The Universal Declaration of Human Rights and the Challenge of Religion

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As its title indicates, Johannes Morsink’s new book takes stock of the grounding and prospects of human rights ideals in the face of what people often call “the return of religion.” He starts by claiming that, given its Holocaust origins, the Universal Declaration of Human Rights of 1948 reflected secular assumptions—a common agreement transcending all faith commitments and requiring none in particular and, in fact, no faith of any kind. I think he proves his case, but scants the reasons why human rights were compatible with so many religions at the time and sidesteps the considerable recent debate about whether “secular” ideals are ever that distant from religious and especially Christian ones.

Morsink takes for granted his earlier magisterial study of the diplomatic origins of the Universal Declaration, but now delves into the effect of religion on its making in more detail. He acknowledges that thirty-seven of the fifty-eight countries involved in the drafting were Christian (or “Judeo-Christian,” a popularized coinage of the 1940s, which should not distract from the fact that nearly two-thirds of the countries involved in the negotiations had Christian majorities). One must grant, of course, Morsink’s point that the text of the Universal Declaration abstained from any specific commitment to the divine, in spite of proposals to add one, even as various actors thought they had smuggled their own religious inspiration into the document. Instead, the real worry about Morsink’s baseline is not that it is so early in history, but that it is so late. None of the religions he is dealing with historically supported many or most of the liberal political norms embedded in the declaration. It seems to follow that, not the Holocaust (which few actors at the time cared or even knew about) so much as the victory at arms of historically
liberal states allowed them dominance in the United Nations and most control over its highest proclaimed ideals. It is no wonder that world religions that were hardly notable for prizing individual freedoms (even the European Christianity that not a decade before had gotten along tolerably well with illiberal regimes) suddenly found human rights to be compatible with or even the essence of their teachings. At the same time, because he has not engaged with the so-called critique of secularism in contemporary scholarship, Morsink is not in a good position to prove historically that liberal ideals themselves were not a deeply Christian version of “transcending religion.” If secularism is just Christianity by another name, then proving that human rights are secular is not enough.

Nevertheless, in this comprehensive and impressive study, Morsink does not rest content with history. After a second section dealing with both American Christian and world Muslim resistance to human rights in recent decades, in spite of the participation of liberals in both groups in the framing of the 1948 charter, Morsink concludes his book more philosophically. He starts by propounding a thoroughly secular grounding for human rights. The “moral powers” that the Universal Declaration mentions, reason and conscience, give rise to a doctrine very much like human rights, Morsink eloquently argues. And while cosmopolitan altruism founded on human rights need not invoke religion, Morsink contends, those of its partisans who can rely on a faith commitment have enormous surplus energy to commit to service. Discussing Jesus’ example (as well as Muslim charity), Morsink even flirts with the worry that unbelievers may have a “deficit” when it comes to the source of motivation for their own independently grounded human rights ideals.

Overall, Morsink has designed and executed an exceptionally valuable study. It is one in which, through the invention of human rights, humanity has outgrown both state and sect as the scope of morality in order to achieve a more comprehensively inclusive set of commitments. Of course, universalism is not unfamiliar in the religious history of humanity, and it is more strongly associated with some religions than others.

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