Combining Jewish, Greek, and Roman teachings with the radical new teachings of Christ and St. Paul, Christianity helped to cultivate the cardinal ideas of dignity, equality, liberty, and democracy that ground the modern human rights paradigm. Christianity also helped shape the law of public, private, penal, and procedural rights that anchor modern legal systems in the West and beyond. This collection of essays explores these Christian contributions to human rights through the perspectives of jurisprudence, theology, philosophy, and history. The authors also analyze Christianity’s contribution to the special rights claims of women, children, and the environment, and document the church’s repeated failures to live up to the human rights ideals it has long advocated. With contributions from leading scholars, including a foreword by Archbishop Desmond Tutu, this book provides an authoritative treatment of how Christianity shaped human rights in the past, and how Christianity and human rights continue to challenge each other in modern times.

JOHN WITTE, JR. is Jonas Robitscher Professor of Law, Alonzo L. McDonald Family Foundation Distinguished Professor, and Director of the Center for the Study of Law and Religion at Emory University. His previous publications include The Sins of the Fathers: The Law and Theology of Illegitimacy Reconsidered (Cambridge, 2009), Christianity and Law: An Introduction (with Frank S. Alexander, Cambridge, 2008), The Reformation of Rights: Law, Religion, and Human Rights in Early Modern Calvinism (Cambridge, 2007), and Law and Protestantism: The Legal Teachings of the Lutheran Reformation (Cambridge, 2002).

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CHRISTIANITY AND HUMAN RIGHTS

An Introduction

EDITED BY

JOHN WITTE, JR. AND FRANK S. ALEXANDER

Center for the Study of Law and Religion
Emory University
To Alonzo L. McDonald
Christian Visionary, Moral Exemplar, Generous Friend
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Acknowledgements

In this volume, twenty leading scholars explore the contributions of Christianity to the development of human rights in the West. Combining Jewish, Greek, and Roman teachings with the radical new teachings of Christ and St. Paul, Christianity helped to cultivate the cardinal ideas of dignity, equality, liberty, and democracy that ground the modern human rights paradigm. Christianity also helped to shape the law of public, private, penal, and procedural rights that anchor modern legal systems in the West and beyond. The pages that follow explore these Christian contributions to basic human rights through the lenses of jurisprudence, theology, philosophy, and history. They also explore Christian contributions to the special rights claims of women and children, the poor and the needy, prisoners and enemies, nature and the environment. No author ignores the church’s own checkered human rights record over the centuries and the many failings of Christians to live up to their own human rights ideals. Nor does anyone pretend that Christianity has had or should have a monopoly on rights talk – let alone on the legal structures that implement rights. But every author believes that Christian ideas and institutions are essential to the cultivation of human rights today – and a few of them, starting with Archbishop Tutu, offer pointed injunctions on how to live out the ideals of human rights in thought, word, and deed.

This volume is part and product of an ongoing project on Christian Legal Studies, undertaken by our Center for the Study of Law and Religion at Emory University in Atlanta. This project, which has involved 200-plus scholars over twenty-plus years, explores the historical and contemporary influence of Christian ideas, institutions, and individuals on Western law, politics, and society. In its earlier phases, this project analyzed some of the Christian foundations and fundamentals of Western constitutionalism, democracy, and religious liberty, yielding a score of volumes that have appeared in a score of languages. In its current phase, the project has commissioned thirty new volumes on the past and potential
Acknowledgements

contributions of Catholic, Protestant, and Orthodox Christianity to the hard legal and political questions that are now challenging and dividing church, state, and society.

This volume – and the broader project of Christian legal studies of which it is a part – was made possible by generous grants from the Alonzo L. McDonald Family Foundation and the Henry Luce Foundation, Inc. We express our profound gratitude to Alonzo, Peter, and Suzie McDonald, and Robert Pool of the McDonald Foundation and to Michael Gilligan and his Luce colleagues for their generous and genial support. We express our warm thanks to our Center colleagues – April Bogle, Linda King, Anita Mann, and Amy Wheeler – for their effective and efficient administrative work on this volume and related projects. We thank the Emory International Law Review for permission to reprint Desmond Tutu’s essay herein. And we thank Kate Brett and Laura Morris and their colleagues at Cambridge University Press for taking on this volume and bringing it to print with their usual excellence and professionalism.

This volume is dedicated to Dr. Alonzo L. McDonald, Christian visionary, moral exemplar, and generous friend to so many.

John Witte, Jr. and Frank S. Alexander