

PREFACE

The world has entered something of a “Dickensian era” in the past two decades.¹ We have seen the best of human rights protections inscribed on the books but some of the worst of human rights violations inflicted on the ground. We have celebrated the creation of more than thirty new constitutional democracies since 1980 but lamented the eruption of more than thirty new civil wars. We have witnessed the wisest of democratic statecraft and the most foolish of autocratic belligerence. For every South African spring of hope, there has been a Yugoslavian winter of despair.

These Dickensian paradoxes of the modern human rights revolution are particularly striking when viewed in their religious dimensions.

On the one hand, the modern human rights revolution has helped to catalyze a great awakening of religion around the globe. In regions newly committed to democracy and human rights, ancient faiths once driven underground by autocratic oppressors have sprung forth with new vigor. In the former Soviet bloc, for example, numerous Buddhist, Christian, Hindu, Jewish, Muslim, and other faiths have been awakened, alongside a host of exotic goddess, naturalist, and personality cults.² In postcolonial and post-revolutionary Africa, these same mainline religious groups have come to flourish in numerous conventional and inculturated forms, alongside an array of Traditional groups.³ In Latin America, the democratic revolution has not only transformed long-standing Catholic and mainline Protestant communities but also triggered the explosion of numerous new evangelical and pentecostal movements.⁴ Many parts of the world have seen the prodigious rise of a host of new or newly minted faiths—Adventists, Bahí’ás, Jehovah’s Witnesses, Latter-day Saints, among others.

One cause and consequence of this great awakening of religion around the globe is that the ambit of religious rights has been substantially expanded. In the past two decades, more than 150 major new statutes and constitutional provisions on religious rights have been promulgated—guaranteeing liberty of conscience, religious pluralism and equality, free exercise of religion, nondiscrimination on religious grounds, autonomy for religious groups, among other norms. These national guarantees have been matched with a growing body of regional and international norms, notably the 1981 U.N. Declaration on Religious Intolerance and Discrimination Based upon Religion and Belief and the long catalogue of religious group rights set out in the 1989 Vienna Concluding Document and its progeny.⁵

On the other hand, this very same human rights revolution of the world has helped to catalyze new forms of religious and ethnic conflict, oppression, and belligerence, of tragic proportions. In the former Yugoslavia, local religious and ethnic rivals, previously kept at bay by a common oppressor, have converted their new liberties into licenses to renew ancient hostilities, with catastrophic results. In Sudan and Rwanda, ethnic nationalism and religious extremism have conspired to bring violent dislocation and death to hundreds of rival religious believers each year, and persecution, false imprisonment, forced starvation, coerced conversions, and savage abuses to thousands of others. In America and Western Europe, political secularism and nationalism have combined to threaten a sort of civil denial and death to a number of believers, particularly “sects” and “cults” of high religious temperature or of low cultural conformity. In a host of nations around the globe, Jews, Christians, and Muslims, when in minority status, have faced sharply increased restrictions, repression, and, at times, martyrdom.

In Russia and other parts of Eastern Europe, in various nations of subSaharan Africa, and in a number of nations in Latin America, the modern human rights revolution has also brought on something of a new war for souls between indigenous and foreign religious groups. This is the most recent, and the most ironic, chapter in the Dickensian drama. With the political transformations of these regions in the past decade, foreign religious groups were granted rights to enter these regions for the first time in years. In the early 1990s, they came in increasing numbers to preach their gospels, to offer their services, to convert new souls. Initially, local religious groups welcomed these foreigners. Today, they have come to resent these foreign religions, particularly those from North America who assume a democratic human rights ethic. Local religious groups resent the participation in the marketplace of religious ideas that democracy assumes. They resent the toxic waves of materialism and individualism that democracy inflicts. They resent the massive expansion of religious pluralism that democracy encourages. They resent the extravagant forms of religious speech, press, and assembly that democracy protects.

An increasingly acute war has thus broken out over the cultural and moral souls of these newly transformed societies and over adherents and adherence to competing forms of faith and ethnic identity. In part, this is a theological war—as rival religious communities have begun actively to defame and demonize each other and to gather themselves into ever more dogmatic and fundamentalist stands. The ecumenical spirit of the previous decades is giving way to sharp new forms of religious balkanization. In part, this is a legal war—as religious groups have begun to persuade local political leaders to adopt regulations restricting the constitutional rights of their religious rivals. Beneath a shiny constitutional veneer of religious rights and freedom for all, many East European, African, and Latin American countries have recently developed a legal culture of overt religious favoritism of some and oppression of others. A whole brace of anti-proselytism laws and policies has recently appeared on the books.

Such Dickensian paradoxes have exposed the limitations of a secular human rights paradigm standing alone. And they have inspired the earnest search for

additional resources to deter violence, resolve disputes, cultivate peace, ensure security—in dialogue, liturgical healing, ceremonies of reconciliation, and more.⁶

Human rights are as much the problem as they are the solution in a number of current religious and cultural conflicts. In the current war for souls in Eastern Europe and Latin America, for example, two absolute principles of human rights have come into direct conflict: the foreign religion's free exercise right to share and expand its faith versus the indigenous religion's liberty of conscience right to be left alone on its own territory. Further rights talk alone cannot resolve this dispute. At the heart of a number of the conflicts between Christian and Muslim groups in Africa is a fundamental controversy over the right to change one's religion, to convert. Most Western Christians believe in relatively easy conversion into and out of the faith. Most Muslims believe in easy conversion into the faith but allow for no conversion out of it. Whose rites get rights? At the root of current waves of Christian and Muslim antisemitism are ancient theological resentments toward Jewish notions of being an elect nation under Yahweh's blessing and now a select nation under America's patronage. Here, too, further rights talk alone avails us little.

The purpose of this volume is to summon some of the religious traditions that have an authoritative written scripture at the core of their identity, and to analyze and compare their insights respecting human rights in general, and the rights to proselytism among members of other faith communities in particular. Gathered herein are authoritative presentations of these insights in both the classic traditions of Judaism, Christianity, and Islam as well as the modern traditions of Latter-day Saints, Jehovah's Witnesses, Seventh-day Adventists, and Bahá'ís.

The religious traditions analyzed in this volume do not, of course, exhaust the range of available religious interpretations of the right to proselytize. No single volume could pretend to such comprehension. In the United States alone, there are more than a thousand recognized and registered religious groups, many of which are religions of revelation that reach out to others. The numbers increase exponentially as one crosses the religious landscapes of Asia, Africa, and Europe. Selection, truncation, and distillation have thus been necessary to keep the volume to manageable size. Invariably, specific denominations have been slighted in this process, others ignored altogether. The point of this collection is to provide a representative range of theological expressions and experiences of the rights and wrongs of proselytism—with an eye to fostering greater mutual understanding across the religions of the Book and to prompting many other comparative studies of this sort.

Likewise, the contributors chosen to present each tradition do not exhaust the range of opinions in and of that tradition. Particularly the classic traditions of Judaism, Islam, and Christianity have whole millennia of insights that can only be lightly illustrated and interpreted by an individual author. Contributors have been chosen because of their command of the subject matter, not because of the nature of their profession or confession. Not only theologians, but also jurists, historians, ethicists, linguists, and comparativists are all gathered herein. Some are insiders, with high positions within the religious

tradition on which they are writing. Some are outsiders, with deep insights into a particular aspect of another religious tradition. Every effort was made to secure authors who could speak with authority and sensitivity to their assignments—in terms and with terminology designed to be accessible to English-speaking insiders and outsiders alike. Invariably, something is lost in the translation of Arabic, Hebrew, and Latin sources into modern English parlance, and in the translation of Islamic, Judaic, and Christian mysteries into Western analytical categories. But what is lost in translation is more than amply offset by the gain in mutual understanding afforded by these chapters.

Each contributor has been asked to speak candidly about the theology and practice of proselytism in the texts and traditions of a particular faith. What is the faith's understanding of the nature and purpose of proselytism and mission, religious pluralism and toleration, religious rights and liberties for co-religionists and for all others? What are regarded as legitimate and illegitimate forms and methods of demonstrating or sharing the faith with insiders and outsiders? What are the respective responsibilities and rights of religious officials and political officials to define and monitor the rights and duties of preaching, educating, writing, and other methods of transmitting and sharing the faith? What is the attitude of the tradition to being the object of proselytism, or evangelism, by members of other faiths?

The candor and cogency of the chapters gathered herein illustrate the complexity of the modern problem of proselytism. Each tradition stands firmly on its natural and constitutional rights and duties to proselytize, but each casts these rights and duties in a rather distinctive manner.

Many Jews regard proselytism primarily as a form of *inreach*, a method of gathering into the community those born of a Jewish mother who have strayed from *halakha*. Jews resent being the object of proselytism by other faiths. They do little to encourage or attract non-Jews to convert into Judaism, and they place ample substantive and procedural requirements before those who nonetheless choose to convert. Their most urgent plea is to be left alone to their own faith, to their own tradition, and, since 1948, to their own nation.

Many Muslims regard proselytism primarily as a form of *outreach*, a *jihad* designed to invite all to see the wisdom of the revelation of Allah in the Qur'an and the Sunna. Once confronted with the wisdom of the Prophet's words and actions, a person—and, historically, whole communities whom that person represents—will see the virtue and value of conversion to Islam. The message of Islam should be particularly cogent for Jews and Christians (the *dhimmi*), who have had access to partial revelation in their Torah and Bible, and in their great prophets Moses and Jesus. But it should also be cogent for all people, regardless of their faith, particularly if the message of Islam is demonstrated forcefully—which today often means presenting the message in its full spiritual, moral, cultural, rational, and aesthetic splendor. According to more conservative schools of Islamic law today, Muslims neither accept being the object of proselytism by other faiths, nor do they accept conversions out of the faith from those who have properly converted into it.

The Catholic, Orthodox, and Protestant traditions of Christianity array themselves all along the spectrum between these two hard positions. On one end of this spectrum are a number of evangelical Protestants who emphasize that, in order to be saved, every person must make a personal, conscious commitment to Christ—to be born again, to convert. Any person who has not been born again, or who once reborn now leads a nominal Christian life, is a legitimate object of evangelism—regardless of whether and where the person has been baptized. The principal means of reaching that person is through proclamation of the gospel, rational demonstration of its truth, and personal exemplification of its efficacy. Any region of the world that has not been open to the gospel is a legitimate “mission field”—regardless of whether the region might have another Christian church in place. On the other end of the spectrum are Orthodox Christians. They, too, believe that each person must come into a personal relationship with Christ in order to be saved. But such a relationship comes more through birth than rebirth, and more through regular sacramental living than through a one-time conversion. A person who is born into the church has by definition started *theosis*—the process of becoming acceptable to God and ultimately coming into eternal communion with God. Through infant baptism, and later through the mass, the Eucharist, the icons, and other services of the church, a person slowly comes into fuller realization of this divine communion. Proclamation of the gospel is certainly an important means of aiding the process of *theosis*. But, for the Orthodox, mission work is designed not to transmit rational truths, but to incorporate persons into communion with Christ and fellow believers. Each territory is united under the spiritual protectorate of the local Orthodox church. Any person who has been baptized into that local Orthodox church is no longer a legitimate object of evangelism—regardless of whether that person leads only a nominal Christian life.

Between and beyond these two juxtaposed positions the chapters herein reveal a wide range of alternative views of the rights, duties, and restrictions on proselytism. Several contributors emphasize that proselytism must be a form of gentle and genial invitation to “come and see” the riches of a particular religious tradition. Others emphasize that proselytism is a process, an ongoing dialogue among the proselytizer, proselytizee, and the religious communities they represent. Others emphasize that proselytism must involve not only religious proclamation but also cultural transformation—an effort to transform local communities to grant greater respect not only to civil and political rights, but also to social, cultural, and economic rights. At the same time, several contributors emphasize that conversion is not a one-time event, but a process by which a person slowly develops in relationship with God even if he or she makes no change in adherence to a particular religious community. Indeed, a number of writers today, most notably represented herein by the Bahá’ís, commend both intensely inculturated forms of communal faith as well as a person’s adherence to multiple religious communities at once.

Mining these juxtaposed theologies of proselytizing traditions does not resolve the Dickensian paradoxes of the modern human rights revolution. But it

does open pathways to a fuller, and perhaps more pacific, understanding of modern formulations and applications of religious rights. Particularly, a long historical view of the positions of some of the antagonists in some of the current wars for souls sometimes provides considerable enlightenment.

Permit me just one example of the benefits of such theological discourse for modern formulations of religious rights—namely, the conflict between Christian and Muslim groups over the right to change one's religion, to convert. As we saw, most Western Christians believe in relatively easy conversion into and out of the faith. Most Muslims believe in easy conversion into the faith but allow for no conversion out of it. How can these juxtaposed rights claims be balanced?

International human rights instruments initially masked these conflicts, despite the objections of some Muslim delegations. Article 18 of the 1948 Universal Declaration included an unequivocal guarantee: "Everyone has the right to freedom of thought, conscience, and religion; this right includes the right to change his religion or belief. . . ." Article 18 of the 1966 International Covenant on Civil and Political Rights, whose preparation was more highly contested, became more tentative: "This right shall include to have or adopt a religion or belief of his choice. . . ." The 1981 Declaration on Religious Intolerance and Discrimination Based Upon Religion and Belief repeated this same tentative language, but the dispute over the right to conversion contributed greatly to the long delay in the production of this instrument. Today, the issue has become more divisive than ever.

"A page of history is worth a volume of logic," the great American jurist Oliver Wendell Holmes Jr. once said.⁷ And, on an intractable legal issue such as this, recollection might be more illuminating than ratiocination.

It is discomfiting, but enlightening, for Western Christians to remember that the right to enter and exit the religion of one's choice was born in the West only after centuries of cruel experience. To be sure, a number of the early church fathers considered the right to change religion as essential to the notion of liberty of conscience, and such sentiments have been repeated and glossed continuously until today. But in practice the Christian church largely ignored these sentiments for centuries. As the medieval church refined its rights structures in the twelfth and thirteenth centuries, it also routinized its religious discrimination, reserving its harshest sanctions for heretics. The communicant faithful enjoyed full rights. Jews and Muslims enjoyed fewer rights, but full rights if they converted to Christianity. Heretics—those who voluntarily chose to leave the faith—enjoyed still fewer rights, and had little opportunity to recover them even after full and voluntary confession. Indeed, in the heyday of the Inquisition, heretics faced not only severe restrictions on their persons, properties, and professions, but sometimes unspeakably cruel forms of torture and punishment. Similarly, as the Lutheran, Calvinist, and Anglican churches routinized their establishments in the sixteenth and seventeenth centuries, they inflicted all manner of repressive civil and ecclesiastical censures on those who chose to deviate from established doctrine—savage torture and execution in a number of instances.

It was, in part, the recovery and elaboration of earlier patristic concepts of liberty of conscience as well as the slow expansion of new theologies of religious voluntarism that helped to end this practice. But, it was also the new possibilities created by the frontier and by the colony that helped to forge the Western understanding of the right to change religion. Rather than stay at home and fight for one's faith, it became easier for the dissenter to move away quietly to the frontier, or later to the colony, to be alone with his conscience and his co-religionists. Rather than tie the heretic to the rack or the stake, it became easier for the establishment to banish him quickly from the community with a strict order not to return.

Such pragmatic tempering of the treatment of heretics and dissenters eventually found theological and legal rationales. By the later sixteenth century, it became common in the West to read of the right, and the duty, of the religious dissenter to emigrate physically from the community whose faith he or she no longer shared. In the course of the next century, this right of physical emigration from a religious community was slowly transformed into a general right of voluntary exit from a religious faith, without encumbrance. Particularly American writers, many of whom had voluntarily left their European faiths and territories to gain their freedom, embraced the right to leave—to change their faith, to abandon their blood, soil and confession, to reestablish their lives, beliefs, and identities afresh—as a veritable *sine qua non* of religious freedom. This understanding of the right to choose and change religion has now become an almost universal feature of Western understandings of religious rights.

To tell this peculiar Western tale is not to resolve current legal conflicts over proselytism and conversion that divide Muslims and Christians, especially in Africa and Eastern Europe. But it is to suggest that even hard and hardened religious traditions can and do change over time, in part out of pragmatism, in part out of fresh appeals to ancient principles long forgotten. Even certain Shi'ite and Sunni communities today, that have been the sternest in their opposition to a right to conversion from the faith, do have resources in the Qur'an, in the early development of *shari'a*, and in the more benign policies of other contemporary Muslim communities, to rethink their theological positions.

Moreover, the Western story suggests that there are halfway measures, at least in banishment and emigration, that help to blunt the worst tensions between a religious group's right to maintain its standards of entrance and exit and an individual's liberty of conscience to come and go. Not every heretic needs to be either executed or indulged. It is one thing for a religious tradition to insist on executing its charges of heresy, when a mature adult, fully aware of the consequences of his or her choice, voluntarily enters a faith, and then later seeks to leave. In that case group rights must trump individual rights—with the limitation that the religious group has no right to violate, or to solicit violation of, the life and limb of the wayward member. It is quite another thing for a religious tradition to press the same charges of heresy against someone who was born into, married into, or was coerced into the faith and now, upon opportunity for mature reflection, voluntarily chooses to leave. In that case,

individual rights trump group rights—with the limitation that the individual has no right to remain within the former religious community to foment reform or nonconformity therein.

Where a religious group exercises its trump by banishment or shunning and the apostate voluntarily chooses to return, he does so at his peril. He should find little protection in state law when subject to harsh religious sanctions—again, unless the religious group threatens or violates his life or limb. Where a religious individual exercises her trump by emigration, and the group chooses to pursue her, it does so at its peril. It should find little protection from state law when charged with tortious or criminal violations of the wayward former member.

Current categorical formulations of both religious group rights and religious individual rights simply restate the problems rather than resolve them. It will take new arguments from history and experience and new appeals to internal religious principles and practices, along the lines just illustrated, to blunt, if not resolve, these tensions. The chapters in this volume hold out many such possibilities for the discerning reader.

It was a privilege for me to collaborate with my friend and colleague Richard C. Martin on the editing and production of this volume. A distinguished scholar of Islamic theology, law, and history, Professor Martin not only took the lead in soliciting and editing the chapters herein on Islam, but contributed his own highly valuable chapter on the Islamic understanding on the concept of conversion by invitation.

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—JOHN WITTE JR.