

The Religion of Human Rights

Debates and Interpretations

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This essay will not be considering the extent to which the idea of human rights or certain human rights are Christian in origin – or more vaguely – of ‘religious’ origin. This is a question that can be decided on the basis of textual evidence, but does not touch on the substance of the problem, which is whether, regardless of their origin, it is possible to perceive human rights that are not treated in a substantially ‘non-religious’ way. In other words, I am not interested in how the idea of human rights and the catalogue of rights contained in it actually developed historically but in how the concept of human rights itself, the theory of human rights and its argumentation can be considered similar to what is usually called ‘religious’. These are two different issues and the present investigation deals exclusively with the second.

Identifying human rights with religion is nothing new. It is well known in the literature and in political statements that discusses ‘faith’ in human rights or the ‘religion’ of human rights; sometimes, in a somewhat more modest, but at the same time, contradictory way, it is referred to as a ‘secular religion’, or at least as a ‘substitute’ for traditional religions. As an introduction, therefore, it is worth looking at the most typical examples of such statements and examining the basis on which some speak of an analogy with religions. In this connection, it will, of course, also be necessary to briefly address the extreme ambiguity of the concept of religion, which none of the definitions in circulation can dispel convincingly. We will then be able to return to the issue of human rights, in particular to positions that reject not only religious but also all other comprehensive foundations of human rights, examining in particular the hidden presuppositions which make it impossible to break free from such a way of speaking. The conclusion, correspondingly, formulates a thesis that, by omitting the concept of religion, allows for a more accurate grasp of the fundamental problem itself, and perhaps also contributes to a clearer understanding of the relationship between Christianity and human rights.

I Faith, religion and secular religion

A suitable starting point may be the preamble to the Universal Declaration of Human Rights, which talks about ‘faith in fundamental human rights’.¹ This could, of course, be a mere phrase, as could some of the other elevated clauses in the text, the ‘Advent’ of a better world, the solemn ‘pledge’ and the qualifier ‘universal’. That this is not just a matter of arbitrary formulations was made clear by a number of authors in the following decades: Earl Warren, Chief Justice of the United States Supreme Court, asserted in 1968 that the Universal Declaration of Human Rights is an expression of ‘our faith in humanity, the kind of faith that is based on things not seen’.² The reference is clearly religious, and even biblical, quoting Hebrews 11:1: ‘Now faith is the substance of things hoped for, the evidence of things not seen.’ A similar statement was made in 1980 by Vratislav Pechota, former Chairman of the United Nations (UN) Committee on Legal Affairs, who was forced to emigrate from Czechoslovakia precisely because of his commitment to human rights: ‘A universal human rights culture built on faith in the dignity and worth of the human person.’³ American law scholar Paul Brietzke similarly wrote in 1985 about ‘faith’ in human rights as the basis for additional rights (such as the ‘right to development’), and similar examples could be listed at length.⁴

In the examples given so far, the notion of ‘faith’ in human rights has been used in a positive sense, but in parallel a narrative has emerged in which faith has appeared as a synonym for irrationality and a reference to faith as evidence of theoretical unfoundedness. The most famous representative of this narrative is Alasdair MacIntyre, whose 1981 work *After Virtue* asserted that the modern concept of ‘rights’ (including human rights) had no counterparts in premodern cultures; moreover, the concept itself was based solely on faith or even superstition:

The best reason for asserting so bluntly that there are no such rights is indeed of precisely the same type as the best reason which we possess for asserting that there are no witches and the best reason which we possess for asserting that there are no unicorns: every attempt to give good reasons for believing that there *are* such rights has failed. . . . In the United Nations declaration on human rights of 1949 what has since become the normal UN practice of not giving good reasons for *any* assertions whatsoever is followed with great rigor. And the latest defender of such rights, Ronald Dworkin (*Taking Rights Seriously*, 1976) concedes that the existence of such rights cannot be demonstrated, but remarks

¹ Universal Declaration of Human Rights.

² Earl Warren, ‘Address’, in *The International Observance: World Law Day. Human Rights 1968* (Geneva: World Peace Through Law Centre, 1969), 44–45, 45.

³ Vratislav Pechota, ‘East European Perceptions of the Helsinki Final Act and the Role of Citizen Initiatives’, *Vanderbilt Journal of Transnational Law* 13, no 2 (1980), 467–500, 468.

⁴ Paul Brietzke, ‘Consorting with the Chameleon, or Realizing the Right to Development’, *California Western International Law Journal* 15, no 3 (1985), 560–601, 600. For more examples, see Robert Traer, *Faith in Human Rights: Support in Religious Traditions for a Global Struggle* (Washington, D.C: Georgetown University Press, 1991), 209–211.

on this point simply that it does not follow from the fact that a statement cannot be demonstrated that it is not true (p 81). Which is true, but could equally be used to defend claims about unicorns and witches.⁵

What concerns us here is not how much MacIntyre refined this radical position later on, but how he drew attention to the problems which arise when establishing a belief in human rights while deliberately ignoring theoretical and historical arguments, and, as we shall see later, how such bias indeed characterises the practice of the UN and other international organisations to this day. In 1997, Malcolm D Evans put it bluntly that it was not just about faith but about an ‘intolerant faith’. If UN human rights documents are taken at face value when they assert, for example, that religious freedom does not include the full freedom of religions that violate the human rights of others, it is difficult to avoid the conclusion that the idea of human rights has become a faith ‘which is itself as intolerant of other forms of value systems which may stand in opposition to its own central tenets as any of those it seeks to address’.⁶

The mention of ‘faith,’ however, in either a positive or negative sense, says little about what kind of faith we are talking about. The English texts themselves alternate between the words ‘faith’ and ‘belief’, while having faith in something obviously does not mean the same as simply believing something, as it also suggests trust and commitment to the object of faith. (As it is also clear from the Universal Declaration of Human Rights.) However, the main problem is not this, as one can obviously only have faith in something that one at least believes exists, but that belief itself has two different meanings. If someone refers to his faith it does not follow that his belief is religious in nature. Why should we not accept that belief in the existence of human rights is simply belief and nothing more, without, so to speak, religious overtones?

Perhaps the best reason for not doing so is precisely the peculiar nature of ‘religious belief’. If we insist on calling everything which involves some kind of believing a ‘belief’ because of the inaccuracy of everyday language, then at least it must be admitted that religious belief is very different from my belief that I am sitting in front of a computer now, and I am writing these lines. This latter belief, as Gábor Borbély puts it, is identifiable, lasting, context-free, truth-oriented, based on some kind of evidence, and does not depend on whether I want to believe it.⁷ Religious belief, on the other hand, is the opposite: It is often contradictory, varies over time, is usually related to a particular context, does not refer to the actual state of the world but to how things should be, and requires a kind of existential decision. Belief in human rights is typically like this: Its causes are difficult to account for,

⁵ Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (London: Bloomsbury, 2011), 83–84.

⁶ Malcolm D Evans, *Religious Liberty and International Law in Europe* (Cambridge: Cambridge University Press, 1997), 260.

⁷ Gábor Borbély, *A lehetetlen másolatai: a vallásfilozófia alapjai* (Budapest: Osiris, 2018), 10.

and we do not always know exactly what it involves; it is admittedly normative in nature and, the declarations insist, we must decide in favour of it, irrespective of whether it can be substantiated by historical or theoretical arguments.

All of this, of course, can be an unpleasant conclusion for those who want to separate belief (or, in a more extensive sense, faith) in human rights from anything religious. Secular thinkers usually see it as a degradation of their own convictions if they fall into the same category as religion, while adherents of religious traditions feel similarly offended when the word 'religion' is used in such abroad sense. The best-known way around this is to distinguish between religious and secular beliefs or faiths. In relation to human rights, as early as 1972, Cornelius Murphy expounded that 'the Declaration can be viewed as the expression of a common secular faith in the worth of the human person'.⁸ What makes this faith 'secular' and not religious is, of course, not explained by such rhetorical formulas, nor by those criticisms that reject even this 'secular' form of faith. Michael Ignatieff, for example, wrote in 2001 that the idea of human rights 'has become the major article of faith of a secular culture that fears it believes in nothing else'.⁹

At the same time, Ignatieff seems to have already used the terms 'secular faith' and 'secular religion' as essentially interchangeable, as his assertions were based on Elie Wiesel's famous claim, in a celebratory volume on the fiftieth anniversary of the Universal Declaration of Human Rights, that the defense of these rights has become a 'worldwide secular religion'.¹⁰ All this was an implicit acknowledgment of the fact that secular faiths were in some sense religious, too. All that happened was that the problem of secular religions and religions per se, a move which hardly solves anything. And this is not a unique case. Irwin Cotler, for example, spoke of human rights in 2007 as the 'secular religion of our time';¹¹ and in 2010 this was repeated by Anthony Julius in his book *Trials of the Diaspora*.¹²

However, talking about a secular religion is even more controversial than talking about secular faith. As we have seen, secular faiths can exist in principle; the only question is whether some of them – in our case, the faith in human rights – are truly secular. The term 'secular religion', on the other hand, is itself an oxymoron, since the word 'secular' – apart from some historical meanings like 'temporal' or 'not

⁸ Cornelius Murphy, 'Ideological Interpretations of Human Rights', *DePaul Law Review* 21, no 2 (1972), 286–306, 290.

⁹ Michael Ignatieff, *Human Rights as Politics and Idolatry* (Princeton: Princeton University Press, 2001), 53.

¹⁰ Elie Wiesel, 'A Tribute to Human Rights', in Yael Danieli, Elsa Stamatopoulou and Clarence Dias (eds), *The Universal Declaration of Human Rights: Fifty Years and Beyond* (Amityville, NY: Baywood, 1999), 3–4, 3.

¹¹ Irwin Cotler, 'The New Anti-Semitism', in Michael Fineberg, Shimon Samuels and Mark Weitzman (eds), *Anti-Semitism: The Genetic Hatred* (London: Vallentine Mitchell, 2007), 15–32, 22.

¹² Anthony Julius, *Trials of the Diaspora: A History of Anti-Semitism in England* (Oxford: Oxford University Press, 2010), 453.

belonging to a monastic order’ – has always meant the exact opposite of what we call ‘religious’.¹³ It is also used in this way in the literature of secular religions, and from this point on it is virtually impossible to decide how something we recognise on the one hand to be secular (that is not religious) can at the same time be religious. A ‘non-religious religion’ is a contradiction regardless of how we define the second half of this oxymoronic compound, ‘religion’.

The question, then, is not whether human rights fall into the category of secular religion, as such a category simply does not exist apart from a contradictory rhetorical use of language. The fact that a huge body of literature has amassed on secular religions does not change this either: The term itself originated sometime in the 1930s and was first applied to the ideologies of totalitarian regimes,¹⁴ but as early as the 1950s, Hans Kelsen was already complaining that there was virtually no branch of modern social philosophy, science or politics to which this notion, which he considered meaningless, had not been applied.¹⁵ (Since then, its use has broadened to include even such curious examples as taking selfies.)¹⁶ However, the notion of secular religion will not make any more sense just because its use has become widespread: All that can be debated is whether any comprehensive philosophical foundation of human rights should literally be called a religion (without adjectives), or whether it is merely a play on words.

II Definitions of religion and human rights

To decide this, at the risk of deviating a little from the subject of human rights, it seems necessary to examine some definitions of religion. This is, of course, such a murky area that even much of the religious studies literature arbitrarily chooses from the definitions in circulation, but at least it is worth indicating what options are available.

One is to give an ‘essentialist’ definition that aims to grasp a common essence in all phenomena that are usually called religious. If the question is approached from the point of view of the aforementioned ‘belief’, it is customary to refer either to belief in gods or other spiritual beings, or at least to faith in some comprehensive world order, or an ultimate meaning. Belief in gods is obviously inappropriate, as there is at least one religion (Theravada Buddhism) that knows no deities at all,

¹³ The discussion of dictionary definitions would go far beyond the scope of this writing, but anyone who reads the relevant entries of the *Oxford English Dictionary*, the *Merriam-Webster*, the *Macmillan* or relevant interpretive dictionaries can be convinced of the above.

¹⁴ Emilio Gentile, *Politics as Religion* (Princeton: Princeton University Press, 2006), 2.

¹⁵ Hans Kelsen, *Secular Religion: A Polemic Against the Misinterpretation of Modern Social Philosophy, Science, and Politics as ‘New Religions’* (Wien: Springer, 2012).

¹⁶ Mathias E Nygaard, ‘Selfies as a Secular Religion: Transcending the Self’, *Journal of Religion and Society* 21 (2019), 1–21.

but even those that do know them speak of gods in very different senses: It would be difficult to find a definition that may be equally applied to the Christian God, to the immortal but otherwise inner-worldly gods of Greek mythology, or to the impersonal absolute of pantheism. Categories like ‘transcendent’ or ‘supernatural’ are also difficult to use in cultures that ignore the distinction between the natural and the supernatural as it developed in medieval Europe. Nor do such terms go far beyond ‘belief in spiritual beings’, because, unless we are radical physicalists, even our belief in our fellow human beings as thinking beings is something that attributes some spiritual reality to them. In other words, such definitions are either too narrow or too broad, and if the definition is expanded even further to include all sorts of belief in order and meaning, it will be practically impossible to say why deep ecology, historical materialism or indeed any comprehensive philosophical system will not count as a religion.

Identifying religions as types of feelings rather than beliefs cannot be pursued very far either, as a feeling can apply to anything, and, in the absence of an essentialist definition of religion, there is no way to tell whether a particular feeling is ‘religious’ or ‘non-religious’. That is, again, we typically come up with broad definitions, and the same is true of functionalist definitions that designate moral cohesion, overcoming existential anxiety, or something else as the outcome of religious belief.¹⁷ If we then – following the most fashionable method today – give up discovering any common essence in religions, and say that religion is but a ‘cluster concept’, defined by a weighted list of criteria, such that no one of these criteria is either necessary or sufficient, we will not be more successful, either. This is because we will most likely come up with over-broad definitions again: In some cases, an ethical doctrine with some corresponding rituals will be called a religion, in others, a transcendent but otherwise purely philosophical system will also be called as such, while no one is able to say exactly how many criteria should be met in order to distinguish a religion from a non-religious belief system.¹⁸

All this, of course, would simply suggest that speaking of the religion of human rights is senseless because religions themselves do not exist (or if they do, we cannot say what they are). However, most authors still commit to some definition, which usually entails a combination of ‘transcendent faith’ and some ‘ritualised action’, despite the inescapable vagueness of both concepts. Nor does it help much to dispel the ambiguity of the ‘transcendent’ if it is replaced by something like ‘if there were a perfect physical description of the world, it would be superfluous to that description’.¹⁹ Or rather, its meaning is indeed clearer, but at the same time broader

¹⁷ Gábor Borbély, *A lehetetlen másolatai: a vallásfilozófia alapjai* (Budapest: Osiris, 2018), 18–34.

¹⁸ For further refinements of the cluster concept, although not satisfactory in my opinion, cf. Michael Stausberg and Mark Q Gardiner, ‘Definitions’, in Michael Stausberg and Steven Engler (eds), *The Oxford Handbook of the Study of Religion* (Oxford: Oxford University Press, 2016), 9–32.

¹⁹ Borbély, *A lehetetlen másolatai*, 80.

than that of the metaphysically burdened notion of transcendence. Ritualised action is also something that either means regular action or it means nothing, because if it means regular *religious* action, it cannot be part of the definition of religion.

However, even if we accept the fact that the majority of authors – or more importantly, the religious laws of many countries – define the concept of religion in a similar way, it will be difficult to decide on what basis any worldview or overarching moral conviction is non-religious in nature. Returning to the problem of human rights: If the idea of human rights is really an idea, then it has nothing to do with the physical description of the world (which is so obvious that it is unnecessary to stress); it is a normative idea, so it is not about what the world is like but what it should be like, therefore it cannot be called secular in any sense. Do not be misled by the adjective ‘human’, which seems to mean something mundane: The human being, in this metaphysical generality, is as otherworldly as the gods of any transcendent religion.

No one has yet met the human being, or the human essence or human dignity. This is not to say that all of these are unnecessary or meaningless ideas, it only means that they are not parts of the physical world, and are not beings whose existence can be proved by everyday experience or scientific research. Nor is it true that belief in them is irrational – I do not think that the so-called ‘religions’ are irrational, either – only that this is indeed a belief and nothing else. It is also not true that this is a purely philosophical belief or faith to which no ritualised practices are connected: It is sufficient to recall the solemn proclamations and affirmations of human rights declarations, which are worded, moreover, in a clearly dogmatic form by an institution (the UN General Assembly), which acts as a kind of infallible teaching office in this regard.

III United Nations statements and criticism of foundation attempts

A good example of such use of language, in addition to the Universal Declaration of Human Rights, is the UN Millennium Declaration of 2000, Paragraph 1 of which, although not on the narrower subject of human rights, but on the UN and its Charter itself, confirms ‘faith’ in them, and then, in Paragraph 3, calls the objectives and principles of the Statute ‘timeless and universal’.²⁰ As I have explained elsewhere before,²¹ the use of the word ‘timeless’ is extremely remarkable,

²⁰ United Nations Millennium Declaration, www.ohchr.org/EN/ProfessionalInterest/Pages/Millennium.aspx. The Hungarian translation is particularly interesting in this case: as if even the translator felt too strong the expression ‘timeless’ in the original text and tried to replace it with the neutral term ‘time-proven’ (*időtálló*). UN Millennium Declaration, www.menszt.hu/hu/egyeb/millenniumi-nyilatkozat.

²¹ Tamás Nyirkos, *Politikai teológiák: A demokráciától az ökológiáig* (Budapest: Typotex, 2018), 148–149.

because ‘timelessness’ is not simply synonymous with ‘eternity’, which can also refer to something that is limitless in time, had no beginning and will not end. Timelessness, on the other hand, implies that something is outside of time; the categories of time do not apply to it; that is, it is completely transcendent. If we recall that the original meaning of ‘*saecularis*’ identifies the ‘secular’ precisely with the ‘temporal’, then it becomes even more obvious that the object of the faith (or, according to some, religion) mentioned here can in no way be called secular. The adjective ‘universal’ is no less religious (even if we remain for the time being within the vague but widely used concept of the word ‘religion’). It has religious overtones not only because its Latin counterpart, ‘*universalis*’ (not to mention the Greek word ‘*katholikos*’) has such connotations but also because we are dealing with a universality that, as I have indicated before, is not something that actually is but something that should be. If the universality of goals and principles had already been achieved, and if none disputed it, the UN would not have had to set out tasks in relation to them either.

As Paragraph 120 of the 2005 Summit Outcome document states even more strongly, now specifically on the subject of human rights: ‘The universal nature of these rights and freedoms is beyond question.’²² The reality, of course, is that *it is not beyond question*, for if that were the case, it would be superfluous to attempt again and again to close these debates. Paragraph 121 of the document implicitly acknowledges the existence of such debates, stating that the ‘significance of national and regional particularities and various historical, cultural and religious backgrounds’ must be taken into account, but reaffirms that respect for human rights is an obligation independent of political, economic and cultural systems, and therefore ultimately an absolute obligation. Accordingly, the Sustainable Development Framework (Agenda 2030) issued in 2015 no longer refers to differences of opinion on the universality of human rights, while the term ‘human rights’ appears fourteen times in the text. Instead, it takes the previous documents, the Charter, the Universal Declaration of Human Rights, the Millennium Declaration and the 2005 Summit Outcome as a starting point, as a dogmatic foundation, as it were, on which to build in the future.²³

The relation to foundationalist approaches is thus somewhat paradoxical: While official documents set out absolute and unquestionable principles, they also reject any attempt to place them on any absolute and unquestionable philosophical or religious basis. The ‘religion’ of human rights, as we have seen, occurs in the vocabulary of some politicians and theoretical authors, even though the UN itself has never declared such a thing, apart from vague references to ‘faith’ (but never

²² Resolution adopted by the General Assembly on 16 September 2005, <https://undocs.org/en/A/RES/60/1>.

²³ United Nations, ‘Transforming our World: The 2030 Agenda for Sustainable Development’, 2015, <https://sustainabledevelopment.un.org/post2015/transformingourworld>.

religious faith). The main reason for this, of course, is that ‘religion’ – or rather ‘religions’ – is a collective noun today, and no religion can be invoked in such a way that its universality cannot be disputed in the name of another religion. Furthermore, the greatest danger lurking for the idea of human rights has always been that either its origin or the list of rights it contains proves to be particular, and that is exactly what the UN declarations is at pains to rule out. As Jacques Maritain put it when the Universal Declaration of Human Rights was drafted: ‘We agree about the rights, but on condition that no one asks us why.’²⁴

Maritain, of course, thought that we all have an intuitive belief in the dignity of the human person, human freedom, and related rights that are present in all great cultures; that is, we do not need to refer specifically to their foundations in one tradition or another. However, there are also theoretical authors – and they are currently in the majority – who do not think it is necessary to seek such a foundation at all. As Ignatieff, quoted earlier, has argued, an argument in favour of human rights would more usefully address what *they do*, and not what vague and controversial terms such as ‘human dignity’ or ‘human nature’ *mean*, which are at least as metaphysically burdened as any ‘religious’ concept.²⁵

The only question is whether the problem of foundations, that Ignatieff calls metaphysical and religious, can really be circumvented in this way. He himself prefers the terms ‘grounding’, ‘base’ and the like, as opposed to ‘foundation’, but this can only define another form of foundation:

Such grounding as modern human rights requires, I would argue, is based on what history tells us: That human beings are at risk of their lives if they lack a basic measure of free agency; that agency itself requires protection through internationally agreed standards; that these standards should entitle individuals to oppose and resist unjust laws and orders within their own states; and, finally, that when all other remedies have been exhausted, these individuals have the right to appeal to other peoples, nations, and international organizations for assistance in defending their rights.²⁶

A closer look at the text also reveals that this grounding is not even of a different type to what used to be called metaphysical or religious. Despite the fact that the starting premise – the value of the individual’s life above all else, from which everything else follows – is not openly declared, it remains thoroughly philosophical. The reference to historical experience is also only correct if we accept this basic statement and do not argue, for example, that an individual’s life can even be sacrificed for the sake of a greater good, such as the good of the community. Most of us today would reject such an argument, but it is difficult to say on what basis if we disregard the concept of the inherent value of the human person. But this is only about one fundamental

²⁴ Human Rights: Comments and Interpretations, with an Introduction by Jacques Maritain. Paris, UNESCO/PHS/3 (rev.), 1948, <http://unesdoc.unesco.org/images/0015/001550/155042eb.pdf>.

²⁵ Ignatieff, *Human Rights*, 54.

²⁶ Ibid. 55.

right, the right to life. To extend the concept of ‘free agency’ to include resistance against unjust laws would require further philosophical justification. In natural law, theories, it is easy to argue for an objective standard of what is right, but here the author himself rejects such arguments. The fact that international organisations are generally more effective in protecting rights than nation-states is also something that is either historically justifiable or not, but, as a general theorem, certainly goes beyond empirical facts.

It is true, of course, that a ‘prudential’ and ‘historical’ argument would leave more room for the moral pluralism of different cultures than one that is purely theoretical and dogmatic. The issue here is simply why a complex system of rights derived from a single fundamental human right – the right to life – is not theoretical and dogmatic in itself: Why could Ignatieff say that ‘[s]till, victims cannot enjoy unlimited rights in the definition of what constitutes an abuse’²⁷ if there is no objective standard that defines these, independently of human wills and feelings? That goes, perhaps, beyond what is worth saying about foundationalism and its critique. Human life, the value of the human person and the rights of the individual will be no less metaphysical concepts by not building a full-fledged dogmatics upon them. If someone does not like the word ‘religion’, they can use ‘ideology’, and they might even say it is a ‘thin-centred ideology’, and thus not an ideology that encompasses all areas of life.²⁸ Even then, however, they must acknowledge that such ideologies replace what is commonly referred to as a ‘religion’ by any vague collective noun, as did Torkel Opsahl, a former member of the European Commission of Human Rights, and Louis Pettiti, a European Court of Human Rights judge.²⁹ We can only replace something with something else if the two things share at least one or two features or functions; that is, regardless of the wording, we only arrive at the point where the ideology of human rights – I use the word here in a neutral sense as a system of principles and values – becomes extremely difficult to distinguish from so-called ‘religious’ ideologies.

If we wish to avoid all such words, there remains nothing but a kind of positivist conception of human rights: Human rights are what legal texts define as such. This undoubtedly avoids all the pitfalls of grounding: The only problem is that human rights are typically metajuristic norms, which we typically refer to when the laws or practices of a particular state are *not* consistent with these, or when we want to give guidelines for creating positive laws. Human rights – and there seems to be a consensus on this – did not arise when they were proclaimed

²⁷ Ibid. 56.

²⁸ The term ‘thin-centred ideology’ most often occurs in Cas Mudde’s writings on populism, but Ignatieff also calls his own conception of human rights a ‘thin theory’. Ibid. 56. Cf. Cas Mudde and Cristóbal Rovira Kaltwasser, *Populism: A Very Short Introduction* (Oxford: Oxford University Press, 2017), 6.

²⁹ See Traer, *Faith in Human Rights*, 210.

by the Universal Declaration of Human Rights, but have always been with us, regardless of whether they have been recognised by a legal text or not.

Let me emphasise once again: The difficulty of establishing its nature does not mean that the idea (or even ideology) of human rights is superfluous or meaningless. It is true for all ideas, systems of ideas and worldviews that they are not based on scientific foundations but on the acceptance of values and principles. If these values and principles are treated as absolute, one may even feel a temptation to call them 'religious'. For my part, however, I have never claimed, and still do not claim, that all ideological or philosophical systems, including human rights, should be called a religion. The concept of religion is so vague that I prefer not to call *anything* a religion, and therefore, in conclusion, I will not examine whether there is something like the 'religion of human rights' but to which traditions, sometimes called religions the concept and theory of human rights is most closely related to.

IV Parallels of human rights

As has been shown so far, the concept of human rights in any case presupposes some kind of absolute. This absolute can be the idea of human rights itself, or something to which human rights can be traced back, human dignity, the inherent value of the human person or individual freedom. These are absolute in that they can be analysed no further, there is no room for debate about them, and they are the basis for all other claims. It is questionable from the outset whether all so-called religious traditions have such a mature notion of the absolute, but the difference is even more spectacular when we consider that this absolute is utterly transcendent, in the sense that it is non-empirical: It is not something we can be convinced of in any form in this world. 'Religions' that conceive deities as natural beings are therefore excluded as possible parallels; so-called 'natural religions' are called this precisely on the basis that they personify or endow natural phenomena with extraordinary significance.³⁰ A truly supernatural absolute, on the other hand, is still not necessarily universal, since we know many tribal and national deities that belong to a different category. (Remember that this was characteristic even of the image of the gods of early Judaism: The commandment to 'have no other God' does not rule out the existence of other gods; it merely forbids the community to worship the latter.)

³⁰ As Thomas Molnar says, 'For the ancients, then, the sacred was not so much something to be believed in; it was there as a matter of unquestioned reality. Unquestioned because it was supported by two undeniable sources: our experience of surrounding nature and the daily observation of our own and other people's psychic motives.' Thomas Molnar, *Twin Powers: Politics and the Sacred* (Grand Rapids, MI: Eerdmans, 1988), 26

In addition, human rights are not only absolute, transcendent and universal values but also *moral* values, and it is well known that, for example, Greek or Roman mythology was very far from formulating moral commands. It is no coincidence that most ancient philosophers tried to derive ethics from a kind of philosophical theology (natural theology), just as city-states distinguished the political theology that underpinned civil virtues from mythical theology. Moreover, as we have seen, the moral system of human rights always focuses on the individual, putting it in contrast to 'religious' systems, where the sin and virtue of the whole community is more fundamental than individual sin and virtue, as can be seen in the case of Judaism (or, in the Hungarian national anthem: 'This people has already paid for the sins of past and future').

The system of human rights, which formulates absolute, transcendent, universal, moral commands and emphasises the importance of the individual, also presupposes that we are indeed talking about a *system*, dogmas that can be understood using human reason, accurately explained and described in an itemised manner (once again, I use the word 'dogma' in a neutral sense, without its negative overtones). Thus, there are few parallels with, for example, Indian traditions, which proclaim that ultimate truth is unknowable, or with 'religions' that are generally devoid of itemised creeds, and let us not forget that almost every tradition other than Christianity lack them.

It should not therefore come as a surprise that human rights (and their broader framework, the UN Charter) are not only hostile to any rival theory but also attribute a redemptive power to themselves. This may be less obvious to superficial readers of the documents, but – as the Finnish scholar Mika Luoma-aho argued – when the Charter identified the horrors of the two world wars and the avoidance of similar ones as the main reason for establishing the UN, it did nothing else, than giving meaning to a fact that seemed meaningless to many, the death of tens of millions of people. 'The leaders did not want to write off the dead bodies of the World Wars as a meaningless loss of human life. What they did instead was that they wrote of it a new beginning: Made it into a meaningful sacrifice that commits – no: *must* commit – the succeeding generations to one another.'³¹ Once again, the gesture of investing meaning in events and affirming belief in the future of humanity is not just a common feature of 'religions', as most traditions are based on the idea of cyclical time, and even a gradual decline within the cycles. However, even traditions that reject the idea of circular time may lack faith in the redeeming power of suffering and death, such as Islam, for which the death of Jesus Christ on the cross remains unacceptable for this very reason.³²

³¹ Mika Luoma-aho: *God and International Relations: Christian Theology and World Politics* (New York: Continuum, 2012), 104.

³² Quran 4:157–158.

Of course, it is impossible to list all the traditions of the world that are commonly referred to as 'religions', but perhaps this shows that the religion of human rights is misleading, not only because the word 'religion' itself is confusing but also because it is not in the least similar to most phenomena generously classified as such. If there are any parallels at all, we find these mostly in Christianity: Belief in a transcendent absolute that formulates universal moral commandments, respects the human person, attaches meaning to history, and, while seeking to reduce human suffering, does not deny the reality of suffering that confuses the human intellect.

All this, however, will not prove that the idea of human rights is exclusively Christian. Only historical studies – rather than conceptual analogies – may reveal anything about its origins. Conceptual analogies are themselves problematic, for the belief (or faith) in human rights does not suppose a personal God, and the hope of realising them is also thoroughly mundane. The most that can be said is that the theory of human rights stands very close to Christian theology in some respects, while diverting from it in others. What Christians nevertheless should bear in mind is that nothing, not even the most positive ideas should replace God either in this world or in another.

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