

CHAPTER 1

Introduction

Dialogue with Contributors

ARVIND SHARMA

The purpose of this chapter is to assess the contribution the various other chapters make in the context of the global movement for human rights and toward gaining a better understanding of the Universal Declaration of Human Rights by the World's Religions (henceforth UDHRWR). One way of accomplishing this task would be to present the main points of each chapter in the order in which they appear and analyze them in the light of this dual criteria. Once the various contributions have been discussed, the investigation could then be broadened toward the end to highlight the contribution of Christianity as a whole to human rights and to the UDHRWR. Such a procedure will be adopted in the present chapter.

FRANCES S. ADENEY

Frances S. Adeney identifies four Christian theological concepts which resonate positively with human rights: (1) the view that the human person is created in God's image (Gen. 1 & 2); (2) the belief that God established orders of authority and spheres of responsibility (Gen. 1); (3) the acknowledgment that evil in the world was brought about by human action (Gen. 2) and (4) the acceptance of a human family in general and the special community of believers in particular (Deut. 5).

The understanding of the human person, creation, sin and community thus provide the points of intersection between Christian theological

discourse and human rights discourse. These four items are of course understood in very different ways as they are filtered through the various sects which comprise Christianity, and as they are refracted through its long history. Nevertheless they do provide a basic frame of reference for viewing their multifarious dimensions. These four elements have been connected, in human rights discourse, with the emergence and articulation of that discourse in many ways, but it is striking how even in their stark statement above they converge with it.

For instance, human rights themselves involve a belief in the worth of the human person; they are sought to be implemented through a human rights regime; the need for human rights arises from human action which violates them and human rights discourse involves two kinds of communities: the human family at large and the special community of the advocates of human rights. One thus finds an interesting example of isomorphism between the four bedrock Christian theological ideas and the basic ideological framework of human rights discourse itself—a correspondence which becomes all the more intriguing if the appearance of human rights is primarily associated with secular movements such as the Enlightenment.

Of particular interest is Frances Adeney's suggestion that Christian sources for human rights can particularly augment the philosophical resources in this regard in the context of dialogue. That suggestion is much more powerful than might be apparent at first sight. From a certain perspective "dialogue" is looked upon as the watering down of "conversion"! That is to say, that it is a default position: ideally we would have liked to see our interlocutors become members of our fold but as that is not possible let us at least keep talking to them. Hence dialogue consists of being socially graceful in the face of failed mission. However, it becomes a morally assuasive position rather than a default position when we look at the way it is linked to human rights activism in this chapter. Here the Christian is not saying "as we can't convert you so let us at least chat"; the Christian is saying: "Here are our resources and now come and share your resources with us so that we can join forces." This has the potential of changing the very complexion of dialogue in interfaith situations.

The UDHRWR clearly involves dialogue in the double dimension of means as well as ends. The means by which it is being framed involves a conversation among the various religions on its numerous articles and its end is to promote continuing dialogue among religions through a creative juxtaposition of the world's religions with human rights. Part of the UDHRWR project also involves each religion producing its own declarations of human rights. One might venture the view that if a religious tradition articulates its moral vision while in a state of interaction with other religions, then it is bound to influence and be influenced by the moral visions of these other

religions, and thus achieve in some measure that “authentic transformation” which sensitive practitioners of dialogue have upheld as its goal.

MAX L. STACKHOUSE

Max L. Stackhouse identifies the various challenges to human rights as understood in the West which have periodically surfaced. There is the early Marxist and socialist critique which questions the priority of civil and political rights over social and economic rights; there is the colonial critique of human rights discourse as being an exercise in imperialism by other means; there is the Asian values critique of the Eurocentric human rights, and now there is the manifold Islamic critique of human rights to be dealt with. Max Stackhouse points out with cautious optimism that despite these challenges “human rights ideas have, at the least, become a part of *ius gentium*, the cross-cultural operating consensus as to what constitutes proper behaviour by states and other formal institutions. That consensus also helps to evaluate what counts as compelling moral argument in contemporary ethical discourse,” since as “even those who violate human rights plead special conditions, temporary delays, or hermeneutical differences; they seldom deny their validity as an ideal or goal.”

The grave challenge to human rights discourse which Max Stackhouse identifies is not so much political or historical as philosophical, the fact that many doubt whether “we can have nonempirical principles to judge empirical life.” This skepticism manifests itself in the view “that there is or could be no universalistic moral theology, master narrative, or *jus naturale* to support the idea.” He is of course quick to note that such a claim in itself is one “that ironically presses towards a universal relativism.” The more sophisticated exponents of this view would of course recognize the possibility of the relative nature of relativism itself and offer their position as a cultural preference. But for Stackhouse it lacks the starch to hold the collar in this age of globalization, the strength to support a global civil society, as no enduring society has historically existed without a religious core. The cultural relativists oppose human rights on grounds of its abstract universalism but in doing so they attack a straw figure, because human rights “require a synthetic judgement,” one which combines a finding in law or in principle with a finding in fact, in the tradition of case studies.

Stackhouse makes a strong case for safeguarding the individualistic orientation of human rights, based on the theological principle of *imago dei*, on three grounds. The first is rooted in the argument of the previous paragraph, that “theologically based moral judgements themselves are pluralistic in their internal structure.” Hence they should not be dismissed as excessively

abstract. The second requires the individual person to be extracted from the social matrix so that “moral inviolability of each person” is preserved over “communitarian regard,” which finds concrete expression in the idea that a human being, qua human being, must never be subjected to certain forms of degrading treatment irrespective of any circumstance. The third ground presents such an individualistic abstraction positively, that an individual must be allowed to act in defiance of the community, as when one wants to change one’s religion.

Max Stackhouse’s analysis is helpful in pointing to the complexity involved in the concepts of universality and individual autonomy any UDHRWR must take into account in order to be authentic.

SUMNER B. TWISS

Sumner B. Twiss’s piece addresses the theme underlying the book most explicitly and concretely and therefore merits detailed comment. It is extremely helpful in providing historical depth to the discussion, just as other papers provided theological or moral depth to it. The importance of including the historical dimension is made clear by the light it sheds on an allied issue, namely, whether human rights are “Western.” The charge is a common one and I think has substance but not in the way the charge is laid—implying either that non-Westerners were not present in influential numbers in the various committees or that non-Western points of view were only insufficiently debated or were not presented at all. It is clear from examining the record that such was simply not the case.

On the basis of such a historical investigation, Twiss concludes that the UDHRWR does not represent a measurable advance over the UDHR because the points it raises or incorporates were already raised and discussed and passed over in the debates around the formulation of the UDHR by the Third Committee. He draws pointed attention to three issues here: (1) that the UDHR discussed but discarded any reference to the divine in the preamble in the interest of religious tolerance, so that its incorporation in UDHRWR does not represent any improvement over the situation; (2) that concern with proselytizing excesses which might accompany the freedom to change one’s religion were already aired in the debate on Article 18 so that the sensitivity displayed to the issue in UDHRWR hardly adds a new dimension; (3) that the mutual implication of rights and duties, which is emphasized in the UDHRWR is rather cumbersome, when such a relationship is already recognized more elegantly and perhaps equally comprehensively in Article 27 of UDHR.

These are solid points and I hope the responses will share that quality. The first point has to do with the preamble. It is true that religious or theological grounds are implicit in the “overlapping consensus” which is reflected in the preamble of the UDHR. But it is also true that thereby they are obscured. One has to add to this the consideration that the UDHR is viewed as a secular document in the sense that one important critique of religious fundamentalism is its proclivity to abridge these rights, so that UDHR takes on the semblance of a source that provides a secular critique of religious practices. This potentially negative positioning of religion vis-à-vis human rights may be prevented by explicitly associating religion as a source of human rights. Moreover, the preamble of the UDHRWR does not discard the purely humanistic orientation, it speaks of inspiration “both human and divine.” In doing so it does not compromise the principle of tolerance embodied in Article 18 of the UDHR, a concern with which had originally led to the exclusion of such language from the preamble, perhaps because the formulations offered were couched too much in the idiom of a religion or ideology. A case could be made for altering the wording to “inspiration human or divine,” but then the overlapping consensus referred to earlier may be as true of an individual person in the modern world as of a group of persons.

The second point relates to the question of proselytization and I think it is important here to recognize an ambiguity in the expression the right to “change” one’s religion: the change can be (1) purely voluntary, (2) or brought about by someone else by force (3) or may be the outcome of someone else’s influence exercised through teaching or persuasion. It seems likely that the framers intended only the first meaning and would accept the third sense as valid conversion brought about through manifesting one’s religion in public and private. The second meaning involves coercion and so would have been rejected by the framers. It seems to me that the text is not always read as it was intended—if my reading of the intention is correct. The absence of a clear distinction among voluntary change, involuntary change and induced change and a further lack of clarity on how change might be induced, has led people to claim that the right to change one’s religion includes the right to proselytize. The argument that “if it is an evil, it was essentially an evil from which all sides had to suffer” is not very helpful, because the “evil” can perhaps be remedied by rewording the right as attempted in the UDHRWR. As Tad Stahnke notes: “With the exception of the American Convention, which explicitly states in Article 12(1) that the right to freedom of religion includes the freedom ‘to disseminate one’s religion or beliefs’ neither proselytism nor the freedom to disseminate a religion is mentioned in international instruments. The lack of any direct recognition of proselytism may be an indication of the sensitivity of states to the

issues it raises and the difficulty of delineating agreeable standards.”¹ The bullet cannot be dodged any more. The UDHRWR tries to face it, which is not to say that it has offered the best response. But it has tried to respond.

The question of how exactly the correlativity of rights and duties should be recognized is a contentious issue and brings us to the third point. That the UDHR was deadlined rather than deadlocked into presenting the relationship as it does is useful knowledge but the result may have been unfortunate. In the book to which Professor Twiss’s own contribution is gratefully acknowledged (p. xii), Mary Ann Glendon notes about another set of articles: “With hindsight it is perhaps regrettable that the framers, in dealing with these provisions [Articles 23–26] did not adopt the obligation model. To couch the social security and welfarian principles in terms of a common responsibility might have resonated better than rights in most of the world’s cultures and would still have left room for experiments with different mixes of private and public approaches.”² Might a similar reflection not be in order with the benefit of hindsight in relation to Article 29 which, some have suggested, creates the impression of a bogey having been attached to the train as it was about to leave the platform. At least an earlier placement of it would have avoided the impression of UDHR being too light on duties. How important this point is in relation to the non-Western world was revealed to me during the course of a discussion with Professor S. H. Nasr on the proposed UDHRWR. His first question to me was whether it had taken due recognition of duties and in fact he wondered whether the proposed declaration should itself not be called *A Universal Declaration of Human Rights and Duties by the World’s Religions* to take care of the “lacuna” (his word) in the UDHR.

DAVID LITTLE

David Little’s powerful personal testament illustrates how commitment to a very specific tradition can generate a commitment of surprisingly universal reach. This focus on the personal also gives a new spin to the slogan “the personal is the political,” by underscoring the role personal commitment plays in such discourse. Martin Luther King once famously asserted that what we are suffering from is not a deficit in human resources but a deficit in human will. David Little’s piece forces us to focus on this will in relation to human rights.

He speaks of the four ways his own will has been strengthened by his reading of Calvin: (1) “According to Calvin, the theological conviction that moral knowledge is part of the structure of the universe undergirds and reaffirms the bindingness of primary moral reactions,” (2) “religious conviction

overcomes other sorts of doubt that can enfeeble moral commitment,” (3) “religious knowledge for Calvin supplements moral insight in that it helps to illuminate the task of applying general principles to specific circumstances,” and (4) “religious conviction provides motivation for living up to the demands of morality in the face of weakness of will.” Most, if not all, of these principles would apply to the moral life led by people anchored in a particular faith. Therefore Little’s personal testament becomes a testament which could be shared by many who champion human rights while remaining rooted in faith.

Little’s testimony also sheds light on the nature of the UDHRWR as a document. Little is at pains to point out in his conclusion that while “the liberal Calvinist tradition provides a particularly strong historical and theological foundation for a belief in human rights. . . . It can by its very nature be nothing more than a recommendation” as human rights are “matters of ‘conscience, religion or belief’ and as such are subject to the conditions of ‘the sovereignty of conscience’ and the ‘laws of spirit.’”

The UDHRWR as it stands is solely recommendatory in nature.

TERRY C. MUCK

Terry C. Muck focuses on the role of human rights. After noting that *sensu stricto* religions do not have to believe that human rights are religiously grounded in order to advocate them to ensure human flourishing, they might indeed take them to be so grounded. Taking the cue from Terry Muck’s distinction between conversation and dialogue that—the former may not involve disagreements but the latter always does—one way of sharing his insights might be to indicate the disagreements within human rights discourse that call for dialogue and how religions may play a useful role in dealing with them.

Two such disagreements have been well documented by now: (1) between the Universality Principle, that the ideals represented by human rights are universally applicable and the Cultural Specificity Principle which “de-emphasizes the practice of applying universal principles of behaviour and understanding to all cultures everywhere” and indeed “insists that each culture be allowed to speak for itself and express its own ideals unencumbered by principles applied by outside observers”; and (2) between the two understandings of “human” as referring “to both individuals and to communities of human beings” or what might be called the Individual and Communal dimensions of being human. As a result of the way discourse on human rights has evolved over the past sixty years the “modern understanding of human rights . . . includes a careful balancing of the two spectrums of

understanding, one a spectrum ranging from principles to specific cultural mores, the other ranging from an individual understanding of human rights to a communal understanding.”

At one level, interreligious dialogue has developed a process of dialogue which may apply to all forms of dialogue, interreligious or otherwise. The three main principles identified here are those of Intentionality, Disagreement, and Respect. The point to note is that dialogue does not set out to end disagreements, it can even end in disagreements but the real question is whether it can provide the ground for agreement “wide enough on which to build common understandings and intercultural behaviors.” This insight applies not only to dialogue in general but also to interreligious dialogue. The question may be asked, however, that if dialogue, in *any* of its forms, itself might adjudicate between the two spectrums mentioned earlier, why interreligious dialogue?

The answer Terry Muck provides is: “In order to have universal human rights, one must appeal to universal justification, and the only kind of universal justification that will work is the way the religions understand the transcendent” (as distinguished from the false secular universals of totalitarianism, fascism, and communism). By remaining rooted in an understanding of transcendence which is “truly transcendent,” the religions can contribute to the human rights project by talking about universals in a way that “avoids the dangers of either totalitarianism or cultural relativism” and thus provide a forum that might make it possible to “arrive at both religious and cultural expressions of human rights at various places and at various times that will be acceptable to all the religions represented in that area.”

This idea of interreligious dialogue operating within a well-defined area to establish human rights norms in order to implement them is a useful direction in which the UDHRWR project could move. It seems to represent a valuable application of the maxim of thinking globally but acting locally to human rights discourse.

STEPHEN G. RAY JR.

Stephen G. Ray Jr. begins by examining the conceptual basis of human rights and defends his approach by asserting that “ideas are the imaginative currency which give meaning to our world and our interactions in it,” “lest it seem that I make too much of the power of an idea.” The point is important because “the way ideas are rendered can have the power to motivate good people to challenge systems that work to destroy human persons or, conversely, the power to mystify persons into becoming silent bystanders.”

Stephen Ray then takes note of the fact that “human rights” are the first casualty in any political or economic crisis. He attributes this to the “depravity of human beings,” which involves “the inescapable entanglement of most human beings in some form of self-interest.” This prevents a person from attaining the “situational self-transcendence” in the absence of which a person cannot relate to others truly in *agape*. According to him the “idea of depravity also serves to highlight the dual character of the problem,” which is “by nature both universal and contextual. What is at stake in the concern for human rights is something universal—the guarantee of well-being to human persons simply because they are human persons. At the same time the guarantee must be achieved and mediated contextually (i.e., specific locations, eras, and cultures).”

Stephen Ray’s specific context is the United States around the time of the Declaration of Independence and thereafter. His analysis proceeds by way of analyzing the lapidary utterance: “We hold these truths to be self-evident that all men are created equal and are endowed by their creator with certain inalienable rights, among them life, liberty and the pursuit of happiness.” That statement is then treated as a “theopolitical” statement. Only in this light can one understand his claim that although the words of the declaration cited above had originally applied to “men of Anglo-Saxon” descent and have since been extended in a major way, Stephen Ray does not share the optimism that they are now serviceable in the context of human rights. Such optimism, he argues, “does not take seriously enough the matrices of meaning that attach to these words and, consequently, presumes a facility for the task that does not exist.”

The crux of his argument is that the statement is riddled by an internal contradiction: “On the one hand, you have the assertion that the claims of the preamble are rooted in some quality which inheres to all men, while on the other you have the assertion that the claims of the preamble are explicitly not applicable to all people,” for as Chief Justice Taney stated in the Dred Scott decision in 1847: “The framers of the Constitution believed that blacks had no rights which the white man was bound to respect.”

Most scholars view the history of the United States as constituting a historical resolution of this contradiction, as more and more marginalized groups gain the status of full membership of the community. Stephen Ray’s position is remarkable for taking a philosophical route as a result of which he is able to claim that while the expansion of rights in contemporary American society is undeniable, “these gains are ever and always tentative.” His reason for arriving at this conclusion has to do with how the word “man” is understood in American culture.

American culture inherits its understanding of the term “man” from European culture, which espouses “a radical disjuncture between mind and

body,” and in which “the human person is primarily a creature of the intellect and only secondarily inhabits a physical body.” This meant that women were not men because of their identification with the body and of the body with the womb. This also meant Meso-Americans and Africans were not men because they merely possessed human bodies and the same point was made with regard to men of Asian descent. Thus the differentiation of humanity by sex and race rendered them less than human, as the only sense in which they could be considered human was solely through possessing merely a human body, which was not enough.

Stephen Ray sees in Martin Luther King’s concern with “material conditions of the body” the seeds of a new perspective, which is particularly promising in terms of redefining dignity in terms of the body. It is worth noting that Rosa Parks made history by refusing to remove her body from a seat.

This perspective allows a fresh Christian interpretation even in the context of the creation story as found in Genesis 1 and 2, wherein “three significant aspects . . . characterize the creation of human persons—the creation of the body, the imbuement of that body with the spirit of God, and a founding relationship between that soul and God.” All three dimensions had to be cultivated for a complete life.

Stephen Ray’s analysis is suggestive and may help explain how Hindu metaphysics, which sees both the Personal and Impersonal God as omnipresent, could reconcile itself to the practice of untouchability by perhaps cleaving to an excessively spiritual concept of “man.” His analysis also strengthens the case for some of the provisions in the UDHRWR such as the right to food.

JEAN BETHKE ELSHTAIN

Jean Bethke Elshtain offers a stream of sustained reflection on the present state of human rights discourse from a Catholic perspective, which can be brought in relation first to the human rights discourse as anchored in the Universal Declaration of Human Rights and then to the UDHRWR. The framers of the Universal Declaration of Human Rights (1948) could probably not have foreseen the extension and differentiation human rights discourse has since undergone. In this respect Elshtain’s warning—that the proliferation of human rights discourse might weaken it—is salutary.

Such a proliferation seems to have occurred on the basis of different groups of claimants pushing “claims they choose to couch in the language of particular rights that apply specifically, even exclusively, to that group of claimants” and thereby attenuate the concept of human rights, which all human beings possess without exception. Moreover, such “sectional” artic-

ulations of human rights tend to pit people against one another. They are often rooted in the secular conception of a human being, as one seeking power and freedom for oneself—“any rights culture derived from such premises becomes a way we confront and are protected from one other.” Those conceptions lead to a plurality of organizations that view each other with antagonism.

If, however, one takes one’s stand on a conception of human rights that celebrates human dignity and accepts the relationality of human beings, then the two parties, even in confronting each other, become agents of upholding human rights as in the case of the Mothers of the Plaza protesting the “disappeared.” The plurality of such organizations becomes a limiting factor on the leviathenesque tendencies of the state on the one hand and helps human rights discourse steer clear of excessive individualism on the other. “Within this vision, commonality is at some level assumed and solidarity is an achievement.”

This process of rearticulating human rights as based in human nature itself may also help to relieve, if not solve, the “late modern dilemma: we cannot do without rights, but the ways in which rights are generalized and universalized may not be capable of sustaining those rights at the most fundamental level because too much of the deep background and justification of rights has been jettisoned along the way.”

The UDHRWR, it is worth noting, sets out to correct shortcomings of the prevailing human rights discourse noted by Elshtain: the disjunction between rights and duties within it and an inadequate recognition of a comprehensive human rights culture required to sustain human rights. Virtually every article in the UDHRWR correlates rights and duties, and the very idea of bringing religions together on the platform of human rights is meant to broaden and deepen their cultural roots.

KAM WENG NG

Kam Weng Ng addresses the emotive issue of human rights and Asian values with persuasive intellectual insights. It is true that the issue has receded somewhat into the background, with the West no longer in a position to project itself as the knight-in-shining-armor champion of human rights, given the kind of legislation it has had to introduce after September 11, 2001. At the same time, the governments of Southeast Asia are no longer in a position to trumpet Asian values the way it was possible to do before the financial crisis of 1997. Nevertheless the issue remains theoretically significant.

Kam Weng Ng identifies four main components of the Asian values argument: “1) that human rights are culture specific; 2) that community

takes precedence over individuals; 3) that social-economic rights have priority over civil political rights; and 4) that the implementation of human rights should be respected as a matter of national sovereignty.”

None of these arguments bear scrutiny, according to Kam Weng Ng. Human rights need not be considered culture specific because they are universalizable. Thus the “fact that the current concept of human rights originated in the West does not mean that it cannot and should not be applied to Asia. After all, Asians have no reservations applying Newtonian principles and quantum physics in their societies even though these physics originated from the West.” As to the second argument, that the community take precedence over the individual, it is worth noting that “the debate/tension between communitarian and individualistic liberalism is not one divided geographically between Asia and the West.” Even Western philosophers—Charles Taylor, Alasdair McIntyre, Michael Walzer, and Michael Sandel among them—have also argued for a communitarian social philosophy. Moreover Asian societies also contain elements that “affirmed tolerance and vigorous support for human freedom,” which could and “should be retrieved in the development of a comprehensive framework for human rights in contemporary Asia.” The third argument—that social-economic rights have priority over civil political rights—is challenged by the work of Amartya Sen who finds “no empirical verification for the idea that limiting civil and political rights supports economic growth.” The view that “human rights form a seamless whole whether economic or civil-political,” thus stands vindicated. The fourth argument—that implementation of human rights should be respected as a matter of national sovereignty—overlooks the fact that the concept of human rights itself arose out of a realization of the “need to limit the awesome power which a centralized state can wield.”

Kam Wang Ng also makes the two additional points—that societies that appear closed may not be as impervious to new influences as it seems, and that the church can act as a witness for human rights. The first point is illustrated with the example of Malay/Muslim society, which may have appeared unchangeable but while the Sultan had “the trappings of absoluteness” the fact that he did not possess a state bureaucracy and had to rely on his feudal chiefs showed the cracks in the system. The emergence of an educated elite under colonialism further undermined such absoluteness. The second point can be exemplified with the help of the role the church has played in Korea, where the church “gained credibility when Christians were in the forefront in the fight for nationalism and fundamental rights of the Korean people.”

The analysis may be supplemented by two points. The first is that while physics deals with objects, human rights deal with subjects. Objects do not possess an interior life but human beings or subjects do. This fact does not

negate the universality of human rights but does complicate it. The second is that as colonialism was a way of coming between a people and their own government and supplanting it, human rights discourse, when it seems to be doing the same, revives fears of imperialism. These emotional realities need to be recognized even as the limitations of the Asian values arguments are exposed. The UDHRWR project, by encouraging the active participation of the cultures in framing of the declarations themselves, aims at overcoming these problems.

MARGARET O. THOMAS

Margaret O. Thomas focuses on the right to change one's religion and reports on the consultations on this point between the Christians and the Muslims at the initiative of the World Council of Churches (WCC). Although the number of people who change their religion is statistically small, it involves an important human rights issue. Moreover, while changing one's religion has limited social consequences in some societies, like the United States, it can have major consequences in other societies.

The importance of a consultation between Christians and Muslims on such a sensitive topic should not be underestimated. It requires considerable mutual trust to openly discuss the misuse of religion for political or other ends. Two key principles were articulated by the WCC to "open the space for constructive struggling with living human rights issues, including religious freedom. First, conflict should be de-globalized in order to avoid its spread and to allow a contextualized resolution. Second, in each community authentic witness should respect the integrity of others and abstain from competitive proselytizing methods." Sometimes the "diplomacy of reciprocity" was proposed in these dialogues, representing "a search for a kind of global symmetry between the Christian and Muslim communities whereby a privilege is demanded of a majority community in a specific place as a condition for giving what should be understood as a right in another place where the community's members are in a minority (e.g., a church building somewhere in the Middle East as a requirement for erecting a mosque in a European location)." This represents the antithesis of deglobalizing and also compromises the universality of the principle. Similarly, regarding the second point, "thoughtful Christians and Muslims are aware that neither can ask the other to abandon the witness of mission/evangelization/evangelism and da'wah in the name of avoiding mutual stress, since witness and invitation are integral to the faith of both. But WCC-convened dialoguers have also acknowledged the need for a mutually agreed, "tough ethic of witness."

Some specific and general points that emerge from this dialogue are not without interest. It was observed for instance that “entry into the Christian community, while welcomed, is usually a more complex process than in Islam. . . . Leaving the community, while undesirable, is more possible in theory than in practice.” It was also observed that some of the difficulties arose from “the identification of Christianity with colonial, neo-colonial, and globalizing powers that are viewed by others as oppressors rather than promoters of the common good.” Two issues of more general interest also came up: (1) the difference the use of the language of individual choice rather than that of individual change can make in the context of religious conversion in terms of human rights discourse and (2) that it is possible, “in practice, to adhere to a particular human right and also maintain other rights that have been articulated.”

JOHN DEAR

John Dear focuses on two of the chief values that human rights discourse embodies—those of non-violence and peace. It is sometimes important to identify a value that is embodied in a discourse, for there is a tendency for the substance to get lost in style, or for the fruit to be obscured in the foliage of the tree. Furthermore, because the Universal Declaration of Human Rights was adopted by nation-states, it is sometimes tempting to look upon it as a political document with a moral inflection rather than as a moral document in a political idiom. By focusing on the values it enshrines, John Dear helps to maintain the goalposts where they are as against the temptation of shifting them.

The Universal Declaration of Human Rights does not say anything about disarmament although it does talk about peace. It is against genocide but does not speak of nuclear weapons. A declaration, of course, cannot contain everything, but Dear’s point cuts deeper. One may not mention these items but one cannot fail to mention the attitudes, if not always the means, which will take one to the goal. And that attitude has to be one of nonviolence.

Gandhi developed his views outside of human rights discourse but that does not mean that they are not relevant to it. For Gandhi the very fact that the human race continues to exist is proof that, on the whole, so far, nonviolence has remained a step ahead of violence. John Dear warns us that the scale of destruction involved in modern warfare has shortened the distance by which nonviolence has managed to stay ahead of violence, a danger of which Martin Luther King was even more acutely aware, living as he did after Gandhi in a world frozen in place in a cold war through the doctrine of

MAD (mutual assured destruction). His rhetoric reflects this reality when he says: “The choice is no longer between violence or nonviolence. It’s nonviolence or nonexistence.”

War, it seems, violates human rights in a sense so fundamental that it cannot be captured in a declaration. It is striking that human rights discourse, so vigorous when the violence of a state is directed against its own citizens, becomes so platitudinous in the face of the violence of one state directed against another. There is an important lesson here for human rights discourse to learn. John Dear alertly notes how the UDHRWR does recognize the importance of nonviolence. His chapter encourages us to ask whether peace and disarmament should figure more prominently in it.

NOTES

1. Tad Stahnke, “Proselytism and the Freedom to Change Religion in International Human Rights Law,” *Brigham Young University Law Review* (1999): 275–76.

2. Mary Ann Glendon, *A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights* (New York: Random House, 2001), p. 189.