enough to ground human rights in purely being human. Examining the politics of religion questions whether religions relationship with human rights is more based around theology or politics. The local understandings of religion will then be explored demonstrating the importance of having a relativist understanding of human rights and religion on a local level, whilst recognising the importance of the international discourse of both.

Christianity and its relationship with human rights will be examined in more detail in the second section. Here it will be demonstrated that human rights can be grounded in Christianity, before looking at the different denominational approaches to human rights issues. Whether a true understanding of Christianity exists will then be questioned using examples of Christianity's varied impact on the human rights discourse. The politics of Christianity will be explored through the example of the religious right, predominantly in the United States. Finally the example of gay rights will be used to show how a relativist understanding of both Christianity and human rights can be understood on a theological, political and local level.

This paper therefore is set to draw out similarities as well as the obvious and often stated antagonisms that prevail within the relationship between human rights and religion. If a progressive and helpful relationship is to be developed between religion and human rights, a relativistic understanding of the relationship must be sought. This paper aims to do this in the context of Christianity, the largest of the world's religions.

Religion and Human Rights:

Religion plays a profound role in both western and global politics. Indeed, the influence of religion has led to the American commentator George Weigel to describe the phenomena as the 'unsecularization of the world' (quoted in Haynes 2002:17). It is apparent that this language is being used partly to counter the growing assumption that religion is losing its influence on politics, and specifically, the politics that affects the international human rights regime.

It is apparent that although Church attendance is dropping in the west (concentrating momentarily on Christianity) the Church's influence on social affairs is still significant. You could argue that in some circumstances religion is gaining in popularity and public usage. This is clearly illustrated in the budget of USAID, which has been significantly shifted towards religious organisations during the Bush administration. There has been a cut in funding of condom programmes and a marked increase in abstinence programmes (Walgate 2004:192). President Bush clearly supports the use of Faith Based Organisations (FBO's), USAID quotes Bush as saying, "USAID must continue our support for Faith Based Organisations in order to make sure that we fulfil missions around the world in a compassionate way" (President G. Bush 09/03/2008 quoted by USAID 19/07/2008). Implying he believes that non-faith based organisations could not fulfil their missions in a compassionate way.

Beyond these institutional influences it is clear that religious identity is entrenched into individual identity formation to such an extent that it becomes 'an integral part of their existence, inseparable from the social and moral order' (Ter Haar 2003:80-81). To

understand religious influence on contemporary human rights, it is essential to understand its impact on the individual as well as the macro institutional level. The list provided in the introduction illustrates this point but it may help to look at one example.

One of the longest running conflicts of our age is the Palestine Israel conflict. Too often the Israeli state is seen as representing the 'Jewish corner' as a counter to the Muslim 'Arab' corner. The Zionist understanding of Judaism is just one interpretation of Judaism situated very specifically in a political context (Shafir and Peled 2002). It is therefore essential to dispel the myth that the Israeli state represents all Jews. There are many Orthodox Jews vehemently opposed to the State of Israel; the Neturei Karta for example, a worldwide organisation of Jews that oppose the State of Israel. (Neturei Karta 2003). The illusion created by the state of Israel that it represents all Jews has many detrimental effects. Firstly, it alienates Jews who disagree with the Zionist understandings of Judaism and secondly, it creates a religious target to rally against. Indeed, one of the few issues the Arab League has ever truly agreed on was their initial opposition to the state of Israel (Flapan 1987). This example illustrates how religion still plays a significant role in the policy thinking of the State of Israel, but also in the thinking of Palestinians who rally around their shared Muslim and Arab identities. Suggesting that religion is not a significant factor within individual identity formation and state politics is naive. Clearly religion is still heavily significant; despite some of the world's religions being less influential than they previously were, their role is still enough to be considered significant.

Religion provides a moral framework that for many trumps the morality presented through the perceived secular human rights framework. It is therefore the case, that without interacting with religious actors, human rights can never enjoy the populist understanding that it needs to be successful. It is thus as An-Na'im (2005) suggests that the two are mutually reliant upon each other, even if perhaps their relationship is uneasy.

To assess why human rights are failing to become a serious moral discourse in certain specific contexts it will help to start where a large body of the literature is in relation to

human rights and religion. Islam is clearly a major issue in current global politics and is often presented as purely an antagonistic force to the human rights regime. Clearly there is a correlation between some Islamic countries and some major human rights violations; specifically a failure for the human rights language to come into common use. This is despite the many signatures throughout the Arab-league to various human rights treaties¹ (An-Na'im 2001). Some interpretations of Islamic shariah are clearly in violation of women's rights. For example the persecution women of all classes suffered under the Taliban in Afghanistan, honour crimes in Kuwait, Stoning to death for having non-marital sex in Nigeria, marital rape not being recognised as an issue in Syria (Afary 2004), and the list could go on. In a few countries religious freedoms are violated with capital punishment available for apostates from Islam; these include Iran, Sudan and Saudi Arabia (Bielefeldt 2000:103). The widespread and controversial issue of female genital mutilation (FGM) that continues to test academics relativistic moral understandings of human rights (See Dembour 2001) and is still justified by many under religious grounds.

Numerous attempts have been made to reconcile this potentially antagonistic relationship between Islam and human rights, as Hicks (2002) comments, "It seems to me that Islam is at least as susceptible to interpretations compatible with human rights standards as are other major world religions" (Hicks 2002:362). Yet it is arguable that because of the socio-political location that Islam, and especially Islamic countries find themselves in, it is very hard for these interpretations to flourish. Bielefeldt (2002) distinguishes four main responses from an Islamic perspective to try and reconcile this potential dualism between human rights and Islam. 'Islamisation' is the belief that Shariah, by its divine nature represents human rights and human dignity; 'pragmatic responses' looks at Islam with a degree of pragmatism suggesting that Islam can be reconciled with human rights in certain situations; 'reconceptualising shariah' suggests we need to take the normative message of Islam and move away from the legalistic nature that it is currently framed in;

¹ For full country reports under human rights treaties see the UN human rights web site, Treaty Bodies Database available at www.un.hchr.ch.

Finally, there is ‘political secularism’ that suggests it is right to remove religion from power politics as the Quran offers no advice in governance (Bielefeldt 2002:103-114).

What Bielefeldt’s (2002) analysis clearly illustrates is that there is no such concept as an “Islamic” understanding of human rights. Indeed, even within these well thought out categories there would surely be a number of contradictions and differences within them. It could be argued that it is a uniformed, rigid interpretation of Islam that has significantly restricted open and healthy debate around issues of human rights. It is clear that the two variables here, Islam and human rights can both be interpreted and changed to fit into either partly antagonistic or partly supportive understandings of the discourses. This is a truism. The real question, remains, why would individuals or institutions chose to adopt certain specific understandings? Can it be as simple as a reflection of what they perceive to be their faith? This question is easily extended to any of the major world religions. The following sections will be predominantly based around answering this question. It will start with a conceptual or theological analyse of human rights relationship with religion.

The need for a foundation:

“It may be the most important service that can be offered by the religious...to establish a ‘non-negotiable’ foundation for the whole discourse [of human rights]” (The Archbishop of Canterbury talking at LSE 2008). The Archbishop presented the need to create a ‘foundation’ in which to justify humans having universal rights. He argued that to ensure human rights theory was robust enough it has to be rooted more deeply than is possible with a purely secular rationale. He argued a perspective that although rooted in his Christian faith, could also be used by other religions and even those who are not religious. For the Archbishop, this rationale was based on the belief that being embodied justified having rights. That is, not the ability to demonstrate capacity or rationale but any organism that can be recognized as the human body, at any stage of its organic development has rights. This instantly raises questions surrounding what constitutes its organic development; do unborn children have rights for example? Nonetheless, he

presented a complex and justifiable argument to say that human rights need a foundation and Christianity can provide this. At this basic level, this paper supports that statement.

It is possible to argue that without such a foundation the concept of human rights is left 'empty', without meaning. Unless, we explore the reasons behind why humans should have rights then surely the discourse would be useless. The concept of a foundation offers an explanation as to why humans deserve these special rights. Does this foundation however, have to be based in religious terms; could a similarly justifiable explanation be drawn from secular ethics? It is possible to base human rights in a secular discourse that is based in the western Kantian tradition that there is something special inside humans that set us apart. It is surely possible to argue that to base human rights in the concepts that we (as humans) have such a shared commonality that it would surely repulse anyone to see a human rights violation on another human. Although this can be held to be true in the majority of situations it has been graphically proven to be wrong in the more extreme situations. This is shown by any number of human rights researchers who have written about the grave human rights violations that take place daily around the world, under personal witness.

What is worth focusing on now though are those who have looked at *why* such violations have occurred. For example, MacKinnon (1993) comments on the mass rape that occurred during the Bosnia-Herzegovina conflict and concludes that in reality it is the dehumanising effect of gender relations that have resulted in "half of humanity effectively being defined as nonhuman" (MacKinnon 1993:86). Although MacKinnon over plays the gender card, and indeed plays into the detrimental stereotype that men are purely the perpetrators of sexual crime and not the victims, she highlights the dehumanising aspect that occurs during human rights violations; although it is clear that this dehumanising effect can occur equally across gender. For example, the use of terminology such as 'cockroaches' during the 1993 Rwanda Genocide applied equally to men, women and children (Ter Haar 2003:89). It is possible to argue that the dehumanising of individuals is the contemporary manifestation of the process of 'othering' (See Said 1978)

Rorty (1993) suggests that in the Serb context of the early Nineties this language was adopted to enable the Serbs to commit the atrocities they did because they saw themselves as violating pseudo humans. It is therefore the case, that the grieving family of a murder victim calls for harsher punishments (often the death penalty) as they no longer see the murderer as 'human'; it is simply more convenient (especially to a grieving family member) to be able to portray these individuals as 'animals' and 'evil' as it avoids the complex truth that they are actually a lot more like you or me than we would like to admit. The violator and the violated therefore, have the potential to be dehumanised. Clearly, hoping that human rights are upheld due to a shared sense of humanity isn't entirely working, but never the less remains a useful methodology in tackling mass human rights violations.

It is apparent that the necessary extension of human rights to those who have committed the worst and most brutal crimes is one of the biggest tasks that the human rights discourse faces. The dehumanising language enables us to distinguish ourselves from them. This plays still further into the well-established discourse of 'othering'; dehumanising however, takes it to the extreme, it others humans out of humanity. It is no coincidence that it is in these scenarios that the most grave human rights abuses occur. This dilemma illustrates the problem with using religious discourse to justify human rights; in one sense religion can be a selective set of values that can reinforce the concept of the other and yet it is perhaps one of the most useful discourses to tackle traditional differences such as language and nationality. This is clearly argued by Rorty who looks at the dehumanising of Muslims during the Balkans conflict in the Nineties and picks up language such as describing Muslims as 'dogs' (Rorty 1993:112). Ter Haar (2003) comments, "both religious and secular ideologies tend to ascribe evil notably to those who are not considered 'like us'" (Ter Haar 2003:88). This issue of 'othering', which sets the groundwork for some of the most grave human rights abuses, clearly cuts across religious/secular boundaries.

Although both a secular and religious foundation can be useful, and indeed, essential for some to accept human rights as a credible moral discourse, they remain on a theoretical level unnecessary. It is apparent that the concept of human rights is justifiable purely on a pragmatic, atheist, and selfish level. It requires an incredible degree of arrogance to believe that you will never be the victim of a human rights abuse. One common theme, amongst the British returnees from Guantanamo Bay was that they all believed it would never happen to them. They all perceived human rights violations as something out there that happen to other people. A good example at this stage would be the BBC journalist Alan Johnston who was kidnapped in Palestine last year and whose case was campaigned successfully upon by a number of human rights NGO's including Amnesty International (Amnesty International 2007). I would like to believe that such a powerful framework based on such a powerful concept would not only be there for me, but also for every other individual. It is thus the case, that as Rorty (1993) implies, by pragmatically appealing to peoples sense of responsibility, you can justify human rights as a necessary and useful concept. By using language such as 'imagine if that was you' or 'imagine if that was your brother', Rorty argues, you can cut across religious, cultural or geographical boundaries. The challenge remains how to do this without creating a predominantly negative image of human rights and to focus on the positive success stories that the human rights framework produces.

It is essential not to take this argument as a dismissal of the need for religious considerations within the human rights framework, or a dismissal of the need for a foundation within human rights. Human rights as a concept are sustainable without the backing of a religious foundation, however the practise of human rights remains heavily dependent upon religious justification for some and a purely secular justification for others. It is clear, that these two aspects of human rights cannot be separated. Human rights are legitimate in their own right. This approach requires an acknowledgment that human rights do not enjoy the popular support that this paper would argue it deserves. It is therefore the case that human rights become dependent upon religious discourses to justify its actions in a specific political context.

It is apparent that human rights still requires a concrete legitimate image to be able to perform on the international level. An-Na'im (2005) develops a concept of mutual dependence arguing that religious discourse is as dependent upon human rights as human rights are upon religious discourse. He argues that human rights need religion to mobilise religious adherents, while religion needs human rights to protect the dignity and rights of religious adherents within a political system. This is especially true, if the religious are in the minority. Many consider it a basic human right, the right religious freedom (Article 2 and 18 of the UNDHR). The crux of An-Na'im's article was to emphasise the need for both moral discourses to place themselves in a normative secular political system. The reality in which these discourses operate is as significant as the theories themselves.

The Politics of Religion:

It has been established that there is no such thing as an 'Islamic' approach to human rights, just as there is no such thing as a 'Christian' understanding of human rights. It is clear that there are a number of interpretations that are used to justify both the upholding and the severe violation of human rights. Freeman argues that perhaps it is more important to look at the politics of any given circumstance than the theology of any of the different religions. If you can effectively show that the political context that the various religious actors perform in significantly alters the behaviour of the actors, then an analysis of the politics is what theologians and anthropologists alike should be concentrating on. What is perhaps more important at this stage is to look at whether or not this argument makes theological debates obsolete?

It can be argued that all conflicts occur in a political context, nothing happens in a vacuum. In this sense the term 'political' covers the economic, historic and social aspects that are often significant factors in the lead up to conflict. Conflict is used as an example here as it is this situation that too often leads to the most severe human rights abuses; it can also be the easiest to see the influence of religious institutions. It is possible to make sweeping comments about the political significance in international conflict,

especially conflicts that break conventional international standards. For example, in the USA's self-proclaimed 'war on terror', there is a heavy political backdrop to the various religious discourses that the American Government has pledged war upon, the US government's response, and indeed the international community's reaction to these events. Why has a militant understanding of Islam become institutionalized within Iran? Why does the US government need to justify their illegal wars through religious discourse²? Why do Islamic countries such as Pakistan support such a misguided 'war on terror'? Certainly part of this has to be explained through the politics of the situation.

It is clear that in the vast majority of cases there remains a significant political situation that effects the enactment of both human rights and religion. For example, the Orthodox Church in Russia has newfound power post 1989, this cannot be separated away from the countries communist history and the role religion played within the USSR. In a similar sense the continued persecution of religious minorities such as the Falun Gong within China can only be understood in its political specific situation ³(Human Rights Watch 2007:264). It is clear that to separate politics and religion and present them, as a dualistic force is inaccurate for they shape, control and influence individual's lives. It is perhaps more useful to view them as separate entities that happen to overlap and interact, in both antagonistic and positive ways.

If you take any religion as we are here, as not one normative concept, but as a series of interpretations and understandings then it is impossible to suggest that religion can be viewed as something more or less significant than power politics of any given time or space. The twentieth century is riddled with examples where religions have either buckled under the weight of extreme political pressure or have morphed into an institution that fits more comfortably within the political climate. An example of this is that the Jehovah Witnesses were the only religious group to *actively* oppose the Nazi's in

² Bush has been quoted as saying 'I am driven by a mission from god...[to] fight these terrorists in Afghanistan'. (The Guardian 07/10/2005).

³ China does not recognise religion outside its state controlled system of registration (Human Rights Watch 2007).

Germany and the crimes they were committing⁴. There are countless examples of religious institutions buckling to the political pressure of the Nazi regime; for example, at best the Catholic Church⁵ remained silent throughout the Second World War and the atrocities that it entailed (Conway 1965). To suggest however, that religion hasn't played a strong and progressive role in social affairs would be unfair; again the twentieth century is riddled with examples where religion has been at the forefront of opposing politically powerful but corrupt regimes. For example, the Christian (predominantly black) Church's opposition to Apartheid South Africa⁶, or the Buddhists who are still courageously taking to the streets to oppose the military regime within Burma (Human Rights Watch 2007).

Religious actors have played a significant role in many social affairs, yet the political backdrops of some of the above-mentioned examples should be explored. The Buddhists who did stand up so courageously against the Burmese regime did so with the backing of thousands of years of tradition and social hierarchy behind them; they relied upon the politics of the old, or at least the position that religion was traditionally given to challenge the new secular politics of their contemporary situation. It has to be noted, that a very large number of these monks are now locked in prisons, arrested and tortured. At least 30 of the protesters in August 2007 were shot dead by security forces (Human Rights Watch 2008). Christianity's role will be explored in the later part of this paper, but a similar phenomenon of relying on old hierarchical positions to challenge contemporary politics before being trumped by governmental power is still significant in the contemporary UK and the Christian Church.

It may help to look at what have been labelled 'religious conflicts' to see if Freeman's analysis holds strong. The 'religious conflict' that has been on the tip of so many writers

⁴ As a result about 25,000 of them perished in the holocaust, which is a very large proportion of them. (Hesse 2000: 379-383).

⁵ At least Pope Pius XII remained silent, if this is fair to attribute this silence to the church in general remains contentious.

⁶ This is illustrated through the work of the South African council of Churches (SACC) that Desmond Tutu was heavily involved in what culminated in him being awarded the Nobel Peace prize in 1984. They released a theological rationale and a call to end unjust rule in 1985 that places religion at forefront of opposition to the Apartheid regime (SACC 1985).

pens has been the Balkans conflict which shocked the western world that such atrocities could occur on their own soil. The horrors of the siege of Sarajevo⁷, the massacre at Srebrenica⁸ have all again been dragged to surface with the arrest of Radovan Karadzic (BBC 2008). Was it a 'religious' conflict or more significantly a political collapse of the 'second world' that left a power vacuum larger than has been seen since de-colonialisation. The war in Bosnia-Herzegovina has been held up to be a de facto religious conflict (Rorty 1993).

It is apparent in the context of the Bosnia-Herzegovina conflict that religion cannot be separated from the atrocities that occurred and the politics that justified them. As Rorty (1993), MacKinnon (1993) and Sells (1998, 2003) all show, religious language was used to justify one of the most horrific scenes Europe has witnessed since the Second World War. Despite this obvious link to religious stereotyping; the atrocities that occurred cannot be separated from the political collapse of one of the most significant political systems of the Twentieth Century, the USSR. Just as the creation of Yugoslavia post World War One cannot be separated from the politics of the rival empires of the Ottoman, Austria-Hungarian and Russian empires nor can the demise be separated from the politics of the rivalling organisations of NATO and the Warsaw pact (Gartner, Hyde-Price and Reiter 2001:219-220).

So far, these discussions have taken place looking at the macro level national and international level of politics. One of the most convincing arguments as to why human rights discourse should take religious discourses into account is situated at the micro individual level. An-Na'im (2005) talks of the importance of ensuring popular support for any moral discourse within a specific situation. Without incorporating religion into the human rights discourse, or vice-versa, human rights can never gain the popular support that they need to be effective. It has been widely documented that when you move into an area and work against local understandings of their needs and wants it finishes detrimentally; this is an ongoing methodological problem of organisations

⁷ The siege of Sarajevo left approximately 12,000 people dead and crippled the cities infrastructure

⁸ Approximately 8,000 Bosnians died.

working against Female Genital Mutilation (FGM). As a result many only offer support for local organisations that have been set up to oppose it. Amnesty International for example talks of the importance of working ‘within grassroots organisations’ because work around FGM is a ‘sensitive issue’ (Amnesty International Secretariat 2008). This methodology implies an acute awareness of the sensitive and controversial nature of their work, and the problematic nature of imposing a belief system.

The above example illustrates how trying to implement a concept that appears alien is not effective. Just as trying to convince entire societies that practicing FGM is wrong, so trying to convince entire societies that we all have rights that they have never heard of and appear irrelevant to them is ultimately detrimental to all concerned. Thus before the implementation of any rights or campaigns, there must first be established the local understanding of rights. In the case of implementing rights this must come through a justification in the primary moral discourse. In many cases all around the world, religion acts as the primary moral discourse. Indeed, religion, as has already been illustrated is also the source of human rights abuses and therefore must be challenged to put an end to such abuses. Just as Target, a German Islamic NGO working on FGM comments, ‘Since the justification for FGM is given, incorrectly, by reference to holy texts and religious duty and the majority of victims are Muslim girls and women, we believe our best chance to end this bloody custom can be found in the strength of Islam itself’ (TARGET 2008). This again serves to highlight the subjective nature of human rights by assuming that FGM is a human rights violation.

This section can therefore conclude by commenting that the politics of religion and human rights remains incredibly significant to the development of human rights but also to the credibility of religion. The examples that have been raised in this section only go to serve An-Na’im’s (2005) assertion that Human Rights and religion remain mutually dependent. As has also been touched upon towards the end, the politics of specific locations remains incredibly important. The way local communities interpret international politics, human rights standards and apply them to their local situations remains key to understanding how human rights are enacted. One point that is slowly

becoming clear is that religion still plays an incredibly significant role in shaping these local understandings.

Local understandings: addressing relativism:

There appears so far to be a growing problem within this paper that should be addressed at this stage. Throughout, a relativistic understanding of both human rights and religion has been developed. There needs to be a degree of clarification to avoid what Dembour (2001) describes as 'relativism as indifference' (Dembour 2001:58). Unlike Dembour, this paper acknowledges that in some circumstance an absolutist understanding of human rights is justified; for example, universally stating that genocide is unacceptable. There are no cultural or religious implications that may tint or complicate this matter. What does complicate human rights activism however, is trying to work effectively in a circumstance where you are unwanted. For example, a human rights agency (if they had stayed) would have found it impossible to work in Rwanda during the few dreadful months in 1993 purely due to the nature of the local circumstances. The localised understanding in this sense then is not a moralistic one about what is right and wrong, but more a practical consideration about the feasibility of a human rights framework working in a situation that is traditionally understood to be antagonistic to it. This paper therefore argues that a localised understanding of human rights and religion is needed for the two discourses to work effectively with each other.

It is in this sense that an absolutist understanding of religion is incompatible with this thesis. If you understand any specific religion to be one set of beliefs then it is unlikely that those beliefs fit exactly within a human rights discourse, or if they do, they would be inapplicable to the institutional basis of that particular religion. This paper however presents a perspective where religion plays a lot more of a subtle role in social affairs than the absolute institutional understandings of religion would like to present. It is essential to rethink the role and function of religion and move away from assumptions around the institutional nature of religion.

These ideas can be found in the work of Chambers (1994) in development that can be applied to this papers' approach to religious practices within local communities.

Chambers sets out 'principles' of his Participatory Rural Development (PRD) model; some of these are, a 'reversal of learning', 'offsetting bias' and 'seeking diversity'.

Looking at these principles to his methodology it is possible to draw out wider principles that this paper shares in an ontological sense. The 'reversal of learning principle' suggests simply that you are there to learn, as an outsider not to arrive with assumptions; in terms of religion this is imperative, you must understand the local religious discourse in its own sense; often this can be contradictory to the international understanding of the given religion. This is not to say that this understanding is any less valid, indeed, it is this understanding that one must work with. His 'offsetting biases' principle is applicable here as well as it talks about giving others the space to discuss their priorities rather than trying to rush onto subjects that you want to focus on. This combines with the first principle, as different understandings of religion will put varying emphasis on different areas. A good example of this is again, FGM that is often not initially considered a major issue for those who have normalised it while many NGO's wish to put disproportional emphasis on it.

Finally, Chambers' 'seeking diversity' principle, to search out dissenters, oddities and exceptions is extremely applicable to human rights and religion. With the institutional bias that comes with both human rights and religion it is often those on the edge of these given institutions that hold the most progressive way forward. It can also serve as an early warning system for more detrimental understandings of religion and human rights. For example, an understanding of the Catholic minorities within Northern Ireland helps to explain a lot of the problems that erupted and more importantly may help to predict future problems (Taylor 1995).

Just as the common impression of religion is one of an absolute concept, so human rights are too often presented as thirty articles in the UNDHR. This paper draws on Merry's (2006) basic concept that human rights have to be understood in their international

legalistic sense, but also in the way they are understood and enacted upon. Human rights NGO's perpetuate this false image that rights are universal and inalienable. As Wilson (1997) argues, they often simplify a human rights violation by reporting it out of context (Wilson 1997:134-161). This is further perpetuated by academics such as Donnelly (2003) who presents human rights as something 'held by all human beings, irrespective of any rights or duties individuals may (or may not) have as citizens...they are universal rights' (Donnelly 2003:18). Although this is fine to argue it remains of little use⁹. This paper argues that human rights are rarely found in this absolute thirty-article form other than in the UNDHR and in the academic books of the likes of Donnelly.

It is therefore the case, that human rights in their enacted upon sense, have to be understood as a relative concept that takes on different understandings in different times and places. For example, human rights are often presented in terms of other agendas, commonly in terms of gender and other forms of discrimination. This is illustrated in the works of Merry (1992, 2006) with gender, Turner (1998), with resource consumption and environmental protection, Merry (1997) with land rights; Gellner (2001), with the role of Hinduism in Nepalese society and the list could go on. The point here is that countless academics, especially in the field of anthropology, have written about contexts where the rights framework has been implemented to serve a specific local context.

Merry (1997) breaks down the created dualism between the international and local understandings of human rights by illustrating how the two interact. The local draws upon the international to gain legitimacy. In local contexts we witness 'the creative deployment of the language and symbolic power of rights and law in constantly shifting local circumstances in which the global, the national and the local are inextricably joined, both as resources and constraints' (Merry 1997:45). It is thus a sense that a more complex understanding of human rights develops; a similar model can be applied to religion. The local understandings of any religion draw legitimacy from the wider international understanding whilst maintaining its own motives and outcomes. For

⁹ This is without commenting upon the evolving nature of the legalistic universal conception of human rights.

example, the practice of Islam in the east end of London plays a significantly different social role, and has significantly different characteristics to the Islam that is practiced in rural Sierra Leone. Both however, claim much of their legitimacy from the over-riding moral force of Islam as an institutionalised religion.

It is important at this stage not to lose sight of the similarities between these two different conceptualisations of religions, the local and the international. The same applies equally to human rights. Although, a gay pride human rights movement and the Catholic Church have very different and often-antagonistic agendas, human rights are a discourse that unites the two. They both would openly pledge a belief in human rights, obviously disagreeing on gay rights but potentially working together against other issues. Human rights have the potential for very different organisations to work closely and effectively together. This is clearly illustrated in the growth in popularity in the rights based approach within the development community (UNHCR 2008, ODI 1999, UNICEF 2003).

The obvious criticism that could be levelled at this relativistic approach is that the over-riding legalistic, universal and international discourse loses its legitimacy because of the nature of the very different enactments of the discourse in the local context. This however, cannot be the case. The legalistic nature of human rights that has given rise to the International Criminal Court (ICC), treatise on torture *et cetera* cannot be deemed to be losing its legitimacy because of the local enactments of human rights. Simply put they operate in different arenas that although they overlap operate in very different ways. Although human rights vary greatly at different levels they still draw from the basic principal that they are equally available to all. The real disagreement comes when the debate moves to what rights everyone has. Thus the gay rights movement would (alongside Amnesty International) uphold that 'love is a human right' (AIUK 2008); whilst the Vatican would uphold that homosexuality is a sin and that your sexuality has no relation to human rights (Guardian 31/07/2008). The strength of the human rights framework however is drawn from these often-contradictory understandings of human rights. Again just as human rights are understood in a diverse number of ways so the issue of homosexuality divides religious understandings. This has been no more clearly

illustrated than in the growing schism throughout the recent Lambeth conference (Guardian 04/08/2008). This however, is not a challenge to Christianity itself, more a reflection of the uncertainty around the theology, a movement with the politics of the church and indeed Christianity, rooting itself in cultures that have recently become hostile to western understandings of homosexuality¹⁰.

It is possible to argue that a more localised understanding of human rights may well be more palatable to those who feel alienated by the discourse. An-Na'im (2005) emphasises the importance of working within existing moral systems, this would create an image of human rights that isn't such a dogmatic 'western' creation. However unfair the criticism of human rights being 'western' may be, it does still hold resonance, as it is a conception that is widely held; therefore if you are to implement human rights with popular support you have to challenge such conceptions. An-Na'im (2005) suggests the best way to do this is to root such a discourse in a local understanding of morality.

This debate so far has taken place with the assumption that as Haynes (2002) comments, every religion or culture is equally possible to fit comfortably with human rights even if there are differences. It is worth noting, if only to dispel, that this assumption has been challenged (Huntington 1993, Fukuyama 1992 and Barber 1996). Huntington's 'Clash of Civilisations' article takes an over simplified closed understanding of identity and 'civilisation' to suggest that there is an inevitable clash. Throughout he gives much of his attention to Islam and 'the west', using questionable sources throughout¹¹ (Said 2001). Both Fukuyama and Barber play into this absolute understanding of identity that don't allow for evolution of concepts, attitudes or institutions. The weakness of these arguments remain glaring and yet their ideas grow in strength in an over simplified post 9/11 political arena. The first task then to understanding human rights relationship with religion is to dispel these mislead and ill-informed arguments around cultural absolutism.

¹⁰ A full exploration of homosexuality, Christianity and human rights will be undertaken later.

¹¹ He often quotes Bernard Lewis the notorious Orientalist who is infamous for denying the Armenian genocide (Said 2001)

It is worth noting however, a second aspect of this west versus the rest discourse that is also extremely detrimental. It is not only academics who take these arguments; political leaders use the language of these theories to justify an over simplified 'anti-west' position. This simple dualism between west and rest is thus detrimental to the people who live under leaderships that still aim to cut themselves off from what they perceive to be colonial interference. It is therefore of primary importance to firstly dispel any academic justification that implies 'western' understandings of morality cannot be applied in non-western arenas, or indeed non-western understandings of morality being applied to western arena's. Secondly, there is a responsibility to promote a relative understanding of human rights, giving examples of where the framework has been interpreted into the local in a meaningful and successful way. For example, the political importance that marriage already holds within Confucianism could easily be used to tackle issues around domestic violence and gender rights. This would support local institutions to tackle issues that have previously been difficult to challenge, such as domestic violence.

This section leaves us with a few questions; how does the human rights framework respond when the local understandings of morality are hostile to it? Can the most extreme understandings of religion be compatible with human rights? It is apparent that no religion is the natural supporter of human rights; all major world religions have been the violator of human rights in one way or another, yet in the same breath we can say that none of the world religions are incompatible with human rights (Haynes 2002). There comes a point where as an advocate of humanity let alone human rights you have to acknowledge acts to be wrong; the death penalty for example. This is not to say that this leaves us with a discourse that is unworkable in relation to human rights. The USA, one of the most 'rights conscience' countries in the world has executed over 1,000 people since they re-introduced the death penalty in 1977¹² (Amnesty International 2007) and is heavily influenced by religion within its politics. This leaves us with an image of religion holding massive potential within the human rights framework. It is clear that its

¹² About a quarter of these executions have occurred within the State of Texas, George W bush signing the death warrant of 152 people during his time as governor of Texas (Guardian 2007).

influence on it remains strong and yet potentially very detrimental. It is therefore the case that we have to move beyond the unrealistic image of Christianity as either a natural supporter or a violator of human rights. Without engaging in such a debate, you leave religion to ignore human rights and potentially reap the consequences.

Christianity and Human Rights

With over two billion Christians worldwide, Christianity is widely acknowledged to be the largest of the world's religions (BBC 2006). It is also currently experiencing a shift in popularity away from the global north towards the global south. This places it in a unique position of having extreme influence over developing nation's especially in Africa and yet it draws its history and development in the global north. It is clear that Christian traditions have influenced human rights discourse and practice in secular and religious contexts. This following section seeks a balance between the inherent potential within Christianity to sit comfortably with human rights, and the overstated assumption that because of human rights 'western' origins that it sits axiomatically along side Christianity.

The Grounding of human rights in Christianity:

As the Archbishop started his talk with a critique of MacIntyre's gibe that there is no such thing as rights (Archbishop of Canterbury 2008), so Amesbury and Newlands (2008) start by examining his assertion that moral claims only deserve our respect and allegiance if they can be furnished with good grounds (Amesbury and Newlands 2008:45). This is a serious criticism, for if you cannot justify the basis of why we should hold rights, then the rights themselves become worthless. Ronald Dworkin attempts to suggest that human beings deserve rights because of their 'awe inspiring nature' (See Dworkin 1994:279-291); although then as Michael Perry (himself a Catholic scholar) argues this leaves the concept of rights down to a human reaction (Amesbury and Newlands 2008:46-49). This is why Perry argues that if you were to claim to have such as basis for rights it could not be based on the current secular discourse, but would have

to be based on something objective, such as Christianity (Perry 1998). The problem with this argument is that as has already been illustrated, Christianity is also dependent upon human reaction and interpretation. Christianity is not an objective entity; it is in this sense that Perry's arguments fall short.

As stated before, the purpose of looking for grounding for human rights in religion isn't to say that we need it, more that it's possible. Just as a separate essay may argue you can ground human rights in the concept of global citizenship, so this essay is here to show that it is possible to ground human rights in religion. It is then that out of a diversity of views that justify human rights the discourse gains its true strength. This is not to say that a religious grounding to human rights would be of use to an atheist, but that the arguments may be applied to a religious situation. The importance of this remains paramount as it is in religious justification that human rights are often violated.

Human rights are ultimately dependent upon the concept of empathy and the ability of other humans, normally the rich and powerful to feel it. There has to be a shift however, away from just the concept of empathy, towards including the concept of absolute obligation. This is why human rights hold such potential power, because they are framed in a sense of obligation rather than charity; the preamble to the UNDHR states that the member states have '*pledged* themselves to achieve... [the] observance of human rights' (UNDHR 1948). Therefore they remain in obligation to fulfil this pledge. It is this obligation that means they have been met with such opposition and feet dragging in their realization. It is clear, we are a long way from such a concept of obligation being universally accepted, but it is a slow progression towards creating that sense of empathy in the minds of us, the non-violated. It is therefore the case that human rights can be grounded in the 'imagine if that was you principle' of empathy for short term pragmatic gains but we cannot rely on this to hide from the fact that we have a responsibility to these people because they are suffering if nothing else. This is the basic premises of Baier's (1991) attempt to break with contemporary moral philosophy that is incapable of leaving either the Kantian or Nietzsche traditions of human nature (Quoted in Rorty 1993:129-130). Baier's (1991) is taken up by Rorty (1993) to argue that human rights are

not dependent upon anything ‘divine’ or based on human nature, but simply on the need to create this sense of empathy.

As stated before, this is not to say that a Christian theological approach would not be of use or indeed valid. It is clear that a theological justification for human rights is essential to deter those who would seek to use religion for their own personal or governmental ends. For example, if the Christians Church support for human rights was unquestionable would we see rhetoric such as Bush claiming to have been spoken to by God to invade a country causing thousands of deaths? It is clear then that the spreading of Christian theological justification is a positive and indeed necessary step towards the advancement of human rights. This principle can be equally applied to any of the world’s religions. This is not to say however, that you need religion to justify human rights in an abstract out of context sense for this is possible through empathy. It remains essential however, in contexts where religion is still used as a guiding moral principle to ground it in such a discourse.

Christianity, human dignity and human rights:

The concept of dignity is used widely throughout Christian texts to connect Christianity with the concept of human rights. Some have made more noteworthy attempts to explain what they mean by dignity than others. Ray Jr (2007) for example, talks of the contextual nature of dignity that can only be understood in relation to how the local context understands it. He doesn’t however; fully explain how he sees this localised understanding to fit in with either Christianity or human rights in an absolute sense. Other writers use the term a lot more flippantly however, without any real explanation (Amesbury and Newlands 2008: VII, XIII,XIV,XV,XVI,XVII,2,3,16,29,31,41,42,43 etc...). The UNDHR (1948) can be similarly criticised, although at least it makes some effort to tacitly imply what it means by human dignity.

The Archbishop of Canterbury (2008) sets the concept of dignity in relation to the bodily experience of communication. He argues that everybody is capable of communication,

not necessarily verbal or rational, and as such it is this universal bodily experience that roots human rights into the universal. This is an ambitious attempt to define dignity in a universal way that can be applied in a secular as well as a Christian and religious contexts. Dignity is a vague term that as Ray Jr (2007) rightly points out is heavily dependent upon time and space. What we may understand as dignified now, in this geographical, social and political space can be very different to another. This point however is emitted from the vast majority of scholars who use it as justification for why human rights hold credibility (Adeney and Sharma 2007, Amesbury and Newlands 2008, Sharma 2003, Elshtain 2007). Was the concept of dignity two thousand years ago really comparable to the twenty first century? It is possible to argue that the concept of human dignity does more to cloud the relationship between human rights and Christianity than it does to clarify. It is apparent that it is more useful to look specifically at Christianity, comparing that to the concepts of human rights and how this relates to the modern day than to spend time trying to talk in a theological sense about human dignity.

Adeney (2007) draws out the basic theological basis for human rights that are found in Christianity. Firstly, a universal sense of worth is derived from the idea that all men are created in the image of God (Genesis 1 and 2) (id 2007). It is in this sense that all of man has a duty to at least protect the negative rights of mankind as they are created in the image of God, thus this respect is bestowed axiomatically on all (John 1). This point is more contentious when you discuss the responsibilities of man to provide the positive rights of man¹³.

Secondly, Adeney (2007) draws on the concept of the 'order of creation'. God is sovereign, but created an ordered hierarchy (Genesis 1) and by protecting those under your care you are praising gods will (id 2007). It could be argued that human rights are a mechanism for ensuring the well being of all of those under your care. Fulfilling your own rights in this sense is not of priority but more the duty to protect others.

¹³ See Berlin 'Two concepts of liberty' (1978).

Thirdly, the concept of 'human frailty and sin' draws the attention and the theological justification of what human rights are there to protect from, human mistakes and structural wrongs; it acts as an acknowledgement that humans don't live up to the standards they aspire to (Romans 7 and 15) (id 2007). Finally there is the concept of 'community and the human family'; this discourse leads, not necessarily to an understanding of rights but to language such as 'loving others as Christ loved us' (James 2:8) (Adeney 2007:19-29).

Although these justifications are contentious to say the least, these basic principles are used to justify a series of well-thought out and informed projects including some that uphold human rights. In a similar light however, there is religious doctrine that is used to justify all sort of mislead NGO projects, the Abstinence, Be Safe, Condoms (ABC) approach to AIDS reduction as just one example (Independent 01/06/2006). Indeed, Adeney's (2007) most basic concepts can be turned to justify human rights violation as well as upholding them. For example, the 'order of creation' principle can be equally applied to justify inequality through a structured hierarchy and the denial of economic, social and cultural rights. It is apparent that basing the justification of human rights on a theological understanding is neither universal nor stable. It is thus the case that human rights need to find their justifications away from purely a religious theology. This is different however, to saying that human rights cannot work cooperatively with religious practice.

The relationship should be assumed to be one of mutual cooperation unless a distinct problem arises, as it is this papers' belief that religion and specifically Christianity, is based on an ontological assumption of equality. Even exclusive interpretations of Christianity such as Jehovah Witnesses still maintain that their religion is open equally to all; everybody has the potential to be wicked, and everyone has the potential to be saved. Some of these specific understandings of Christianity will be briefly explored later in conjunction with their political repercussions such as homophobia and the religious right who both draw some justification from Christianity. For now however, the argument that Christianity can be interpreted to fit comfortably with human rights will be taken. Having

said this, it is apparent that the various institutional bodies of the Christian Church have taken different degrees of persuasion to come around to broad concepts of social justice let alone specific discourses such as human rights.

Denominational difference:

Within Christianity there remain very different worldviews between different denominations ranging from Liberal Quakerism through to more fundamentalist Evangelical understandings¹⁴. Whilst Liberal Quakerism is based around individual consciousness and rarely puts forward any moral absolutes, the Evangelical Church in America has often been connected with a strong hierarchy; a similar importance of hierarchy can be found within Roman Catholicism. The history of the Roman Catholic Church shows its hierarchical nature to be important; with Pope Pius VI rejecting the Declaration of the Rights of Man, and in 1864 Pope Pius IX condemning religious freedoms in his syllabus of errors (Fredericks 2002:263). Yet in the 1960's the Church's position completely changed with the second Vatican. Indeed, the 'softening' of the Catholic Church has been widely attributed to the work of the second Vatican (Frederick's 2002) and significantly Pope John Paul II. The view of Roman Catholics on certain moral issues has been a top down affair. This is in stark contrast to the historical development of the Quakers, who have a prestigious history of grass roots activism. Their founder George Fox was a renowned social activist and Quakers have been responsible for working towards the abolition of slave trade (William Wilberforce, George Fox) and ethical trading (George Cadbury, Joseph Rowntree). Today, Quakers are often found to be at the heart of many peace movements and continue to work in Europe through their QPSW programme (Quaker Peace and Social Witness).

Carrying on this distinction between Liberal Quakerism and Catholicism as two differing forms of Christianity we can see the official views on contentious issues such as abortion, homosexuality and contraception. For example, Liberal Quakers hold no objection to the

¹⁴ The 'moral majority' represents a typical evangelical group who have an increased influence on American politics from a so-called 'fundamentalist' position (Aikman 2003).

use of artificial contraception and believe it to be a matter of individual consciousness. The Roman Catholic Church on the other hand is against the use of artificial contraception as an act of preventing pregnancy¹⁵. Similarly, Liberal Quakers leave the issue of abortion down to an individual's conscience. The official line of the Roman Catholic Church on the other hand, opposes it as a form of murder, as life begins in their view, when the egg is fertilised. These opposing views have had massive repercussions throughout the development of abortion policy around the world. This only goes to illustrate that to talk of a 'Christian' perspective on human rights is relatively useless. It is clear that throughout Christianity there remains a broad spectrum of political views and perceptions upon different moral issues.

It is hard to deny that despite Catholicism remaining a potential advocate of human rights, it is apparent that their stances on some issues are at times incompatible with the human rights framework. This was graphically illustrated in the Independents front page 'Amnesty to defy Catholic Church over...abortion' (Independent 13/08/2007). This story covered Amnesty International's international council meetings' decision to support the 'right' to have an abortion in certain specific situations; rape, incest and if the mothers life is in danger. This situation illustrates a fascinating situation where the human rights discourse mixes with religious discourse. Firstly, there is the obvious contentious point surrounding abortion, and whether Christianity allows it. There are some, debatable points¹⁶ in the Bible that suggest that abortion is prohibited, Exodus 21:22-23¹⁷ for example. There is also an argument to suggest that Numbers 5:11-31 shows Hebrews undertaking acts of abortion. The Bible is far from conclusive on this issue. It is thus interesting that the Catholic Church holds such an absolute uncompromising position on the issue of abortion.

¹⁵ Note that the Catholic Church is not against the use of contraception for other purposes such as controlling menstrual cycles.

¹⁶ The translation of the terms 'miscarriage' is a point of contention. As with a number of translated 'quotes' from the bible, they can change meaning rapidly with slightly different translations.

¹⁷ Exodus 21:22-23 talks of a punishment for a man who hurts another mans wife whilst brawling; if the wife is pregnant and looses child he should pay a fine whilst if the women dies then he should be put to death. Pro-life groups take this as a punishment for killing an unborn child; pro-choice groups take this to show that abortion isn't the same as murder as only a fine is suggested for killing the unborn child.

The second interesting point about this conflict between Amnesty International and the Catholic Church is that Amnesty deemed the right to abortion, in certain situations, a 'human right'. This issue had divided Amnesty International UK; I experienced this personally through hours of debate at the last few AGMs. Amnesty International has taken this position without any opposition from country delegates at its International Council Meeting however. What this issue shows is that, just as the Christian understanding of this issue is blurred and contentious, so is the human rights perspective. Many within Amnesty International who are also religious are thus pulled by two subjective discourses that present themselves as absolute, but pulling in opposite directions. This goes to illustrate the complicated issues when religious actors comment on an act in the human rights framework.

Despite the Catholic Church claiming to be 'pro human rights' top Vatican official Cardinal Renato Martino has called on all Catholics to stop supporting Amnesty International (Guardian 14/06/2007). It is clear that the specific understanding of human rights within the Vatican differs, in this case dramatically, with that of Amnesty International. It is also worth noting however, that Amnesty International's understanding is based on UNDHR and yet goes further than this. Their mandate is ultimately not based on some universal norm, but what their membership demands of them. It is clear that Amnesty International's perspective has evolved¹⁸. Similarly, it is apparent that the Catholic Church's understanding of human rights is evolving too; is it possible to say for definite which understanding holds more validity than another, or indeed, what direction either understanding is evolving in?

The Hijacking of 'True Religion':

An acknowledgement of the existence of different denominational approaches and divisions within the denominations allows for some commentators to describe a 'hijacking' of true religion. Just as the Jews who stand up against Zionism question how

¹⁸ It was a big step to start campaigning on the death penalty, today this is one of the most basic points they argue on

such a violent regime can claim 'religious' justifications, so human rights activists pick out atrocities that occur in the name of religion (normally their own) and describe it as a 'hijacking'. It is apparent however, that it is feasible to imagine an interpretation of 'religion' that does not fit with human rights. Indeed, many applauded the Catholic Church for standing up for their 'true' values in the face of 'weak pragmatic' morality displayed by Amnesty International on abortion. Is it possible then to distinguish between the truly religious and those who act in the name of religion?

It is interesting to note that the term 'religious' remains value laden; Runzo (2003) comments, 'to be genuinely religious entails being moral' (Runzo 2003:17). This is a notion that must be challenged. Is there anything intrinsic to 'religion' that makes it automatically 'moral'? It is apparent that, the conviction that drove the individuals to commit the atrocities of 9/11 for example could be deemed 'religious'. Religion is not an objective set of beliefs in any sense; it is a subjective experience that makes sense and explains a specific worldview to the individual. In this sense, the atrocities committed in the name of Islam on 9/11, could be argued not to represent Islam but may well have still been 'religiously' motivated. It is not this paper's purpose to delve into the psychology of individual's minds to distinguish what acts are religious and which are not. Did Bush really believe God had told him to invade Afghanistan? I doubt it. What this paper wishes to express is that you cannot make assumptions about what is religious and what isn't. For religion remains a personal subjective experience.

From a human rights perspective, religion is often presented to fit comfortably with a western understanding of human rights. It is apparent that for many this is the true hijacking of religion. This view is widely held throughout the Islamic world that human rights are not compatible and those who try and reconcile the two discourses are misled. This view holds weight only in the acknowledgement that it is what a number of influential individuals believe. It is apparent that Islam is just as capable to fit in with human rights standards as any other religion (Hicks 2002). This paper holds no issues with anyone who tries to draw out similarities between their own religion and human rights; An-Na'im (2001) is a good example of how this may be possible in a theological,

political and local sense. What this paper takes issue with is, the assumption that all local situations can be bought around to a religious understanding that is compatible with human rights. Therefore, a distinction needs to be made; organised religion, whilst being a major violator of human rights holds the potential to work within a human rights framework, and a personal sense of religion that has to be understood at times to be the most progressive understanding of any given religion can also be incompatible with human rights without fundamental change. You could unequivocally say that Bin Laden's (if the stories are to be believed) understanding of religious jihad is incompatible with the international human rights framework; this is not to say that an Islamic understanding of jihad couldn't be reconciled with the human rights framework.

It is within this structure that you can maintain a relativistic stance that looks for the most positive circumstances human rights can work with world religion without falling into the trap of 'relativism as indifference' (Dembour 2001). It is apparent that within Christianity there are individuals who continue to violate human rights, and shock their fellow Christians. This view enables both the religious to advocate working with human rights, and justifying it theologically, as the Archbishop of Canterbury very eloquently did in his talk 'Religion Faith and Human Rights' (2008). It also enables the human rights activist to advocate working with religious organisations whilst condemning acts that are committed in the name of religion; this is without making any absolute claims upon the exact theological basis that may justify working with or against human rights.

Politics and Christianity: The Religious right:

This paper so far has been predominantly aimed at creating a positive relationship between human rights and Christianity. This following section will be dedicated to showing that Christianity when taken in an absolute sense and mixed with divisive politics can produce some worrying consequences. If you ignore such issues then you let a potentially detrimental aspect of Christianity de-rail the aforementioned potential within Christianity to support human rights.

It is clear that the religious right in America plays an active role in influencing one of the most significant democracies in the world. It is important to distinguish at this point that different denominations make up what is commonly referred to as the religious right (from moderate Lutheranism through to Pentecostal, neo-Pentecostal, Baptist, fundamentalist Baptist, Evangelical etc...). What unite these varying denominations are their conservative political outlook and their continued intermixing with American politics. As Bob Weiner, a leader within the movement comments, 'the Bible says we are to rule. If you don't rule and I don't rule, the atheists and the humanists and the agnostics are going to rule...we should be taking over every aspect of life' (Weiner quoted in Diamond 1989:45). The following section will briefly explore how the Christian message has been interpreted by the religious right on a number of issues to stand as an antagonistic force to the libertarians on issues such as security, the death penalty, pornography and foreign policy¹⁹.

The discourse of national security has been used as a trump card over issues of human rights and individual liberties; this has been echoed on both sides of the Atlantic. The difference is the *direct* involvement of religion into these issues of national security. There is no doubt that there is a religious aspect to America's 'war on terror'; it has been reduced to a *de facto* war on Muslims, a further sceptic might suggest a war on Arabs. There has been an unrealistic dichotomy created within American politics between Islam and Christianity. In a post 9/11 context this has too often played into a deeply concerning discourse of hatred and fear of Muslims. This is sadly reflected in the anti-Obama article released by Insight magazine²⁰ (16/01/2007) that has had continued repercussions on Barak Obama. It is a sad reflection that the religious right in America know that they have created a political atmosphere where the general public fears the very idea of an Islamic President. As a result, Obama is spending millions of dollars on 're-assuring' the public that he is a good Christian.

¹⁹ A discussion upon homosexuality will occur in a later section.

²⁰ The article questioned whether Obama had been honest when he said that he had never been a practicing Muslim, the article uncovered that he had spent a few years in a school that taught Islam as its core element within the curriculum set, this was between the ages of 5 and 9.

It is clear that this involvement of religion in such negative politics is having far more serious consequences on the war on terror. For example, the men who were bounty hunted on the border of Pakistan in 2001 after America's invasion of Afghanistan because they looked 'Arab'²¹; before being held without charge or trial for over five years whilst experiencing systemic torture²². It makes an interesting side point to support Rorty (1993) and MacKinnon (1993) arguments about dehumanising victims of human rights abuses and the American Government's insistence on calling their prisoners 'enemy combatants' to supposedly leave them outside the jurisdiction of the Geneva convention²³.

The obvious irony of this situation, is that the very interpretation of Islam that is so freely expressed as being 'evil' is an absolute and misguided understanding of a predominantly peace loving faith. This criticism could, and indeed has, been levelled at the radical Christian right in America. Understandings of Islam that could justify actions that result in suicidal actions are as abhorrent to the majority of Muslims as they are to the majority of Christians and other human beings (Esposito 2002). This seems such an obvious truism, and yet it has been missed by the policy makers who have systematically targeted a war against a concept, and found the concrete human form of this concept in indistinguishable Muslims around the world. For as long as the US continues to go after this idea of spreading Islam through international terrorism, they will continue to strengthen the very concept as it plays into all the unrealistic colonial stereotypes that the radical Islamists continue to propagate. It is apparent that the religious right wish to simplify the concept of Islam to make it an easier target; ignoring subtleties such as An-Na'im distinction between the Madinese suras and the suras revealed in Mecca (An-Na'im 1990 quoted in Bielfeldt 2000:110). It is apparent that it is a similar sense that they wish to ignore the complexities that *are* inherent within the Christian faith. Thus they become the upholders of the basic myth that this paper aims to dispel, that Christianity (or human rights) are an absolute concept and not an interpretative one.

²¹ See the example of Brighton and Hove resident Omar Deghayes (Cage prisoners 2008)

²² The US admits to continue using a technique called water boarding as part of their 'advanced interrogation techniques' (human rights watch 2006).

²³ The personal account of ex-detainee Moazzam Begg (2006) describes the way different guards chose to de-personalise their relationship with him.

Gay Rights, theology, politics and localised understanding.

It is clear that gay rights in its most talked about context, America, are a heavily politicised subject. This is highlighted by Clendinen and Nagourney (1999) who chart the struggle to build a gay rights movement in America. It is clear that the majority of writing on sexuality, its relationship to Christianity and politics is predominantly American (Diamond 1989, Goss 1993, Mohr, 1994, McNeil 1993, Nava and Dawidoff 1994, Schulman 1994, Sullivan 2004, Vaid 1995, White 1995). Despite the truism that gay rights are a politicised issue, even within the Church, there remains a significant theological debate surrounding the issue. Indeed, on top of this, it is apparent that homosexuality is considered very different around the world and that the majority of writing on the subject does not represent a true spectrum of Christian attitudes on homosexuality.

The theological argument around Christianity and homosexuality has been a point of contention for generations now. At best the Bible is unclear about homosexuality and that in reality it was not an issue of great significance to the authors of the Bible. Indeed, it is apparent that translations in specific moments in history have tinted the moralities of the stories to fit with that specific context. The gay Christians who interpret the Bible as being pro-homosexuality are as guilty of this as those who wish to exclude homosexuals from the Christian faith altogether.

As the argument claiming homosexuality is incompatible with Christianity is the most prominent, this paper will dedicate the following few paragraphs to undermining their arguments. Boswell (1980) draws out two passages in the Bible as well as the often-stated story of Sodom (Genesis 19) that refers to homosexuality. Corinthians 6:9 and Timothy 1:10 have both been taken to mean that 'homosexuals' have no place in the Kingdom of God. Boswell (1980), accounts this to a story to be lost in translation as the words interpreted as 'homosexual' are more likely to translate to something closer to

‘loose’ or ‘wanting self-control’, possibly ‘unrestrained’. To interpret that as referring to homosexuals is dubious to say the least (Boswell 1980:106-107). It is clear however, that these passages have been interpreted by many to deny homosexuals a place in Christianity. It is clear that there is a degree of assumption based on moral judgement, both in the writing and the reading of the Bible. The most over quoted passage in relation to homosexuality remains Genesis 19 which deserves a slightly closer look as it is based less around translation issues and more around interpretive understandings of morality.

As already stated, the concept of homosexuality was a non-issue; something not thought of in a positive or negative sense two thousand years ago. It is thus the case, that the interpretation of the destruction of Sodom was a story that aimed to highlight the morality around hospitality; the sexual undertones are minor, if there at all. The argument goes that Lot was giving hospitality to an unknown stranger, and the men of the city gathered to ‘know’ who this stranger was. The argument that this can be understood in term of homosexual relations is weak; to imply that God destroyed Sodom for this reason is weaker still. This story is also later referred to by Jesus (Matthew 10:14 15) where he implies the story has more to do with hospitality than homosexuality. Indeed, the status of hospitality over sexual morality is highlighted by the fact that when Jericho was destroyed by the Lord, the one person spared was a prostitute, despite prostitution being prohibited in Leviticus 19:29, because she offered hospitality (Boswell 1980:96). It is therefore arguable that the homosexual understanding of the story of Sodom and Gomorrah has more to do with modern and post-modernist understandings of sexual morality than it does with the story itself, which is based predominantly around hospitality.

It is clear though that this does not stop homophobic politicians using the teachings of Christ to justify prejudice legislation. Indeed, despite the focus on America, it is apparent that the UK introduced a series of homophobic measures that were justified in a traditional Christian moral basis. This is especially true of Thatcher’s premiership; as Smith (1995) comments, ‘an analyse of the *official* deployment of homophobic demonizations therefore has to be included in the general account of Thatcherism’ (Smith

1995:17). It is clear that while homophobic legislation spread in pre-Clinton America (Clendinen and Nagourney 1999, Schulan 1994) it gained considerable support through the Thatcher premiership. Throughout the 1987 election campaign the Conservative party campaigned on a heavily homophobic stance with electioneering posters holding titles such as 'Young, Gay and Proud...labours idea for good education for your children' (Smith 1995:184). One of the few notable aspects of Major's premiership was legalisation on 'sodomy'²⁴, turning away from some of the Thatcher's government's homophobic policies.

Finally, the issue of homosexuality has to be understood in the historical and geographical context in which it is found. As I have already mentioned, homosexuality was not an issue of moral concern or public consciousness two thousand years ago in the Roman Empire; although there is evidence to suggest that in ancient history homosexual erotica was the common fulfilment of sexual desires, not the assumed heterosexual commonality of the last few thousand years (Hite 2005:156). It was only in the early 1990's that sodomy was legalised in the UK (Fox Harding 1996); indeed, it is apparent that we are experiencing a dramatic change in attitudes towards homosexuality. Whilst the official discourse in the West is moving towards an acknowledgement of gay rights, the public opinion is struggling to keep up. This is resulting in an official acknowledgment of homosexuals, combined with a common disregard for them being there. It is worth considering when looking to further gay rights that we are moving from a very recent history of extreme homophobia, a lot of which is based in modern Christian moral rationale.

The discussion of homosexuality so far has been situated in a US and European situation. It is apparent that to understand the relationship between Christianity and homosexuality it has to be understood differently in different contexts. For example, when the issue of homosexuality is blurred with the issue of AIDS in developing countries it is nearly always connected with a negative perception. This perception was increased with the

²⁴ This came in at the same time as it becoming illegal to rape your wife; these were considerable developments in social policy (Fox Harding 1996).

medical professions early reference to AIDS as 'GRID', gay-related immune deficiency. The media presented it as the 'gay plague' (Goss 1993:21-23); this combined with a backlash of colonial discourse has resulted in many developing countries dismissing homosexuality as either a fictitious western creation or a wholly negative affair that risks spreading HIV as well as being considered immoral. This is either in line with or being led by the Christian church's approach to homosexuality in sub-Saharan Africa.

These issues have been at the heart of the current rift within the Anglican community; the Most Rev Orombi, from Uganda accused Rowan Williams of betrayal and being a lone figure (Guardian 04/08/2008). Thus, the Church of England, despite what Williams appears to believe personally, remains in an official position, which sees homosexuality as incompatible with the scriptures. It is this official international discourse that has to change first, if gay rights are to be furthered in spite of hostile local understandings. Thus, gay rights face a dual problem, of only having quasi-international legalistic support, and in reality very little support from populations anywhere in the world. Until the international legalistic framework of human rights and international law supports gay rights there is little chance of this discourse being vernacularised (Merry 2006) into local forms of justice for homosexuals. Until then, both human rights and the concept of homosexuality will remain an alien discourse that is trying to be imposed by those old colonial powers.

There are a number of points to be taken from this example of gay rights, homosexuality and Christianity. The position that human rights NGO's take is an absolute one, one that unquestionably asserts that gay rights are human rights; this assertion has been challenged by a number of institutions including parts of the Christian church. The Christian Church however, whilst remaining predominantly in opposition to homosexuality are ignoring the obvious ambiguity to homosexuality in the Bible and the culturally relative situation that they are in. If a split in the Church over such an issue would benefit anyone remains unclear. The sooner however, an official within Christianity has the moral courage to admit that they probably do not know what Jesus would have thought about homosexuality the better; until then, there is no reason to

consider homosexuality from a religious perspective, any differently to other forms of contemporary discrimination whether it be race, religion or nationality.

Conclusion:

The majority of literature written on human rights has been focusing on Islam and human rights (Afary 2004, An-Na'im 1990, Bielefeldt 2002, Hicks 2002); in the modern political climate these studies remain important. They also however, distract us from the more general question of how religion interacts with human rights; this has been explored through Christianity, its supposed cultural sympathiser. Just as it has been shown that there is no such thing as an Islamic understanding of human rights, so this paper has illustrated that there is no such thing as a Christian understanding of human rights. The relationship is far more complex than many would like to suggest for it serves their personal or institutional agendas to simplify human rights issues and religious doctrine. This paper has presented a theoretical framework to help explore and understand this overlapping and complex relationship between human rights and religion before applying it to Christianity specifically.

On a theological or conceptual level, it has been shown that human rights are a relative term that are rarely manifested in their thirty article form; more are they are a concept that is used in a wide variety of ways across the globe. It also illustrated how religious doctrine has been used to justify a wide variety of human rights abuses. This has resulted in Ray Jr (2007), the Archbishop of Canterbury (2008) to both try to 'ground' human rights in a theological justification. All this has been shown to be possible, and at times useful; Rorty (1993) with the philosophical help of Baier (1991) has shown how it isn't however necessary in a theoretical sense. Indeed, he argues that human rights can be understood empathetically. Rorty remains theoretically rights, but practically wrong in the short-term.

On a political level, it is clear that religion still plays a key role in global and national politics. To argue it is effectively declining in influence is hard to substantiate, it is clear

that especially Islam is growing in influence, whilst Christianity is re-rooting it self to the global south. Whether Freeman (2004) assertion that politics is more important than religion can be upheld remains to be proven. Tackling the basic myth that you can understand religion separately from politics is a point that must be taken from Freeman's work and is illustrated throughout this paper. The number of so-called 'religious conflicts' illustrates that religion is still a significant factor on global affairs.

On a localised level, it is clear that human rights and religion are both understood in a variety of ways. This process has been described by Merry (2006) as the vernacularised understanding of international legalistic discourses. The reason these various understandings hold significance is that these are the way moral discourses are enacted upon. We have to understand their needs and wants and respond appropriately to them. It is my belief however; that by reconciling some potential antagonisms between human rights and religion; and by understanding how they are enacted it is possible to fulfil the requirements of individuals who are currently suffering. The human rights discourse has shown to address local issues and concern; this is illustrated through the number of issues it has been used to address, Merry (1992, 2006) with gender and Turner (1998), with resource consumption and environmental protection for example. It has been shown throughout that human rights, just like religion holds a huge potential of cooperation; this is a potential that is denied by likes of Huntington (1993) who wish to present an absolute understanding of culture, religion and human rights.

Christianity's relationship with human rights has been shown to be neither the assumed liberal partner of human rights nor the religious opponent to secular human rights. It is clear that the relationship is far more complex than this. It has been shown that it is possible to ground human rights in a Christian theology that is based around concepts of equality, justice and shared divinity. In a similar sense however, the theological arguments used to support human rights can be equally turned to justify inequality. Sharma (2007) Adeney and Newlands (2008) can both be criticised for overplaying the message of the scriptures to look for justification that perhaps is not there. It is apparent that there is a normative message throughout Christian teaching that sits comfortably with

human rights. To reach this message however, you have to view Christianity in a historically specific, interpretive manner. If you view Christian teachings in a literalist manner, you run the risk of following post King James morals that are more based around the interpretations of the last 500 years of European morality than the words of Jesus.

On top of this people need to acknowledge their specific Christian faith as located in a wide variety of denominational approaches. Catholics need to acknowledge that some Quakers also believe that Jesus died for their sins; whilst Quakers have to acknowledge that many Christians believe in the concept of a just war. To describe any of these approaches as a 'hijacking' of true religion is missing the evolutionary nature of Christian beliefs. Indeed, to describe religious human rights activists of 'hijacking' because they use their faith to justify another moral discourse is misled. Just as the diversity of justifications of human rights is where it draws its strength, so the unity of the Christian faith is a celebratory point; that such a wide-range of beliefs can be bought under one communion is something impressive and pragmatically speaking very useful.

It is clear that Christianity is as susceptible to the sway of politics as any other moral discourse. The difference is its size and potential power means that at times it can sway politics rather than vice versa. This is illustrated through the religious right in the US (Aikman 2003) who still possesses a significant influence in US politics. As the recent 'is Obama a Muslim?' parody has unfolded the potential detrimental effect of having such an absolutist religious influence on politics is illustrated. This farcical display of politics has an ongoing stage in the form of the gay rights movement and those who oppose it. This illustrates how Christianity and human rights at its most subjective levels interact on a theological, political and local level; each time presenting itself as an absolute discourse.

On a theological level, there remains no consensus around homosexuality and Christianity. Indeed, on a conceptual level there remains no consensus on gay rights and human rights. On a political level the religious right campaigns hard to attack homosexuals, describing it as a lifestyle choice, often quoting Biblical passages that have

been shown to be ambiguous at best. At a local level, it is clear that homosexuality is understood very differently around the world just as human rights are (Wilson 1997). To suggest that a homophobic Ugandan Church would have the capacity or the will to implement a gay rights campaign remains doubtful. Indeed, this is one aspect of human rights that many western institutions have failed to pick up, from the US government to the Catholic Church.

Although this relationship remains antagonistic in places, it is an essential relationship that must be pushed forward for the benefit of the human rights discourse, Christianity and religion in general. For it is as An-Na'im (2005) suggests, they remain mutually dependent upon each other. The exploration undertaken here is just one attempt among many to try and reconcile this relationship; this paper provides a wider perspective on the relationship and to then focus in on specific parts; opposed to the usual methodology of starting with a specific religion or issue then trying to apply it to a broader picture. There are lessons to be learnt around the world from different religions relationship with human rights; presented here is a case study of Christianity's. This paper finishes with a plea: for the religious and human rights discourses not to underestimate the power of the other in a false belief in the absolute morality of their own discourse.

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