

Religion and Human Rights

Volume 2

Series editors

Hans-Georg Ziebertz, University of Würzburg, Germany

Carl Sterkens, Radboud University, Nijmegen, The Netherlands

Roger Finke, Penn State University, USA

This series investigates how religion can both challenge and contribute to a vibrant human rights culture in different national contexts, as well as in cross-national contexts. It offers empirical and theoretical perspectives on the different generations of human rights, and generates new knowledge on the connection between religion and human rights.

All religions claim that their ethical aspirations and moral duties contribute to the well-being and welfare of individual human beings, groups, and communities. This applies particularly to the golden rule which plays an important role in the ethical groundwork of all religious traditions, and which is also foundational for human rights. However, to what extent is this universal principle actually observed within and between different religions, within and between nations, and within the secular world? To what extent (if at all) do religions contribute to the realisation of human rights or to the prevention of violations of human rights? This series addresses these questions by means of an empirical and comparative approach. Each volume focuses on specific human rights. This second volume offers an empirical perspective on the first generation of civil human rights.

More information about this series at <http://www.springer.com/series/15597>

Hans-Georg Ziebertz • Carl Sterkens
Editors

Religion and Civil Human Rights in Empirical Perspective

 Springer

Editors

Hans-Georg Ziebertz
Faculty of Theology
University of Würzburg
Würzburg, Germany

Carl Sterkens
Faculty of Philosophy, Theology and
Religious Studies
Radboud University
Nijmegen, The Netherlands

ISSN 2510-4306 ISSN 2510-4314 (electronic)
Religion and Human Rights
ISBN 978-3-319-59284-8 ISBN 978-3-319-59285-5 (eBook)
DOI 10.1007/978-3-319-59285-5

Library of Congress Control Number: 2017954352

© Springer International Publishing AG 2018

This work is subject to copyright. All rights are reserved by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use.

The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

Printed on acid-free paper

This Springer imprint is published by Springer Nature
The registered company is Springer International Publishing AG
The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland

Contents

Introduction	vii
Hans-Georg Ziebertz and Carl Sterkens	
1 Religious and Humanist Perspectives on Human Rights	1
Raymond J. Webb	
2 Predictors of Attitudes Towards Human Dignity: An Empirical Analysis Among Youth in Germany	17
Hans-Georg Ziebertz, Susanne Döhnert, and Alexander Unser	
3 Understanding Human Dignity. Theoretical Groundings and Empirical Findings Among the Youth in Belarus	61
Olga Breskaya and Susanne Döhnert	
4 Religion and Civil Rights in Italy: An Empirical Exploration Among Secondary School Students	91
Francesco Zaccaria, Francis-Vincent Anthony, and Carl Sterkens	
5 The Role of Religion in Society, and Its Relation to the Attitudes Towards Human Rights in Chile	121
Joaquín Silva and Jorge Manzi	
6 Social Capital and Religion in the Public Sphere: Attitudes to Visible Forms of Religion Among Norwegian High-School Students	141
Pål Ketil Botvar	
7 Freedom of Religion and Freedom of Religious Clothing and Symbols in School: Exploring the Impact of Church Schools in a Religiously Diverse Society	157
Leslie J. Francis, Andrew Village, Ursula McKenna, and Gemma Penny	

8 Attitudes Towards Freedom of Religion Among Nigerian Students..... 177
Modestus Adimekwe and Hans-Georg Ziebertz

9 Advancing Civil Human Rights Culture in Tanzania..... 215
Clement Fumbo and Carl Sterkens

Index..... 231

Introduction

Human rights are one of the basic foundations of liberal democracy. However, human rights are rights that need to be constantly maintained and improved upon – by politicians and political parties and, ultimately, by everyone. This situation makes both human rights and democracy fragile entities. A wide societal support of human rights is an essential requirement for the understanding, development and protection of values that can be regarded as binding across cultural boundaries. Also, public support is crucial for the growth of a human rights culture and the creation of social conditions that respect and protect these rights.

This volume offers an empirical, and not merely legal, perspective on the so-called first generation of human rights. It explores the legitimisation of these human rights by individual people, both because of their religion and because of their vision of what constitutes human dignity. This empirical approach provides an important complementary perspective for legal, political and public debates. Empirical research can ascertain the extent of agreement that human rights law has with human rights and can clarify the factors that induce or reduce people’s support of human rights. The key question in this volume is to what extent do adolescents in different countries support civil human rights and what influences their attitudes towards these rights?

In this volume, religion is chosen as the key concept that might influence attitudes towards human rights. The relationship between religion and human rights is very complex. Historically, when human rights were integrated in democratic constitutions, most religious communities regarded them as dangerous. Among other issues surrounding the concept of human rights was that of freedom of religion and the separation of religion and state; religious communities showed little enthusiasm for either of these notions and, in some cases, displayed barely concealed animosity. Until today, religious institutions and their representatives, as well as individual believers, may have doubts about or even fundamental objections to specific human rights on religious grounds. In this regard, one thinks of concerns relating to personal and family law, gender equality and the whole issue of religious truth claims. Notwithstanding all this, today, the majority of religious institutions and communities generally embrace human rights. Religions are, in many respects, powerful political, social and

cultural institutions that contribute to human rights awareness, and the core of most, if not all, religious traditions hold up the dignity of the person; indeed, many religious beliefs support the respectful treatment of others. Nonetheless, the dual role of religion with regard to human rights warrants continuous and serious consideration.

This volume is thematically focused on the ambiguous relationship that exists between religion and the first generation of human rights. These civil rights and liberties include, amongst others, the right to life, equality before the law, the freedom of religion, the freedom of speech, the freedom of assembly, the right to privacy, the protection from discrimination and the prohibition of inhuman treatment. Although the separation between religion and state is not explicitly part of the codified lists of human rights, it offers important conditions for it. Separation of religion and state is therefore implicitly related to this first generation of human rights. In this volume, we will shortly refer to the totality of first-generation human rights as 'civil rights' for the following reasons. The French *Déclaration des Droits de l'Homme et du Citoyen* (1789), generally considered as the highlight in the genesis of human rights in continental Europe, already carries in its title explicit reference to civilians as the bearers of rights. And the two classic United Nations Covenants of 16 December 1966 make a distinction between the first generation of 'civil and political rights' and the second generation of 'economic, social and cultural rights'. But there is also a more substantial reason why these first-generation human rights are called 'civil'. Although these rights developed in an environment characterised by a strong mistrust of government in general, it relatively soon came to be realised that human rights need the protection of institutions. Not more than 16 months after the fall of the Bastille, Edmund Burke argued, in his *Reflections on the Revolution in France* (1790), that a gradual, constitutional reform was the best protector of human rights, rather than a revolution that overthrows any form of governance. Burke seemed to realise that human rights would remain merely speculative ideas if there were no institutions to protect them. In reaction to his reflections, which were increasingly interpreted as anti-revolutionary, Thomas Paine (*Rights of Man*, 1791) defended the position that political revolution is perfectly legitimate when a government does not safeguard the natural rights of its people. Nevertheless, Burke's views paved the way for ongoing reflections on 'citizenship' as conditional for the full realisation of human rights. Referring to the Second World War, Hannah Arendt (*On Revolution*, 1963) observed the phenomenon of individuals' tragic loss of rights when these individuals are denied full citizenship. In short, the notion of the rights of individual human beings is an empty one if these rights are not protected and upheld by independent jurisdiction in democratic environments. While a revolution could satisfy the need for the primary rights of 'life, liberty and property', at least in the limited meaning of freedom from unjustified restraint, it is only when people share in government that human rights can develop to their full potential. In this sense, the first generation of human rights are 'civil' and 'political'. To repeat the opening sentences of this book: human rights are not only the foundations of democracy; in turn, they need a democratic political community to maintain and improve them.

The papers in this volume offer a broad-ranging description of youths' attitudes towards civil human rights and the factors underlying these views. The national studies in this volume represent the discussion of this issue during the annual conference of the international research group Religion and Human Rights (www.rhr.theologie.uni-wuerzburg.de); this conference was held in Würzburg, Germany, from 10 to 13 December 2014. The research group was made up of scholars from about 20 countries. A distinctive feature of the research group is that the participating scholars have used the same measuring instruments in different countries. In all instances, respondents are students, either those at the end of secondary school or those in the first year of college. This means that it is possible to validly compare empirical outcomes across national borders. Although the participating scholars share the same general research question, the selection of empirical measurements and the formulation of specific hypotheses may differ according to the specific interest.

In the first chapter, Raymond J. Webb offers a theoretical reflection on human rights from the perspective of the world religions and humanist world views. Webb underpins the necessity of a broader conversation about human rights. He calls to mind the fact that there are several approaches to justifying human rights. These approaches are present in the contemporary world, and any reflection on the foundation of human rights has to take them seriously. Webb bases his views on the Roman Catholic tradition of natural law, the Protestant covenant approach, the Muslim *umma* point of view, the Orthodox focus on sinless behaviour and the humanist-humanitarian activist approach. Webb compares the different traditions in regard to foundations, group versus individual approaches, relationship and influence on and from the state and current developments. He is convinced that all these perspectives can be profitable for the implementation of human rights.

The next two chapters deal with the foundation of human rights. Most declarations state that human rights are based on the dignity of man. Historically, the understanding of human dignity was regarded as a reflection of a person's social position and his or her behaviour. Dignity could therefore be lost as a result of losing one's social rank or because of one's indulgence in immoral behaviour. In contrast, the contemporary dominant understanding of human dignity relates human dignity to all people in an equal way: dignity is inherent to humanity and is independent of people's individual social position or moral quality. Religious traditions offer distinctive conceptions and foundations of human dignity. In the Christian tradition, for instance, dignity derives from the belief that humankind is created in the image and likeness of God. In philosophy and law, there is an ongoing controversy about the concept of dignity. While some consider this term to be meaningless and superfluous, others try to formulate operational definitions which are specific enough to evaluate their implications. What can empirically be said about the relevance of the concept of dignity?

Hans-Georg Ziebertz, Susanne Döhnert and Alexander Unser examine in their paper how German adolescents evaluate different understandings of dignity. They also test to what extent these understandings influence youths' attitudes towards human rights. Their findings show that youths' understanding of human dignity is relevant in terms of their level of support for civil human rights. More specifically,

among German youth, it was found that the conviction that dignity is an inherent quality of human beings is a predictor for attitudes towards human rights.

Olga Breskaya and Susanne Döhnert examine which understanding of human dignity is represented and preferred by students in Belarus, where the Orthodox Christian tradition is dominant. These authors not only reflect, therefore, on the theoretical concept of dignity as used in academic literature but also pay attention to the understanding of human dignity articulated in the official documents of the Russian Orthodox Church. This study tests for the hypothesis that youths who are more strongly committed to the Russian Orthodox Church are in stronger agreement with the Church's convictions concerning human dignity. The authors also determine how and to what extent attitudes towards human dignity depend on the cultural, social and religious identity of the respondents. The concept of inherent dignity is significantly predicted by the degree of empathy of young Belarusians and by the father's degree of religious commitment.

Francesco Zaccaria, Francis-Vincent Anthony and Carl Sterkens present findings from their research in Italy. The authors first investigate what role religion has played in developing a civil rights culture in Italy. They present an historical overview of the interaction between the Catholic Church and civil rights issues with a focus on Italy and provide a sociological assessment of the current situation. They also describe the theological foundation of the Catholic Church's involvement in civil rights in contemporary Italian society. In order to clarify the relationship between religion and civil rights among young Italians, these authors have collected data among secondary school students. Because of the dominant position of Roman Catholicism in Italy, the sample consists mainly of Catholic students. The authors explore, empirically, how Italian youth value civil rights, whether different degrees of religious commitment influence their attitudes towards human rights and to what extent personal characteristics, religious socialisation and psychological traits relate to the support of civil human rights. These authors describe the partial and differential influence of personal and contextual religious attitudes on civil human rights. In general, the data reveal that religion has a pivotal role in the debate about and the support of civil rights but also that the influence of religious identity on the support for or rejection of civil rights differs, depending on the type of rights under discussion.

Joaquín Silva and Jorge Manzi analyse students' opinions about the role of religion in Chile and the potential influence of religious attitudes on attitudes towards human rights. First, the authors develop a theory about the relationship between religion and the public sphere in the Chilean context. The relatively new democratic regimes in Chile encourage religions to play a renewed role in the protection of human rights. The authors then investigate Chilean youth's perception of the role of religion in the public sphere, as well as the varied relationships between this perception and attitudes towards and practices related to human rights. Empirically, the paper shows that the perception of the role of religion in public life varies between members of different denominations. This can be explained in terms of the self-conception of every religion and the role and function religion plays in society. At the same time, this relationship between religion and human rights is also shaped by the historical context and the way the public sphere is organised. The paper

shows that young people mainly expect religion to focus on spirituality and that religions should adapt to society rather than seek to change it. The authors interpret this finding from the perspective of individualisation as one of the phenomena related to secularisation. The younger generation no longer recognises the important role religion once had in Chilean society, especially in the promotion of social justice and the protection of human rights. This corresponds with the finding that (with the exception of freedom of religion) other civil human rights bear little relation to religion.

The primary focus of the next group of articles is on aspects of freedom of religion. Pål Ketil Botvar closely observes the public debate in Norway about the use of religious symbols as part of personal attire and the use of prayer rooms in public schools. Botvar asks if attitudes to public forms of religion can be interpreted according to the theory of social capital. Botvar concludes that social trust is an essential component in social capital and the strategies accompanying social capital. How Norwegians cope with religious symbols and prayer at school mirrors the degree of trust there is in freedom of religion. The hypothesis thus implies that trust, generated in face-to-face settings, develops into a more generalised social trust that has profound effects on large-scale modern societies. The analysis of the Norwegian data shows the explanatory power of social-capital indicators on attitudes to freedom of religion in the public sphere.

Leslie Francis, Andrew Village, Ursula McKenna and Gemma Penny focus on religious clothing and symbols in schools as an issue of religious freedom. The authors analyse data collected among young students in England, Wales and London; these student respondents were either educated in state-maintained church schools or in schools without a religious foundation. This research analyses whether or not religious, personal and psychological factors relate significantly to attitudes towards freedom of religion. Especially with regard to the 'mission' of the school, the authors conclude that students attending church schools hold neither a more nor less positive attitude towards freedom of religious clothing and symbols in school compared with students attending schools without a religious foundation.

The last part of the book offers empirical insights in the attitudes of youth in two African countries. Modestus Adimekwe, Hans-Georg Ziebertz and Susanne Döhnert present findings from research among youth in Nigeria. The paper takes three indicators for freedom of religion in the Nigerian context into consideration: government's interference in religion, prayer practice at school and the wearing of a *hijab* at school. In some Nigerian federal states, there are open conflicts about these issues. The empirical questions of the paper are as follows: what are the attitudes of school students towards the three dimensions of freedom of religion? To what extent do demographic characteristics, religious belonging, individual beliefs, trust in religion and the perception of religion and conflicts in society predict attitudes towards human rights? The assumption is that, given the lack of a precise definition of the freedom of religion in Nigeria's Constitution, the youth would display negative attitudes towards religious freedom. But the results reveal that the respondents of this study hold, in fact, rather positive attitudes towards the concept of freedom of religion.

Clement Fumbo and Carl Sterkens investigate the traditional difficulties faced in advancing a human rights culture in Tanzania. They describe the problems, causes and deeper reasons that hinder the advancement and application of human rights in Tanzania. Despite the fact that, in theory, Tanzania fully embraces human rights, the country falls short when it comes to applying them. The authors argue that specific cultural traditions and customs are to blame for human rights abuses. Strict and conservative beliefs and practices in Tanzania do not align with human rights. More specifically, traditional family values and gender-role stereotypes, arranged (child) marriages, belief in witchcraft and extrajudicial killings and unjust law enforcement are all implicated in causing harm to a culture of human rights.

As the diversity of the contributions in this volume shows, the relationship between religion and civil human rights is complex and multifaceted. Studying this complicated relationship calls for a variety of theoretical perspectives and rigorous empirical testing in different national contexts. We hope this volume offers a challenging example of the benefits of adopting an international and multidisciplinary approach to this subject.

Hans-Georg Ziebertz
Carl Sterkens