In this brief essay I would like to consider the question of the conflict between human rights and religion.

The first proposition is that religion and human rights have plenty of similarities. I think Professor Javaid Rehman in his essay is right to challenge the inevitability of the clash. I think Professor Avrom Sherr, in his, is right to echo him. In this essay I shall first describe some of those similarities, then draw attention to some of the tensions between the two, and finally address, in the context of those tensions, some of the points that have been raised.

Firstly, human rights and religion both make universal claims. Melanie Phillips, in her contribution, starts by discussing dignity and the Bible. She then slightly pulls back from that and suggests that human rights may be vacuous. I do not think that the idea is. I think the generality of the claims human rights makes is pretty big, and that the subject shares with religion this – rather ambitious – universality.

Secondly, human rights does put culture in its place. I think that when human rights is being ‘polite’, it suggests that it is deferential to the culture of the place in which the idea is to be found. But among friends, human rights is rather more bombastic than that; I think there is in human rights, as there is in religion, a slightly universalist triumphalism. The point is that there are indeed, at certain levels of generality, elements of cultural imperialism here. Melanie Phillips is right that the European Court of Human Rights’ decisions in the case regarding the gays in Ireland and in Cyprus\footnote{Norris v. Ireland (1988) 13 EHR 186; Modinos v. Cyprus (1993) 16 EHR 485.} were not well received in their places of origin on the whole. There indeed was a way here in which human rights was not deferring to the local community. In this respect, the subject shares with religion a kind of deference to the local without being slave to it. Hence you find anthropologists who are quite critical of human rights, as they often are of religions that claim universality.
Thirdly, I think that at their core, human rights and religion share a commitment to the dignity of the person in a way which manifests itself in a commitment to the dignity of others. This is one of the things that really links them. Human rights are certainly concerned with the self, but they are also concerned with other persons – and not just one’s immediate family, or village, or community, or region or state. Human rights actually require people to imagine the situation of an individual outside their own zone. This is a significant and, I think, quite a religious concept. A remarkable paper, delivered as the Aquinas Lecture in Oxford by Oliver Davis, talks about compassion as the idea that underpins an approach to human rights, and this is consistent with certain strands of Christian thinking. This is a very interesting approach indeed.

Elsewhere in the current volume, Nazila Ghanea mentions the notion of ‘the invisible’. I have thought often that human rights is a kind of visibility project. It is about drawing people to other people’s attention. These are the ways in which human rights and religion share many similarities.

Whence the tension?

Both human rights and religion have got real problems with post-modernism – which is the prevailing Zeitgeist, in the West anyway. Human rights have, perhaps, coped with it better than religion, in ways I shall discuss below. What are those problems? Well, Melanie Phillips is right that in what is rudely called the pre-Enlightenment-period, duty was prior to rights. Religion was in its pomp. It was the only show in town. Only in the Enlightenment period did liberals develop a strong belief in an alternative truth outside the Church available for discovery – a truth requiring more than just turning to the priest for directions. This is not the current approach of our society, however, which is much rooted in a rejection not just of Church authority but also of this kind of rationalist foundationalism.

The challenge for both human rights and religion is how to deal with the problem of difference. In my own faith there is kind of real tension between a universalistic demand to regard everybody as a potential Catholic, and a recognition that the Holy Spirit on an ‘off’ day might have manifested the commitment to truth via some other religion; and various very bright people – Jesuits usually – try and say this without being excommunicated. In every religion you find people trying to work