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978-1-107-09036-1 - Religion and Public Policy: Human Rights, Conflict, and Ethics

Edited by Sumner B. Twiss, Marian Gh. Simion, and Rodney L. Petersen

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RELIGION AND PUBLIC POLICY HUMAN RIGHTS, CONFLICT, AND ETHICS

This book pivots around two principal concerns in the modern world: the nature and practice of human rights in relation to religion, and the role of religion in perennial issues of war and peace. Taken collectively, the chapters articulate a vision for achieving a liberal peace and a just society firmly grounded in respect for human rights, while working in tandem with the constructive roles that religious ideas, leaders, and institutions can play even amid cultural difference.

Topics covered include: the status and justification of human rights; the meaning and significance of religious liberty; whether human rights protections ought to be extended to other species; how the comparative study of religious ethics ought to proceed; the nature, limits, and future development of just war thinking; the role of religion and human rights in conflict resolution, diplomacy, and peace-building; and the tensions raised by religious involvement in public policy and state institutional practices. Featuring a group of distinguished contributors, this is a distinctive collection that shows a multifaceted and original exploration of cutting-edge issues with regards to the aforementioned themes.

Sumner B. Twiss is the Distinguished Professor of Human Rights, Ethics, and Religion at Florida State University, where he holds a joint appointment between the Department of Religion and the Center for the Advancement of Human Rights. He is also Professor Emeritus of Religious Studies at Brown University, where he served on the faculty for thirty years and as department chair for twelve years. He is the co-author and co-editor of seven books, and the author of more than seventy published articles in the areas of comparative religious ethics, biomedical ethics, philosophy of religion, global ethics, intercultural human rights, and the comparative study of just war.

Marian Gh. Simion is a political scientist and Orthodox theologian, currently appointed as Postdoctoral Fellow and Field Education Supervisor at Harvard Divinity School, and a past instructor in the areas of religion, government, and diplomacy at Harvard Extension School. He holds a Master of Theological Studies from Holy Cross Greek Orthodox School of Theology, and a PhD in Public and International Affairs from Northeastern University, where his academic advisor was Governor Michael S. Dukakis. His general research focuses on international security, comparative politics, political theology, religious phenomenology, Islamic jurisprudence, theory of religion, collective violence, and Orthodox Christianity.

Rodney L. Petersen is a social historian and Protestant theologian. Dr. Petersen served as executive director of the Boston Theological Institute (BTI), from 1990 until 2014, becoming director of Cooperative Metropolitan Ministries and of the Lord's Day Alliance in the US in 2014. He is a research associate at the Center for Global Christianity and Mission at Boston University School of Theology. Prior to coming to the BTI, he taught at Trinity Evangelical Divinity School and Webster University in Geneva, where he also worked with churches in France and Romania.

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A festschrift in honor of David Little



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Hibbard is the author of *Religious Politics and Secular States: Egypt, India and the United States* and co-author (with David Little) of *Islamic Activism and U.S. Foreign Policy*.

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(1997), and is also author of volumes on Ukraine and Sri Lanka in the USIP series on religion, nationalism, and intolerance. In 2007 he published *Religion and Nationalism in Iraq: A Comparative Perspective* with (Donald K. Swearer), and *Peacemakers in Action: Profiles of Religion in Conflict Resolution*. In addition, he has published on the subjects of religion and law, religion and human rights, the history of rights and constitutionalism, and religion and peace. Cambridge University Press will soon publish his book, *Essays on Religion, Human Rights, and Public Policy: Ground To Stand On*.

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Gene Outka taught in the Department of Religion at Princeton University for ten years, before joining the Yale faculty in 1975. He is the author of *Agape: An Ethical Analysis* and has co-edited and contributed to the following volumes: *Norm and Context in Christian Ethics* (with Paul Ramsey) and *Religion and Morality and Prospects for a Common Morality* (both with John P. Reeder, Jr.). His forthcoming volume, *God and the Moral Life: Conversations in the Augustinian Tradition*, will be published by Oxford University Press. He has also published “Universal Love and Impartiality” in the volume *The Love Commandments*. His articles appear in various journals and encyclopedias, including the *Journal of Religious Ethics*, *Religious Studies Review*, the *Journal*

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Rodney L. Petersen served as executive director of the Boston Theological Institute (BTI), from 1990 until 2014, becoming director of Cooperative Metropolitan Ministries and of the Lord's Day Alliance in the United States in 2014. He is a research associate in the Center for Global Christianity and Mission, Boston University School of Theology. Prior to coming to the BTI he taught at Trinity Evangelical Divinity School and Webster University in Geneva where he also worked with churches in France and Romania. He has taught and run workshops on track-two diplomacy in many regions of the world. He worked with the Decade to Overcome Violence of the World Council of Churches (2001–2011), teaching at United Theological College of the West Indies, a part of the International Ecumenical Peace Convocation in Jamaica (2011). He participated as faculty in the Global Ecumenical Theological Institute (GETI) attached to the 10th General Assembly of the World Council of Churches in Korea. In addition to teaching in BTI member schools and overseas, he is founding co-director (2001) of the Religion and Conflict Transformation program now housed at Boston University School of Theology, teaching in the areas of history and ethics. He serves on several local and national committees of the Presbyterian Church (USA). His publications include *Forgiveness and Reconciliation: Religion, Public Policy and Conflict Transformation* (2002); *Overcoming Violence. Religion, Conflict and Peacebuilding* (2011); and *Formation for Life: Just Peacemaking and Twenty-First Century Discipleship* (Wipf and Stock, 2013).

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Morality (Doubleday 1973) and *Prospects for a Common Morality* (Princeton 1993). He published *Source, Sanction, and Salvation: Religion and Morality in Judaic and Christian Traditions* (Prentice–Hall 1988) and *Killing and Saving: Abortion, Hunger, and War* (Penn State 1996). With Donald Swearer he taught an NEH Summer Seminar for College Teachers and he has been a visitor at Yale (Fall 1979), Amherst College (1984–5), where he was Henry Luce Professor of Comparative Religious Ethics, and Princeton (1996–7). He taught again at Amherst (2003–4) and was a Visiting Professor of Ethics at Harvard Divinity School (2006–9).

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affairs and was an adviser to those drafting the Constitution of Iraq that was put into effect in 2005.

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Marian Gh. Simion is a political scientist and Orthodox theologian; currently appointed as Postdoctoral Fellow and Field Education Supervisor at Harvard Divinity School, and a past Instructor in the areas of religion, government, and diplomacy at Harvard Extension School. He holds a Master of Theological Studies from Holy Cross Greek Orthodox School of Theology, and a PhD in Public and International Affairs from Northeastern University, where his academic advisor was Governor Michael S. Dukakis. His general research focuses on international security, comparative politics, political theology, religious phenomenology, Islamic jurisprudence, theory of religion, collective violence, and Orthodox Christianity. A native of Romania, Dr. Simion studied Orthodox theology, as well as East-European philology and history for six years in Craiova and Bucharest. He possesses advanced knowledge of several European languages, and has solid expertise in post–Cold War politics, Pan–Slavism, nationalism, politics of identity, and in East European and Balkan history, culture, and religion. He is the founder of the Institute for Peace Studies in Eastern Christianity (IPSEC)—a research institute created to advance the field of peace studies in Orthodox Christianity, to function as a think tank, and to offer strategic advice to policymakers and spiritual leaders on issues of religion in the public life. Dr. Simion works as the Assistant Director of the Boston Theological Institute (where in 2001 he founded the *BTI Magazine*). He is Adjunct Assistant Professor of Religious Studies and Administrator

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of the Religious Studies program at Hellenic College in Brookline, MA. Dr. Simion taught Orthodox theological ethics at Boston College for six years. He serves on the scientific and editorial boards of several journals, including *The Romanian Journal of Economics* (of the Romanian Academy of Arts and Sciences), *Studii Teologice* (of the Romanian Patriarchate), and others. He is the author of several works in the area of religion and violence, including *Religion and Political Conflict: From Dialectics to Cross-Domain Charting* (Montréal: Presses internationales polytechnique, 2011, with contributions from David Little, Ambassador Mihnea Motoc, and Ecumenical Patriarch Bartholomew); *Just Peace: Orthodox Perspectives* (Geneva: WCC Publications, 2012); and others. During the past two years Dr. Simion chaired the committee on health and religion at the US Association for the Club of Rome, and contributed to its yearly think tank reports during the past three years as a member. He has a passion for music and in the early 1990s, at a very young age, he was awarded a position of professional baritone in the choir of the Romanian National Opera.

Donald K. Swearer spent a distinguished career at Swarthmore College, where, from 1992 to 2004, he was the Charles & Harriet Cox McDowell Professor of Religion. From 2004 until 2010 he was Distinguished Visiting Professor of Buddhist Studies at Harvard Divinity School and served as director of the Center for the Study of World Religions. Swearer's scholarly work has ranged widely in comparative and Asian religions. His major fields of research include Buddhism in Southeast Asia, especially Thailand; comparative religious ethics; and Buddhist-Christian dialogue. His recent monographs include *Becoming the Buddha: The Ritual of Image Consecration in Thailand* (Princeton, 2004), *The Buddhist World of Southeast Asia* 2nd rev. ed. (SUNY, 2009).

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Task Force, and in 2008 the Carnegie Foundation of New York named her a Carnegie Scholar for her research on religion and violence. Most recently she was awarded a Fulbright Scholarship to Norway.

Sumner B. Twiss is the Distinguished Professor of Human Rights, Ethics, and Religion at Florida State University, where he holds a joint appointment between the Department of Religion and the Center for the Advancement of Human Rights, and he is also Professor Emeritus of Religious Studies at Brown University, where he served on the faculty for thirty years and as department chair for twelve years. He is the co-author or co-editor of seven books (as well as a contributor to them), and the author of over seventy published articles in the areas of comparative religious ethics, biomedical ethics, philosophy of religion, global ethics, intercultural human rights, and the comparative study of just war. He is former co-editor of the *Journal of Religious Ethics* (2001–2011) and the *Annual of the Society of Christian Ethics* (1995–2001), as well as former senior editor of the book series *Advancing Human Rights* (2003–2008). He is currently completing two additional book projects: *Chinese Just War Ethics: Origin, Development, and Dissent* (co-editor, with P.C. Lo, and co-author of three chapters; forthcoming from Routledge), and *The Practices of Global Ethics: Historical Developments, Current Issues, and Contemporary Prospects* (co-author with F. Bird et al). His recent teaching has focused on such topics as: Confucian moral and political thought; crimes against humanity and international criminal justice; the law and ethics of torture; religion, politics, and genocide; and the history and ethics of humanitarian intervention.

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Fathers: The Law and Theology of Illegitimacy Reconsidered (Cambridge University Press, 2009); *Christianity and Human Rights: An Introduction* (Cambridge University Press, 2010); *Religion and the American Constitutional Experiment* (Westview, 3d ed. 2011); *Religion and Human Rights: An Introduction* (Oxford University Press, 2012); *From Sacrament to Contract: Marriage, Religion, and Law in the Western Tradition* (Westminster John Knox Press, 2d ed., 2012); *No Establishment of Religion: America's Original Contribution to Religious Liberty* (Oxford University Press, 2012); and *The Western Historical Case for Monogamy over Polygamy* (Cambridge University Press, 2015). Professor Witte's writings have appeared in 15 languages, and he has delivered more than 350 public lectures throughout North America, Europe, Japan, Israel, Hong Kong, Australia, and South Africa. With major funding from the Pew, Ford, Lilly, Luce, and McDonald foundations, he has directed 12 major international projects on democracy, human rights, and religious liberty, and on marriage, family, and children. These projects have collectively yielded more than 160 new volumes and 250 public forums around the world. He edits two major book series, "Studies in Law and Religion," and "Religion, Marriage and Family." He has been selected twelve times by the Emory law students as the Most Outstanding Professor and has won dozens of other awards and prizes for his teaching and research.

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Preface and Acknowledgments

Editors

Many of the chapters of this volume are based on papers originally presented at a Conference on Religion, Ethics, and Peace, co-sponsored by Harvard Divinity School and the Kroc Institute for International Peace Studies (University of Notre Dame), and held at Harvard in November 2009. The Boston Theological Institute (BTI) provided the resources for the production of the camera-ready manuscript and is co-publisher of the volume along with Cambridge University Press.

The editors want especially to acknowledge David Little's role in prompting the schools of BTI to become more attentive to issues of religion, human rights, conflict, and ethics following the tragic events associated with 9–11.

Chapter eight, "The Present State of the Comparative Study of Religious Ethics: An Update" by John Kelsay, appeared in a slightly different version in the *Journal of Religious Ethics* 40.4 (December 2012): 583–602, and we thank Wiley Blackwell for gratis permission to use that material. In addition, we wish to acknowledge financial support from Florida State University's Center for the Advancement of Human Rights in hiring Jeffrey Gottlieb, a doctoral candidate in the Department of Religion, to provide invaluable copy-editing assistance to the editors.

The editors worked on this volume as a labor of respect and love for David Little, and they shared their editorial responsibilities equally. Marian Simion's technical expertise in producing camera-ready copy

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Preface and Acknowledgments

and the index is especially noted. While Sumner Twiss wrote the volume's Introduction, the other two editors concurred in its content. We would be remiss if we failed to acknowledge our deep gratitude to all the chapters' authors, to Monica Toft Duffy for her Foreword, and to David Little himself for his Afterword.

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Foreword

Monica Duffy Toft

What began as a local political controversy in Denmark became a global crisis.¹ The publication of a series of twelve cartoons depicting the prophet Mohamed in the Danish newspaper *Jyllands-Posten* in 2005 resulted in mass demonstrations throughout the world, the destruction of churches and mosques, economic boycotts, and the death of scores of people in the Middle East and Asia. This “Cartoons Controversy” both highlighted critical questions about the line between freedom of expression and respect for global religious traditions, and underscored the difficulty contemporary states have had in accommodating religion in the political arena.

Be it religious minorities in Western democracies who want their traditions respected and elevated as pitted against secular majorities (e.g., France), or religious majorities in the Middle East who want a larger and freer role for religion in their public lives despite the presence of religious minorities and advocates of a more secular role for religion (e.g., Egypt, Israel, Turkey), domestic and international religious controversies have emerged as a critical issue confronting governments over the past decade. Issues like these add a sense of immediacy to the concerns of human rights, conflict, and ethics, the concerns of this book on religion and public policy.

As religious ideas, institutions, and actors move toward center stage across the globe, policy makers and academics struggle to understand why religion has become so prominent, and what the implications of this emergence may be for politics and policy. Although this resurgence began in the late 1960s and has continued well into the twenty-first century, recent

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events in the Arab world underscore the continued importance of religion. Islamic-based parties that won substantial majorities in Egypt and Tunisia and the Taliban seem poised for a comeback in Afghanistan, as foreign forces negotiate their own departures. This contemporary reality—in which understanding religion in all its facets has become increasingly necessary in order to understand and influence world politics—was not supposed to happen.

One of the reasons scholars and practitioners missed religion's resurgence was due to the dominance of a particular way of thinking; notably ideas about modernization and the processes of secularization, which predicted that religion would recede, not resurge.² Any religious sentiment would be relegated to the private sphere and certainly not impact the public square. Such ran the logic of thinking in government offices and college classrooms.

Former United States Secretary of State Madeleine Albright succumbed to such thinking, and the blind spots it engendered compelled her to write a book about it. As she explains, in the State Department of the 1990s religion as a source of motivation was ignored; it was seen as “echoes of earlier, less enlightened times, not a sign of battles to come.”³ She then admits that it was she who was stuck in an earlier time: “Like many other foreign policy professionals, I have had to adjust to the lens through which I view the world, comprehending something that seemed to be a new reality but that had actually been evident for some time.” In reading the book one is left with the impression of a kind of confessional: perhaps a way to expiate her sin of allowing a secularist mind-set to blind her to important opportunities and threats in the play of events around her.

It is not just policy makers who missed the resurgence of religion. Teaching at one of the world's best schools of public policy—Harvard's Kennedy School—for also revealed a fundamental lack of respect for religion as a lens and lever of international affairs. Two episodes stand out. The first involved a student in my class on Religion in Global Politics, a course I co-taught with David Little and Bryan Hehir. As an ordained Catholic priest, Hehir showed up to class each week wearing the same thing, a priest's suit, which is a basic black suit and white collar. Well into the semester, after class one day a student asked: does Professor Hehir always wear the same? My otherwise worldly student did not know that *Professor* Hehir was also *Father* Hehir and as such he dressed as a priest. Perhaps

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the most remarkable thing about this comment was how unremarkable it has become in academic settings. Both ignorance of religion and theology in general, and their relevance to global politics remain widespread, *and approvingly so*.

The second involved one of my colleagues, a scholar of global politics (but not one of religion) in his own right. Shortly after September 11, 2001, and the terrible events of that day involving religiously inspired men killing innocents in the name of God, he asked me whether I thought religion really mattered. The story does not end there. A year later he heard me conversing with another colleague and he inquired again, “Does religion really matter, can it really help us to understand 9–11 and subsequent events?” My response was the same as the first time: read Mohammed Atta’s letter. Atta, the chief 9–11 bomber, penned a “martyr” letter which was later found in the wreckage of the World Trade Center’s twin towers. In it he explains why he did what he did (for Allah and Islam), and in line with religious teachings and, in exquisite detail, what should be done with his body (an odd request given that his body was unlikely to survive the destruction of his act). In any event, my highly esteemed colleague’s inability to grasp how religion could and did motivate *rational people* to sacrifice their lives in an attack on the world’s most powerful state, only served to underscore my field’s general lack of understanding of how religion operates to motivate people in the world today.

The importance of Atta’s letter lies not only in its emphasis on the role of his faith in shaping his and his expected audience’s understanding of his actions but also in the shock and wide publicity of those actions as a watershed. For most political and social elites in the United States, 11 September is remembered as a clarion call of the rise of religion—or in this case an extreme interpretation of some precepts of Islam—as a national security issue, broadly conceived. But this is to misconstrue when and how religion came to play its increasingly important role in global politics. A report by the Chicago Council on Foreign Relations, for instance, notes that by the Fall of 2011 the trend was already two decades old. Yet even the Council’s estimate understates the length of the trend: the real increase—or more accurately, resurgence—in the influence of religion began in the late 1960s, and has accelerated ever since.⁴

The 1960s saw the Catholic Church, for example, undergo a fundamental reassessment of what it means to be a Catholic, Christian, a

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human. Under Vatican II, no longer did the Catholic Church hold that one needed to be Catholic to be afforded basic dignity and respect. After Vatican II it was enough to be human. As a direct consequence, local actors began to challenge autocratic regimes (and, in some cases, Vatican II put local clergy into difficult circumstances because they were allies of these same regimes). Similar dynamics were at play during the 1980s when Pope John Paul II challenged communist regimes in Eastern Europe, offering local citizens an alternative set of ideas and ideals based in religion, emboldening Catholic Poles and Lutheran Germans to shake off the repressive, atheistic system that had oppressed them for four decades.

The 1979 Iranian Revolution is also revealing. The locus of resistance to the Shah was not the streets of Tehran in 1979 (where it was most visible), but earlier and within the universities and mosques. Students, teachers, and imams challenged basic understandings of what it meant to be Shī'a. The reinterpretations that began in the 1960s paved the way for revolution; a revolution that has, as with all revolutions, been forced to accommodate itself to the difficulties of interaction with the real world system of states, but one which remains central to the identity of Iran and the legitimacy of its rulers and their policies today. Some two decades after this revolution, a striking feature about the 2008 demonstrations against the government in Iran was that no one questioned whether the government in Iran should be Islamic. Iran is and will remain an Islamic Republic.

Religion is part of our landscape, yet much confusion and fear remains about what that role should or might be. Staunch secularists oppose the very idea of religion in politics because they continue to hold to the view that religion is necessarily irrational, repressive, regressive, and destructive, and that secularism is the only logical and preferred path. Such a stance is myopic at best. First, religion is not inherently irrational, repressive or regressive. In fact, the contrary is more often the case. Measurement *is* a critical issue here: we tend to recognize and remember harm related to religion, and miss and forget the good. The chapters in this book provide ample illustrations of the religious roots of human rights and ethics. Yes, religion and violence might be paired, but at least as often, if so not more, are religion and peace.

In examining efforts at democratization over the past four decades, for example, my co-authors and I discovered that religious actors were often the critical leaders in efforts to make governments more accountable

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and transparent to their citizenry. Who did these religious leaders go up against? In a fair number of cases, it was highly secularized regimes, from the communist states in Eastern Europe to the socialist and Baathist regimes in the Middle East. Similarly, religious actors were typically at the forefront of those who brought peace in the aftermath of civil conflict during the 1970s, 1980s and 1990s. Sudan owes the end of its second civil war between the North and the South to former Senator John Danforth, whose status as an ordained priest provided much needed trust between the two parties. In Mozambique, a lay Catholic organization, the Community of Sant'Egidio, helped to usher in peace after 15 years of civil war: their religiously inspired principles of friendship, trust and a commitment to peace persuaded both warring parties that a mediated resolution was possible.

The impact of religion in civil matters is of course not only salutary, nor is it at the heart of every political crisis, or even always a critical element; it is multifaceted, just as religious-inspired actors can bring about peace, they can foment war and terrorism. Moreover, this is not to say that religion is at the heart of every political crisis or is even the critical element, but the essays in this volume illustrate its pervasive significance.

Religion is not necessarily the sole driving force of much of the large-scale violence we see today. Since 1940 only about one-third of all civil wars have had a religious basis, and of these only about half featured religion as a central issue. Nationalism remains a powerful peer competitor, and more often than not religion is married to nationalism.⁵ Sri Lanka is a case in point in which the religious tenets of the two warring parties—Buddhism and Hinduism—are intermingled with concepts of homeland and territory. Similar dynamics were at work in the troubles in Northern Ireland between the Catholics and the Protestants, as well as with the Croat Catholics, Serb Orthodox, Bosnian and Kosovar Muslims in Yugoslavia. Nationalism mixed with religion to create a volatile situation. Religion alone is rarely the sole culprit. Moreover, we need to keep in mind that it is not religion per se, but the politicization of religion, how it is interpreted and mobilized by elites and masses alike.

Again consider the 1979 Iranian Revolution, which is about as close as we get to a religiously motivated political event. A common narrative interferes with our understanding of what happened. That narrative invokes the image of religiously inspired (read: irrational), hot-headed mobs spontaneously rising to overwhelm and overturn established order

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(the international news media remain somewhat complicit in this: when was the last time you can remember seeing “Iranians” on television doing anything other than glowering, shouting, or threatening?). But had the Shah not previously made such a hash of Iran’s economy and political system, revolution would not have succeeded. The country was ripe for revolution; whether religiously inspired or not. Ayatollah Khomeini and his followers were enterprising, and acted strategically: they returned from exile just in time to tip the already tottering apple cart (just as Vladimir Lenin did in Russia in 1917). Even in this case, religion and religious motivation were only part of the story. It is this aspect of unraveling religion, its role in violence and peace, and its implications for policy that has made research into the dynamics so complex and frustrating, and yet exciting.

I conclude by emphasizing three points. First, religious actors, like nationalist actors, are not *ipso facto* irrational actors. An excessively narrow conception of human rationality (and by extension, state rationality) has restricted the understanding of rational motivation in the West to the fear of death, and to a desire to protect tangible interests alone. Both the collapse of the Soviet Union (where nationalism and religion played primary roles) and the more recent Arab Spring (with economics, nationalism, religion, and demography all as significant motivators), were poorly anticipated by Western governments as a result of fallacious assumptions about the actors and processes involved, leading to blind spots in their officials’ abilities to predict important *political* events.

Second, the interaction of faith and politics has both productive and destructive potential. The better question is not *whether*, but *under what circumstances*, religion may be either dangerous or constructive in local, regional, and global political contexts. Until religion is taken more seriously among those responsible for planning and negotiating global outcomes, we are apt to continue to be blind-sided in the future by major political shifts affecting the lives of millions.

Finally, because religion has always been in the communication business in the transmission of norms, practices, and ways of life, we should consider the interaction of media with religion. The global media communications revolution of the past three decades has empowered religion in profound and unanticipated ways. Religion in politics is here to stay, and recognizing this is the first and most important step in accommodating ourselves to the best and the worst that the interaction

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has to offer. This book outlines some of the implications for public policy, human rights, and ethics, as well informing us about the nature of and prospect for conflict and peace.

NOTES

¹ Jytte Klausen, *The Cartoons That Shook the World* (New Haven: Yale University Press, 2009).

² An excellent overview of modernization theory and secularism can be found in Pippa Norris and Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide* (Cambridge: Cambridge University Press, 2004).

³ Madeleine Albright, *The Mighty and the Almighty: Reflections on America, God, and World Affairs* (New York: Harper Collins Publishers, 2006), 9.

⁴ Monica Duffy Toft, Daniel Philpott, and Timothy Samuel Shah, *God's Century: Resurgent Religion and Global Politics* (New York: Norton, 2011).

⁵ Mark Juergensmeyer, *The New Cold War: Religious Nationalism Confronts the Secular State* (Berkeley, CA: University of California Press, 1993).

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Introduction

Sumner B. Twiss

Background

Over four years ago, Harvard University hosted a conference on religion, politics, and human rights in honor of David Little's academic career and impending retirement. The conference presentations addressed various aspects of his scholarship by connecting his work to topics and issues of contemporary importance. All of the presentations were themselves original contributions to the fields representing Little's interests. In light of this fact, conference presenters were invited to submit papers based on their presentations for a festschrift that would continue to honor Little's scholarship for a broader and more public audience. In a few instances, additional or supplemental chapters were solicited. The result, long aborning, is the present volume.

Little's areas of scholarship and teaching span human rights and religious freedom; religion, war, and peacemaking; religion and politics (both international and domestic); and the theory and practice of religious ethics (including both comparative ethics and theological ethics). All of our authors are quite well-known for their previous scholarship in these areas, which, in turn, means that this volume is more than a festschrift—though it is certainly that as well—since it can stand on its own in drawing attention to and critically exploring pertinent cutting-edge issues. The book is divided into two major parts: normative prospects regarding human rights and religious ethics; and functional prospects regarding religion, conflict, and public policy. The most important thread that runs throughout the entire

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volume is human rights—how they are properly conceptualized; their historical, religious, and philosophical sources; their violation in various contexts; their role in helping to resolve conflict and achieve justice; how they might be supported by myriad religious and cultural traditions; and how they might be extended to protection of the environment and other species. What follows is a sketch of the contributing chapters, beginning, quite appropriately, with those relating to human rights and religion, especially religious freedom.

Human Rights Ideas and Religious Ethics

In casting Little in the role as a modern Calvinist architect of human rights thinking, John Witte draws attention to the fact that there was an ample legacy of natural or human rights development well before the Enlightenment, dating back to medieval canon law, Scholastic theology, and then Protestant Reformed thinkers. In the last regard and following upon Little's hermeneutical human rights scholarship, Witte's own considerable work on the Reformation and human rights clearly foregrounds the Calvinist contributions to the freedom of conscience and religion as the mother (or at least midwife) of many other human rights, the equality of all faiths before the law (even if sometimes only honored in the breach), the ecclesial restructuring of liberty and order in the church and its implications for a robust constitutional theory of republican government, and, in the recognition of human sinfulness, the particular need to provide safeguards against abuse of state power. In addition, the Calvinist contribution clearly coordinated human rights with human duties and responsibilities in an integrated approach that serves as a model even today.

Witte characterizes the modern human rights regime as a dynamic and progressive one that presupposes fundamental moral, social, and political values that fill the role of a *ius gentium* (common law of peoples), offering middle axioms for moral and political discourse in international and domestic settings. He also believes that this dynamic process is partly dependent on, and driven by, the transcendent principles continually being refined by religious communities in their own attempts to advance human welfare and social justice. For Witte, then, there is a constructive alliance between religious traditions of varying sorts and the regime of

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human rights, law, and democracy. Such is his vision for the present and the future.

Much like Witte, Gene Outka examines the Calvinist background of Little's work on human rights—especially the role of the law of love, the derivative theory of natural law, fundamental moral imperatives inscribed on the heart of humankind, and the distinction between the spiritual (religious) and civil (moral-political) spheres. In so doing, Outka is careful to highlight the trajectory in Little's scholarship that moves from John Calvin's theology and its conservative and liberal strands to an ever increasing interest in two of Calvin's heirs—John Locke and Roger Williams—who followed Calvin's more liberal strand in their more radical thinking about freedom of religion and a stricter separation of the spiritual and civil spheres of authority. After noting that Little himself embraces this more radical line of thought as a way to understand some of the roots of the Universal Declaration of Human Rights (especially Article 18 on freedom of religion), Outka is inclined to press Little on what remains, practically speaking, of his Calvinist background. In this regard, Outka poses some pointed questions which he leaves for Little to answer: Is the natural law still seen to be in some sort of intimate relation with a more inclusive theological and moral design? Is there any place left for the role of the institutional church in human rights development? What role do theological beliefs play in Little's current thought about human rights? And would Little use (and how exactly) natural human rights in appraising the comparative adequacy of Christian ethical schemes?

Sumner Twiss's chapter works within the human rights legacy forged by Little, by focusing attention on the arguments of one of Little's heroes—Roger Williams. The concern here is to interpret and accurately reconstruct Williams's defense of freedom of conscience and religion as a natural right. Twiss identifies four lines of argument in Williams's corpus: an argument from divine right and will, which takes both a theocentric form (God's conferral of such a right on humans) and a Christocentric form (Christ takes an interest in seeing this soul-right protected); an argument from natural justice, which invokes the natural moral law (embodied in the second table of the Decalogue) and then uses reason and the Golden Rule to derive equal recognition and protection of this right; an argument from the inviolability of conscience, which links conscience and personal and social moral identity in order to show what is at stake in thei