

1. Introduction

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Political life, argue Daniel Béland and Robert Henry Cox in their introduction to *Ideas and Politics in Social Science Research* (2011), has always been full of ideas. Yet, for the past half-century or so, the study of ideas and non-materialist explanations of why human beings do what they do have been denigrated. Béland and Cox point to the rise of behaviorism as well as to the resurgence of neo-Marxism within the social sciences as possible explanations for this dismissive attitude toward ideational approaches. Today, however, across the social sciences, they write, researchers seem to have become more aware of the impact of ideas, culture, discourse and framing processes in general – of the way in which ‘ideas are a primary source of political behavior... [They] shape how we understand political problems, give definition to our goals and strategies, and are the currency we use to communicate about politics.’¹

It is not only in the social sciences that ideational approaches have caught on. In a sense, the assumption that people develop sets of ideas to make sense of the world and their interactions with each other, and the further assumption that such ideas then become an important cause of human action, political, social as well as cultural, have always been there in the humanities. But they have both been reinforced, at least since the 1970s and 1980s, by broad trends such as the development of interdisciplinary forms of discourse analysis and constructivism, and emphases on racial, sexual and gendered – as well as other cultural – identities and inequalities. These trends, in turn, have had a lot to do with what Niall Ferguson and others have called ‘the shock of the global’: the realization of the extent to which the world is irrevocably and irretrievably interconnected.² With the development toward a global society and economy, the break-up of former western colonies as well as the impact of popular culture, promoting the

¹ Daniel Béland and Robert Henry Cox (eds), *Ideas and Politics in Social Science Research* (Oxford University Press 2011) 3.

² See Niall Ferguson, Charles S. Maier, Erez Manela and Daniel J. Sargent (eds), *The Shock of the Global: The 1970s in Perspective* (Harvard University Press 2010).

respect for diversity has become a top priority and transnational issues such as environmental protection and human rights have gained immense importance.

It is the latter – human rights – which are our focus in this volume. Human rights are one of those sets of ideas around which people are currently building transnational alliances – alliances that then lead to concrete and direct action. As a set of ideas, human rights are interesting, therefore, both at a theoretical level and at a more practical one. In terms of the theoretical, more scholarly level of analysis, it is important to point out that what we have to offer in this volume is not ‘idealism’ in any Hegelian-inspired sense. It is, rather, an ideational analysis which relates ideas about human rights back to the actions taken by certain actors who have been inspired by them – a more constructivist-oriented one, that is.³

Analyses and discussions concerning human rights may at times be confusing in that it is not always clear whether what is discussed are the theoretical underpinnings or instead the activism that may or should follow. Often, scholars discussing human rights are both scholars and activists, and it is not evident whether they talk about what is or what ought to be. Pragmatists among such scholars tend to declare themselves uninterested in the ‘why’ of human rights – in theoretical discussions concerning what human rights are, their history and why we should conceivably fight for them. As far as they are concerned, going down this road only leads to hopeless and useless theoretical fights, and what counts is whether or not human rights work in practice.

The chapters in the first half of the volume take on the more theoretical dimensions of human rights, whereas those in the second half offer concrete, empirical case studies which tell of the various ways in which concrete actors have been inspired to act because of or in the name of human rights. The nine contributors represent a number of disciplines: history, law, political science, philosophy and American Studies, and while opinions as well as thematic and methodological approaches differ, most contributors would agree, I think, that doing interdisciplinary work and bringing together various fields of inquiry, though ‘so very hard to do’,⁴ is a positive thing. Often, it is by listening to and endeavoring to understand the discoveries made in other disciplines that fruitful new ways of thinking emerge from which one’s own research may benefit.

³ In this, we follow Béland and Cox (2011).

⁴ Stanley Fish, *There’s No Such Thing as Free Speech: And It’s a Good Thing Too* (Oxford University Press, 1994) 231.

THE THEMES AND ISSUES DISCUSSED IN THE VOLUME

The ‘Why’ of Human Rights

Does the ‘why’ of human rights matter – or, perhaps more to the point in this context – is the attempt to answer the ‘why’ question even an important one? To some of the contributors to this volume, the answer to these questions is a resounding ‘no’; others tend to lean more toward answering them in the affirmative.

In his contribution to the 2005 edited collection entitled *Does Human Rights Need God?*, legal scholar Louis Henkin makes the point that ‘human rights – cold rights – do not provide warmth, belonging, fitting, significance, do not exclude need for love, friendship, family, charity, sympathy, devotion, sanctity, or for expiation, atonement, forgiveness.’ For this reason, he argues, it is important to move beyond ‘rights talk’ to the ‘larger, deeper areas beyond the common denominator of human rights’ – those areas that transcend the purely legalistic and/or political – in order possibly to recover important entities such as mercy, compassion and reconciliation.⁵

The need to move beyond ‘rights talk’ is also voiced by literary scholar Daniel S. Malachuk in his 2010 article in the *Journal of Human Rights* on ‘Human Rights and a Post-Secular Religion of Humanity’.⁶ Generally speaking, Maluchuk writes, human rights scholars may be divided into foundationalists, for whom there are universal, rationalist foundations for human rights, and anti-foundationalists, who maintain that human rights are contingent, fluid and relative. The latter are by far the more influential of the two camps. For anti-foundationalists such as Richard Rorty and Michael Ignatieff, any talk of theoretical foundations quickly becomes counter-productive. Seeing human rights as a ‘secular religion’ is wrong, and getting into the ‘why’ question only muddies the waters and takes attention away from the real problems involved. Human rights ‘is not a creed; it is not a metaphysics’ writes Ignatieff, for example.⁷ Rights exist to protect people, and they are highly political: ‘To confuse rights with

⁵ Louis Henkin, ‘Religion, Religions, and Human Rights’, in Elizabeth M. Bucar and Barbra Barnett (eds), *Does Human Rights Need God?* (Wm B. Eerdmans Publishing Co. 2005) 154–55.

⁶ Daniel S. Malachuk, ‘Human Rights and a Post-Secular Religion of Humanity’, *Journal of Human Rights*, 9:127–142, 2010.

⁷ Michael Ignatieff, ‘Human Rights as Idolatry,’ in Michael Ignatieff (ed), *American Exceptionalism and Human Rights* (Princeton University Press 2005) 53.

aspirations, and rights conventions with syncretic syntheses of world values, is to wish away the conflicts that define the very content of rights.⁸

Anti-foundationalists such as Ignatieff may indeed have a point, Malachuk concedes; there have been examples in the past of faith-based human rights initiatives leading to a weakening, instead of a strengthening of human rights world-wide. Despite the fact that anti-foundationalists have dominated human rights theory for the past six decades, however, the actual number of human rights violations is not going down. It would therefore seem, Malachuk argues, that ‘the times demand more, not fewer speculative approaches to human rights.’⁹ The one that he offers in this particular article is a ‘religion of humanity’ that builds on John Stuart Mill’s thoughts. With his careful, yet highly speculative, deliberations on the religious foundation for human rights, Mill is very ‘valuable to us today as an entry point into the more serious study of late eighteenth- and nineteenth-century post-secularism and the question of foundations in human rights theory.’¹⁰

What Malachuk finds especially useful about Mill is the latter’s understanding of ‘weak belief’ as something promising rather than something problematic: ‘We are in an age of weak beliefs, and in which such belief as men have is much more determined by their *wish to believe* than by any mental appreciation of evidence,’ Mill wrote in ‘The Utility of Religion’. ‘The wish to believe does not arise only from selfish but often from the most disinterested feelings; and though it cannot produce the unwavering and perfect reliance which once existed,... it often causes direct misgivings to fade away by disuse...’¹¹ Even if people today are less confident in their religious beliefs than their ancestors were, their will to believe could actually lead them to do both progressive and useful work in society, according to Mill. And it is this sort of thinking on Mill’s part, says Malachuk, that deserves more attention by contemporary post-secularists.

Various attempts have indeed been made over the past few years to move beyond treating religion and the will to believe as something merely rhetorical, if not downright embarrassing. Such secular alternatives to anti-foundationalism, Malachuk writes, still do not wish to go all the way, however, to treat *religion* as a route to moral truth. It is only very reluctantly that human rights scholars dare take up the ‘why’ question and few wish to

⁸ *Ibid* 67.

⁹ Malachuk, ‘*Human Rights and a Post-Secular Religion of Humanity*’, 137.

¹⁰ *Ibid* 139.

¹¹ John Stuart Mill, ‘*The Utility of Religion*’, quoted in *ibid* 138.

admit, as Mill did, that ‘to defend human rights is to be drawn into a faith that the universe is meaningful whether one knows it or not.’¹²

It would be my guess that few, if any, of the contributors to this volume would wish to sign on to Malachuk’s argument that religion is key to the ‘why’ of human rights. Some of us do think, though, that Elizabeth M. Bucar and Barbra Barnett have a point when they write in their introduction to *Does Human Rights Need God?* that, ‘unless we are able to explain to one another why we think human rights are important – express to each other our “whys” for human rights – the world community will be unable to elicit the widespread and consistent support necessary to prevent human rights abuses.’¹³ As far as we are concerned, one important ‘why’ for human rights concerns human dignity and the wish and need to preserve and protect it is the message that needs to be conveyed.

The question is, though, how useful the terms employed by Malachuk are at this point. It may well be that we need to move beyond discussing foundationalism versus anti-foundationalism, universalism versus relativism. After having first swung in one and then the other direction, the pendulum seems to have found a position somewhere in between. Most scholars today recognize the most basic constructivist claims, as already pointed out, but this does not mean that all is and has to remain relativistic. For those of us who are interested in attempting to answer the ‘why’ question, a middle space has to be found – a space in between the wish to accord religion pride of place whenever the ‘why’ of human rights comes up and the claim that it is all just a matter of politics and law, of national security and economic interests anyway.

Such a middle space was arguably provided by Robert Bellah and his notion of a civil religion – at least by that part of Bellah’s notion that dealt with *political* religion to which I shall turn next. Interestingly enough, Malachuk does not mention Bellah. This could well be precisely because Bellah is more interesting from a political-religious than a purely religious-religious perspective, so to speak. It certainly cannot be because Bellah’s thoughts on civil religion have been forgotten by now. In 2010 alone, at least three new books on civil religion have been published. As its title implies, the edited volume *Civil Religion in Political Thought: Its Perennial Questions and Enduring Relevance in North America* looks at civil religion as a

¹² *Ibid* 139.

¹³ Elizabeth M. Bucar and Barbra Barnett, ‘Introduction,’ in Bucar and Barnett (eds), *Does Human Rights Need God?* 3.

persistent feature of most modern liberal societies.¹⁴ In *Civil Religion: A Dialogue in the History of Political Philosophy*, Ronald S. Beiner offers philosophical commentaries on more than twenty thinkers stretching from the sixteenth to the twentieth century who have written within the civil religion tradition.¹⁵ And finally, Philip Gorski's *Fall and Rise of Civil Religion*¹⁶ has just been released by Princeton University Press.

Civil Religion – A Useful Concept Today?

What is civil religion? In his famous article from the 1967, 'Civil Religion in America,' Robert Bellah used the term to describe certain general, quasi-religious visions of public life in the US:

While some have argued that Christianity is the national faith, and others that church and synagogue celebrate only the generalized religion of 'the American Way of Life,' few have realized that there actually exists alongside of and rather clearly differentiated from the churches an elaborate and well-institutionalized civil religion in America. This article argues not only that there is such a thing, but also that this religion—or perhaps better, this religious dimension—has its own seriousness and integrity and requires the same care in understanding that any other religion does.¹⁷

For Bellah and for those who would later use the term, civil religion was 'the religion of the republic', a public myth whose symbolism, though rooted explicitly in the biblical tradition, embodied no particular biblical faith. It was a myth, moreover, which served to legitimate national life, a social glue that helped to bind a country of individualistic and culturally diverse people together.

Bellah's article immediately spawned an intense debate – in part because its level of abstraction was fairly high. Much of the debate and the literature that has since explored civil religion have accordingly centered on the definitional problem, and various categorizations or mappings of the

¹⁴ Ronald Weed and John von Heyking (eds), *Civil Religion in Political Thought: Its Perennial Questions and Enduring Relevance in North America* (The Catholic University of America Press 2010).

¹⁵ Ronald S. Beiner, *Civil Religion: A Dialogue in the History of Political Philosophy* (Cambridge University Press 2010).

¹⁶ Philip Gorski, *Fall and Rise of Civil Religion* (Princeton University Press 2011). The book was supposed to appear in 2010, but it was apparently delayed.

¹⁷ Robert N. Bellah, 'Civil Religion in America,' *Daedalus*, Journal of the American Academy of Arts and Sciences, from the issue entitled, 'Religion in America', Winter 1967, Vol 96, No 1, 1–21, available at http://www.robertbellah.com/articles_5.htm (accessed 7 May 2011).

concept have been suggested. In an article from 1978, Bellah himself described what had happened in this way:

In 1967 I published an essay I have never been allowed to forget. In it I suggested there is such a thing as civil religion in America. My suggestion has roused passionate opposition as well as widespread acceptance. The opposition to the idea has shown little unity. Some of my opponents say there is no such thing; I have invented something that does not exist. Some say there is such a thing but there ought not to be. Some say there is such a thing but it should be called by another name, 'public piety,' for example, rather than civil religion. Unfortunately for me, my supporters are in even greater disarray. The term 'civil religion' has spread far beyond any coherent concept thereof, or at least beyond anything I ever meant by the term.¹⁸

That civil religion does indeed exist in America is perhaps the one thing that most commentators seem to be able to agree on. But what it is and where it is to be found – here any agreement stops.

One of the more creative, recent efforts to rekindle interest in civil religion is the Born Again American campaign started by TV producer and philanthropist Norman Lear. Trying to explain at the Take Back America Conference in early 2008 what it was that caused a progressive Jewish liberal such as himself to become involved in a campaign extolling 'my Bible and the Bill of Rights',¹⁹ Lear mentioned the moment in the early 1980s when he had first perceived the need to counter the threat from the religious right – a moment he has since come to see as a Born Again American moment or experience leading eventually to the formation of People for the American Way. But there was one more reason for the use of the phrase 'Born Again American', Lear said, and this was a reason that had to do with Robert Bellah and his famous concept of 'American civil religion':

¹⁸ Robert N. Bellah, 'Religion and Legitimation in the American Republic,' *Society*, 15, 4, 1978, 16.

¹⁹ The campaign song 'Born Again American' was written by Keith Carradine. Its chorus line goes like this:
 I'm a Born Again American, conceived in Liberty
 My Bible and the Bill of Rights, my creed's equality
 I'm a Born Again American, my country 'tis of me
 And everyone who shares the dream from sea to shining sea.

Please see www.bornagainamerican.org on which the song and Pledge are available (accessed 7 May 2011). It is interesting in this connection that in 2001 Lear and his wife created the Declaration of Independence Road Trip, an educational initiative and national multimedia tour of one of the surviving original copies of the Declaration of Independence, which they had bought.

Robert Bellah has pointed out that any functioning society needs two great myths to propel it forward – a shared national myth and a shared religious myth. Often overlooked in the United States, in Bellah's words, is an elaborate, well-entrenched civil religion that exists alongside of, and clearly differentiated from our churches, and synagogues. This civil religion has a religious dimension that has the seriousness and integrity of any other religion, and requires the same care and understanding. The phrase 'civil religion' is not intended to encourage a form of national self-worship. Just the opposite. The nation wants to be subordinate to its ethical principles as presented in its founding documents – documents that guarantee freedom, due process, equal opportunity and equal justice under the law, ideals the founders pledged their lives, their fortunes and their sacred honor to secure.²⁰

A civil religious Jeremiad of sorts, Lear's Born Again American initiative seeks to point the way to an inclusive, unifying form of public faith that encompasses both the Bible and the Bill of Rights – one that allows both for the religious and the political perspectives in the lives of Americans without forfeiting the flag or a (public) love of country.

In sending a signal about growing openness to religion on the part of progressive America and in showing that love of country is not a prerogative of right-wing groups, Lear's initiative seeks to bridge the gap between the two competing traditions within American civil religion that Robert Wuthnow once famously identified: the conservative and the liberal traditions of civil religion. Whereas conservative religious leaders argue that America has a particular, sacred mandate or mission and that America's vitality rests on a very specific, historic relation to God, according to Wuthnow,

the liberal view of America focuses less on the nation as such, and more on humanity in general. In this view, America has a vital role to play in world affairs not because it is the home of a chosen people but because it has vast resources, has caused many of the problems currently facing the world, and simply as part of the community of nations has a responsibility to help alleviate the world's problems. Rather than drawing attention to the distinctiveness of the Judeo-Christian tradition, liberal civil religion is much more likely to include arguments about basic human rights and common human problems. Issues like nuclear disarmament, human rights, world hunger, peace and justice receive special emphasis.²¹

²⁰ Norman Lear, 'Why I Am a Born Again American', remarks at the Take Back America Conference, Washington, DC, 19 March 2008, available at http://normanlear.com/spirit_9.html (accessed 7 May 2011).

²¹ Robert Wuthnow, 'Divided We Fall: America's Two Civil Religions', *The Christian Century*, April 20, 1988, available at <http://www.religion-online.org/showarticle.asp?title=235> (accessed 7 May 2011).

As Wuthnow saw it, these two competing traditions have caused disagreement and polarization instead of consensus and mutual understanding, however. Borrowing ideals from both sides has been the exception rather than the rule.

Is it Possible to Find Civil Religious Elements Beyond the United States?

Most of the theoretical discussions of civil religion and many of the examples in the literature are placed in and refer to an American context.²² From the very beginning, though, the question has been raised whether modern civil religion is something particular to the USA, where the separation of state and church has always played a very prominent role, or whether it makes sense to talk about it in relation to other nations as well.²³ Toward the end of his 1967 essay, Bellah himself opened up this discussion by speculating about the possible creation of a new civil religion – a world civil religion – that may no longer just be American, but may instead encompass the whole world. ‘A world civil religion could be accepted as a fulfilment and not as a denial of American civil religion,’ he wrote. ‘Indeed, such an outcome has been the eschatological hope of American civil religion from the beginning. To deny such an outcome would be to deny the meaning of America itself.’²⁴

In a very interesting article on ‘Civil Religion in Central and Eastern Europe’ (2009), András Máté-Tóth and Gábor Attila Feleky of the University of Szeged, Hungary, argue for the existence of civil religion in Central and Eastern Europe today. Their article is based on the results of a survey conducted in Hungary in 2008 – a survey that was intended as a first step in an endeavor to find out whether transitional societies in the region (Central

²² The literature on Bellah and on civil religion is very extensive. Among the works often referred to and cited may be mentioned Russell E. Richey and Donald G. Jones (eds) *American Civil Religion* (Harper and Row 1974); Carol J. Bourg, 1976, ‘A Symposium on Civil Religion’, *Sociological Analysis* 37: 141–149; Gail Gehrig, 1981, ‘The American Civil Religion Debate: A Source for Theory Construction’, *Journal for the Scientific Study of Religion* 20: 51–63; James A. Mathisen, 1989, ‘Twenty Years After Bellah: Whatever Happened to American Civil Religion?’, *Sociological Analysis* 50: 129–146; Marcela Cristi, *From Civil to Political Religion. The Intersection of Culture, Religion and Politics* (Wilfrid Laurier University Press 2001); James T. Richardson, ‘Religion, Law and Human Rights,’ in *Religion, Globalization and Culture*, Peter Beyer and Lori Beaman (eds), 407–428 (Brill 2007).

²³ See Margit Warburg, ‘Transnational Civil Religion: The Fourth of July in Denmark’, in Annika Hvithamar, Margit Warburg and Brian Jacobsen (eds), *Holy Nations and Global Identities: Civil Religion, Nationalism, and Globalisation* (Brill 2009) 271–93.

²⁴ Bellah, ‘Civil Religion in America’.

and Eastern Europe) have enough cultural cohesion to establish or support new forms of common life after having been a part of more or less totalitarian dictatorships for years.²⁵

For their pilot research project of which the survey formed a part, Máté-Tóth and Feleky developed a working definition of civil religion which took into account what they consider to be its threefold function of integrating society: firstly, involving members in a common past and destiny, usually expressed in ceremonies and myths; secondly, legitimating the social order as well as common societal goals; and, finally, mobilizing society's members to take upon themselves common tasks and responsibilities. Though finding that they had to revise Bellah's original concept of civil religion somewhat along the way in order 'to refine the operationalization of the concept' and though discovering that a 'solid civil religious block cannot be traced' as such, Máté-Tóth and Feleky conclude that:

its application seems to be feasible and fruitful not only in its original environment, but also in the post-socialist, Central and Eastern European context. Studies show that dimensions of civil religion can be found in CEE, the celebratory function of (civil) religious symbols can easily be observed in the region... We suggest that in analyzing – or even redefining – civil religion, one should stress its potential function of rebuilding and maintaining cohesion in society.

Our study suggests that there are civil religious themes that can unite the majority of a given society in CEE ... the presence of civil religion is unquestionable...²⁶

Máté-Tóth and Feleky end their article by calling for 'deeper research in CEE and comparison with other subregions of Europe' and suggesting that when exploring civil religion in Central and Eastern Europe, researchers must consider the cultural background of the region and take local characteristics into account.²⁷ Though they obviously find Bellah's concept very useful, they do in the end allow for local variations, thereby calling into question Bellah's notion of a truly *global* civil religion.

Margit Warburg, another European scholar who has worked with Bellah's concept of civil religion for a few years, would agree. In her edited volume, *Holy Nations and Global Identities* (2009), Warburg suggests that

²⁵ András Máté-Tóth and Gábor Attila Feleky, 'Civil Religion in Central and Eastern Europe: An Application of an American Model', *Americana: E-Journal of American Studies in Hungary*, Vol V, No 1, Spring 2009, available at <http://americanajournal.hu/vol5no1/mate-toth-feleky> (accessed 7 May 2011).

²⁶ *Ibid.*

²⁷ *Ibid.*

what we are currently seeing are ‘conglomerate[s] of *civil religious elements* emerging from the partial sharing of civil religions of congenial nations’.²⁸ The festival at the Rebild National Park in Denmark when Danes and Americans jointly celebrate the Fourth of July is a good example of such sharing, she argues, ‘the prevailing themes [being] the sharing of democratic values between Denmark and the United States, the will to fight for democracy and the bonds of migration – all set in a civil religious frame.’²⁹ The festival which was inaugurated in 1912 and is one of the largest Fourth of July festivals outside of the US, is organized by a private committee, but officially endorsed by both the Danish and the American governments. The former is represented by a senior minister who will deliver a speech just as the US ambassador to Denmark represents the latter. Military units from both countries are present, both flags are saluted – and God is invoked to bless both countries and their heads of state in an opening prayer. It is all there and the celebration demonstrates, says Warburg, that the sharing of civil religious elements between nations is indeed possible – at least between congenial nations.

Human Rights as an Inspiration for Civil Religion and as a Possible Security Discourse?

What would be the inspiration for such shared civil religious elements between congenial nations? Warburg suggests these shared elements ‘would be derived from common humanistic and political values, of which the principles of human rights and democratic government are prime sources. Other elements based on for example environmental concerns may be included.’³⁰ Warburg is not the only scholar to point to the link between civil religion and human rights. For Robert Wuthnow too, as we saw above, civil religion – or rather, that part of civil religion which is linked to the liberal tradition – includes arguments about basic human rights and common human problems.

It is this possible connection between civil religion and human rights – and between religion and human rights – that the chapters in this volume address. ‘Can a civil religion of human rights be forged and turned into a vehicle of global peace?’ Ultimately, that is the question of the present volume, as Vibeke Schou Tjalve puts it very succinctly in her essay. For the contributors to this volume, as for the writers mentioned above, it is the overlap between the realms of the religious and the political – or what I

²⁸ Warburg (2009) 276.

²⁹ *Ibid* 283.

³⁰ *Ibid* 289.

have called above the political-religious part of Bellah's theory on civil religion – that is of primary interest. In Part I, the 'why' question is engaged with rather directly. This is less the case in Part II, which offers five chapters on human rights in practice as these relate to and overlap with religious issues in one way or another. Yet even in Part II's case studies, simply because they concern religion and human rights, the 'why' questions pop up from time to time.

I open with the argument that human rights have become an international civil religion of sorts today, a potentially common discourse that might also serve as a security discourse. This argument is debated by the contributors to the other chapters in Part I. Looking at the role of religion in the search for justice and security in Christian Realism, Vibeke Schou Tjalve argues that Bellah's arguments concerning a religious dimension to politics which provides the polity with ethical principles transcending it and against which it can be judged provide the key to understanding Christian Realism. What President Barack Obama has taken from front figures of Christian Realism such as Abraham Lincoln and Reinhold Niebuhr, she claims, is the argument that civil religion will not spell security forever, or for everybody, but that it is likely all the same to provide some measure of restraint as well as a means of reconciliation. The ultimate key to Christian Realism and to some of the views expressed by President Obama lately 'is exactly what Bellah had in mind when he argued for a civil religious dimension to politics, providing the polity with ethical principles that transcend it and against which it can be judged. Only principles recognized as transcendent, not immanent, are capable of reminding us of just how wrong we are likely to be about that which *we, here, now* conceive of as "right(s)".'

As far as Paul Kahn is concerned, it only makes sense to talk about civil religion in the American context. To talk about civil religion in the international context makes much less sense because civil religion is strongly connected to the nation state. Human rights being by definition supranational, it is a contradiction in terms to talk about a civil religion of human rights. To take up the 'why' of human rights in the American context may therefore be fine, but this is not the case when we wish to talk about human rights as a civil religion in the international context. And when we do take up the discussion of civil religion in the United States, furthermore, we should recall all the ways in which, historically, American civil religion has been connected to America's mission in the world – with disastrous results – and ask ourselves whether this is the way that we wish to go. The present interest in civil religion may well, Kahn speculates, reflect a need to believe in something – 'a reaction to the process of secularization that produced the normative vision of human rights as its highest achievement. Perhaps

the real attraction of a civil religion is not so much the promise of passion, but of faith.’

For Joel Rosenthal, too, the question as to whether or not it is possible to be faithful to both one’s country and to the world – whether one can be patriotic and still be cosmopolitan – is the interesting and important one. We have to recognize the fact that we live in a global world, and that our interests are tied up with the interests of others in many different ways. But each one of us is also the product of his or her own local culture. We need to find possible common values – to build our attempts to find solutions to global challenges such as environmental degradation and poverty, not so much on faith as on common interests. Rosenthal argues that remedies are less about romantic dreams of human rights to improve the world and more about pragmatism and sustainability, and that ‘ethics and morality properly conceived should be interest-sensitive, aware of their limits, and based on non-perfectionist expectations’. He suggests a ‘cosmopolitan patriotism’ that ‘is rooted in enlightened self-interest and is aware of its limits. It asks that we consider our self-interests in relation to others; it asks that we constantly remind ourselves that we do not live alone and unconnected.’ Such cosmopolitan patriotism makes it possible both to be faithful to one’s country and to the world, built as it is on common values and common interests, if not directly on a common faith.

Who are the Most Important Human Rights Actors and how do Human Rights Ideas get Transformed into Practice?

From a constructivist point of view, ideas are, as Béland and Cox put it, ‘constantly in flux, being reconsidered and redefined as actors communicate and debate with one another. Political action is motivated by ideas, but the goals people articulate and the strategies they develop have feedback effects that further shape their original ideas.’³¹ For the authors of the five chapters in Part II of this volume, it is precisely the concrete action that ideas about human rights have led to and may yet lead to which is of interest. Their five very different case studies point to the way in which human rights ideas and practice are generated both from above and from below – both by individual actors and by institutions – and how they may at times have unexpected effects.

Of the contributors to Part II of this volume, Bruce Kuklick is probably the most sceptical about the importance of the ‘why’ question of human rights. Kuklick does not like what he calls the ‘leap to the level of the

³¹ Béland and Cox (eds), *Ideas and Politics in Social Science Research*, 5.

“political imaginary” and doubts whether absolutist notions of human rights and civil religions will do more than make things far too abstract. Instead, he offers a concrete tale of human rights in practice: the story of how Dag Hammarskjöld, Secretary General of the UN in the 1950s and early 1960s, ended up doing a lot of harm with his abstract ideas of justice. The way in which Hammarskjöld – this international diplomat who had world-wide prestige as the supreme exponent, both of the noble aspirations of human rights and the ability of human beings to act in their behalf – failed to see the gap between his often expressed ideals as they applied to the Congo and the policies he employed there should be a warning to us all. ‘The Secretary General shared the common flaw of many high-minded individuals: he could not conceive that he actually participated in the political, that he was just another person. Hammarskjöld was a self-deceiver.’ Kuklick’s is a cautionary tale. Unlike Rosenthal, he does not talk about the American situation, but like the former he points toward pragmatic and realistic assessments of non-perfectionist expectations.

If Kuklick’s is the story of abstract notions of justice and human rights at the highest level of the UN, Jay Winter gives us a story of human rights as generated from below through civil society rather than through the state or the courts. Winter studies the Mexican migrant workers and their families, who have come to New Haven, Connecticut in search of a better life. Here, they run foul of the official system which is anything but welcoming. Instead, they turn to religious institutions, mostly catholic but also protestant, whose members then serve as a repository of humanitarian norms beyond American conventions and as a bridge of support between those who leave their native lands and those they leave behind. By thus offering support and concrete help these religious institutions and their members end up also acting as defenders of immigrants’ rights, and one of Winter’s ‘provisional conclusions’ is that this is ‘how rights talk happens, how it is born’ – out of the lived experience of people.

Winter’s ‘jarring, messy, and moving story of the genesis of rights talk’ links religion and human rights in a very direct way. What motivates the members of the religious institutions in question *is* their religious faith; theirs are faith-based human rights initiatives. The same is true for the American protestant missionaries about whom Andrew Preston writes in his contribution to this volume. Through the story of Charles Wesley and Eva Jane Price who were sent to Shanxi province in northern China in 1889 by the Boston-based American Board of Commissioners for Foreign Missions, Preston discusses the issue of western cultural imperialism and intrusion into non-western cultural, social and political ways. Wanting to do good works on earth as much as winning souls for Christ, these missionaries were at one and the same time cultural imperialists, assuming

that their own way of life was far superior to the one they found in other parts of the world, and humanitarians, in their wish to share education and enlightenment with foreigners around the world. For Preston, they epitomize ‘the insoluble clash between the local and the universal in the promotion of human rights’. Simply dismissing them as self-righteous cultural imperialists, he argues, neglects much of their importance, for they were also agents of cultural exchange, bringing with them what were considered by most Americans to be fundamental rights that were the foundation of peace, progress, and justice. ‘Were missionaries imperialists? Yes. But were they also humanitarians? Absolutely. Such a paradox is not difficult to explain. The missionaries’ ideology was as much – sometimes even more – about doing good works on earth as it was about winning souls for Christ, and then ensuring that the spread of those good works was accepted even in the face of determined resistance.’

Various religious institutions were also involved in what Mark Bradley calls, in his contribution, the global human rights cases of the late 1940s. However, these cases were motivated, not just by religious faith but also by a faith in human rights initiatives of a somewhat different kind. Throughout the war, Bradley tells us, a whole host of domestic religious, but also legal, labor and civil rights organizations joined the Roosevelt Administration in placing the global protection of human rights at the forefront of an imagined post-war international order. These included non-governmental advocacy groups such as the NAACP, the American Jewish Congress, the National Lawyers’ Guild, the ACLU, the Japanese-American Citizens’ League, and the American Association for the United Nations who all saw the potential of the UN Charter for realizing domestic civil rights and who lent vocal support to the global rights cases in *amicus* briefs when they came before both state and federal courts. The responses of the judges in these cases reveal the horizons of possibility in the late 1940s, Bradley argues, for ‘granting moral if not legal authority to transnational rights guarantees to a full embrace of the controlling power of the UN Charter’s human rights provisions for American state and federal law’. By exploring both the microhistories and the larger meanings of these cases and by focusing on processes rather than outcomes, Bradley concentrates on three issues: the nature of the global rights claims made in them; the impact of these cases on emerging official US hostility in the early 1950s to global norm-making on human rights; and the ways in which a longer historical perspective may point toward the lingering potency of the place and power of non-state transnational rights claims in global and American cultural politics in the 1970s and beyond. Uncovering all the underlying frictions in these cases, he argues, ‘makes real the richness, and the limits, of American engagement in the twentieth century global human rights imagination’.

ONGOING DEBATES AND TENSIONS

With Tøger Seidenfaden's contribution, we move to the European context – and more specifically to Denmark and the way in which this very small country came to be the center of the world's attention for a brief period of time during the so-called 'cartoon crisis' of 2006. On a secularized continent, Seidenfaden writes, Denmark stands out as perhaps the most secularized country of them all. And this may indeed have been a large part of the problem. To the extent that there is a civil religion in Denmark it would, he argues, be 'hard secularism' and many Danes find it difficult simply to understand how others can be religious. This is obviously not a good situation in a globalizing world in which Denmark has its share of immigrants from countries that are far more religious. During the cartoon crisis, intolerance of foreign religious minorities did not come mainly from other religious groups, but from the secularized and in this context sometimes explicitly atheist majority group, just as attacks on the Muslim minority were overwhelmingly justified by reference to secular, not religious, values. 'Though secular intolerance is well known from totalitarian societies, including communist countries, it has perhaps been more rarely noted in a thoroughly democratic polity. Perhaps this is a case of an explicitly anti-religious "civil religion" defending its "sacred" secular values against the "threat" from a religious minority.'

As Seidenfaden sees it, that is, Denmark and the Danes – and we know this to be true of large parts of the rest of Europe as well – have by now become so secular that they have become intolerant of religious beliefs. This may well become a big problem in the sense that Europe is 'the odd person out' by comparison with the rest of the world – a small secular enclave in the midst of vast religious territories. If Europeans wish to become better at understanding the many immigrants that come to their shores, moreover, they will have to acknowledge religious and other faith-based initiatives.

In a human rights context, this means, among other things, engaging themselves in a discussion about the 'why' of human rights – to become explicit about why they think the fight for human rights is worth their while. For many people around the world, the engagement with human rights is based on a religious view of the world. For Europeans and other primarily secular souls, I would suggest, a civil religious discourse may not only serve as a means toward communicating with people of religious observance – provide a common, compromise discourse, as it were, which, precisely because it is a compromise discourse, could function as a security discourse. It may also give us a discourse that gives expression to our 'will to believe',

if only at a moral level, and hereby serve to elicit more widespread support in the fight against human rights abuses worldwide.

Civil religion, religion, human rights and global security are discussed from a variety of perspectives in the chapters in this volume. Many different opinions are voiced as to the (proper) relationship between these concepts. No consensus is reached and a conclusion is therefore hard to write. What I do hope that these chapters show, however, is that whether or not one is of the opinion that the 'why' of human rights matter, one would deem the effort both to clarify the underlying issues involved and to look at the effects such issues have when converted into practice a fruitful one.

Furthermore I hope that by pointing in many different directions, the chapters will help point toward potential new areas of interest to researchers interested in the role of human rights today.

