



Human Rights and the Search for Common Ground: A Comparative Study of Islamic and Christian Thought

By Joseph Prud'homme

Common Ground: Islam, Christianity, and Religious Pluralism. By Paul Heck. Washington, DC: Georgetown University Press. 2009.

Keywords

Human Rights, Islam, Christianity, religious pluralism

A vitally important question confronting contemporary society is the degree to which the religions of Islam and Christianity share common ground. Discerning the degree of commonality between these faiths has tremendous importance, since if overlapping theological convictions exist on sufficiently important questions, so might the basis for a deeper and more fruitful coexistence between the two faiths. Such an outcome would be especially welcome in an era of increasing religious diversity and enduring tensions among adherents of both traditions. In addressing the issue of religious pluralism and the promise of common ground, it is essential to explore the status of human rights. A central question for scholars is whether Islamic theology either explicitly or implicitly affirms the importance of human rights. Are there elements in Islamic thought that can be interpreted as supplying support for human rights? Conversely, do aspects of the Islamic tradition militate against the affirmation of rights? At the same time, are there elements in the Christian tradition that can readily be construed to support human rights, elements not present or less emphasized in Islamic thought?

A tremendous resource for exploring these questions is Paul Heck's recent work *Common Ground: Islam, Christianity, and Religious Pluralism*. *Common Ground* is a superb piece of theological analysis. Heck deploys his impressive mastery of the history and current trends within Christian and Islamic theology to re-think the promise of religious pluralism and the prospects for a fuller understanding of religious tolerance. His central thesis is that Islam and Christianity hold much deeper commonalities than often are recognized. With its vast erudition and sophisticated treatment of primary source material, the work is a must-read for serious students of comparative theology today.

In this essay I first discuss briefly Heck's assertions concerning the existence of significant common ground between Islam and Christianity and his thoughts on the status of human rights in Islamic thought. I then argue that the common ground detected by Heck is especially that between Catholicism and Islam, and that those commonalities are less substantial when Islam is viewed in contrast to influential elements in the Protestant tradition. In doing so I define several key points where Islamic thought in all its major forms diverges more widely from Protestant than from Catholic thought. I conclude the piece with reflections on the significance of these divergences for

our understanding of the status of human rights in Islamic thought. I do so by situating this discussion in the context of recent defenses of human rights set forth in the field of political philosophy.

Human Rights and Theological Common Ground

Heck asserts that Islam and Christianity share common ground to a larger extent than usually recognized. At times, however, the claims to common ground developed by Heck can strike the reader as underwhelming. The common ground, he relates at one point, is simply that believers are rational: “In the end what can be said is that for Muslims and for Christians, piety is not irrational” (72). Thus Heck affirms that “believers are rational in the way they comprehend and articulate beliefs. Therein lies the common ground” (223). What is more, believers are frequently called, he asserts, actually to engage rationally their own religious convictions: the rationality of their piety is not present simply in latent form. A person could in principle be capable of reasoning about one’s beliefs and could see one’s views as amenable to rational proof, without actually having to engage for oneself those reasons in any meaningful sense. One can suspect that many devout believers have precisely such a view of their faith: they have, in other words, confidence that someone *else* can provide the rational foundation for the faith they hold as true. On the contrary, Heck asserts, both for Christians and for Muslims, believers face the necessity of rationally engaging their beliefs for themselves, as they have to wrestle, as an intrinsic aspect of the personal journey of faith, with their own inner doubts. Indeed, “doubt is integral to religion” (72), and so answering the question how best to handle this doubt “is a central part of the common ground that Christians and Muslims share” (71).

Left at this level of abstraction, the common ground between Islam and Christianity is rather modest, indeed. However from this platform of a shared commitment to the deployment of rationality in the religious life Heck derives conclusions of striking importance. One such conclusion is the claim that as Islam is a faith dedicated to the pursuit of a piety informed by reason, the “possibility of a synergy between shari’a and human rights is in the works” (206).

This claim is one of considerable importance. It is imperative, therefore, to explore exactly what Heck means by this assertion and how rights operate in his view in the Islamic context. Human rights, he argues, are frequently instrumentalized in contemporary Islamic thought. “This is where human rights have a role in Islam...to ensure that [shari’a’s] purposes are not subverted” (200). Human Rights are increasingly adopted as instruments useful to realizing the larger animating values of the shari’a law itself. In what way does this take place? Human rights in Islamic thought are increasingly being seen as instruments useful to checking political abuse. They serve as tools to uphold one of the overarching concerns of the shari’a, which, according to Heck, is that no state be seen to have unrestrained political power—as unrestrained power belongs to God alone. People under shari’a therefore have the right “not to be subject to political oppression” (201). On this basis, “the emergent sense among Muslims is that shari’a functions best, its purposes most effectively served when it works...as a check against politically motivated applications of shari’a” and its corresponding abuse of political power (208).

Rights, Heck claims, are increasingly coming to be instrumentalized in an institutional form as well: “the emergent sense among Muslims” is that shari’a best realizes this function when it embraces “international standards of human rights,” standards upheld in such multilateral bodies as

the United Nations. The growing international consensus in such bodies as the U.N. Human Rights Council best serves the instrumental function of securing the broader objectives of the divine law, especially freedom from political oppression (201). On this basis, women in Islam should be given the right not to wear the headscarf, Heck claims many Muslims now assert, and also the right to participate in public life on a fully equal basis as men, not because that is what the shari'a unambiguously orders—and so not because these are *true* as dictates of the shari'a law—but because by allowing these rights individuals are best afforded protection from the state, and doing so best serves the purpose of avoiding the potential for political tyranny (201, 207).

Much can be said about this contention. First, can *the* definitive understanding, or even a definitive set of understandings, of the animating purposes of the divine law actually be discovered? Assuming for the sake of argument that such could be done, and that freedom from political tyranny is in fact one of the broad animating objectives of divine law, two fundamental questions still remain. First, if rights are only tools used to secure the broader purposes animating shari'a law, the question must be asked whether rules of behavior understood to be instruments can truly bind and act as regulators of human behavior? Can rights simultaneously both be instrumental and operative as effective restraints on abusive action? To translate this contention into a philosophical idiom, can rights function effectively on the basis of the Kantian *als ob*: that basis which asks us to act *as if* they were true and binding to help us secure a further and more basic end to which we are deeply committed? This remains an open question. Wouldn't the status of rights as human inventions securing a functional purpose prevent them from acquiring that inviolable status that rights traditionally are understood to confer?

At least one important moral philosopher has established strong grounds for questioning whether that which is understood as only a condition for realizing a further and more primary objective can have a truly binding effect on human action. The 19th century German philosopher Jakob Fries, a generally sympathetic reader of Immanuel Kant's critical philosophy, responded to Kant's idea that such concepts as Heaven and God are conditions, or tools, the affirmation of which allows agents to remain committed to the unyielding character of the categorical moral law.

Fries argued that what Kant calls "practical postulates," or states of affairs that are affirmed so as to enable one to realize the purpose of living in accord with the categorical imperative, can't serve their purpose. Fries argued that Kant asks his readers to suppose that one can affirm the existence of a heavenly estate following death, a place of reward and punishment, not because this is true, but because to fail to affirm this would threaten one's ability to uphold the moral law in the face of adversity. Kant held that if one did not affirm heaven then one would not be able to secure the fortitude to remain committed to the moral law when doing so is injurious to one's happiness in the present life. Hence, Kant said that a moral agent must "postulate" Heaven as if it were true, without actually believing it *to be true*: it is merely an instrument which one supposes to be true to secure a further purpose. Fries's point is that this defies the ordinary capacities of human psychology. Man's psychological makeup will always incline one to question the truth of a posited tool or "practical postulate"; one cannot, that is, tell oneself that what one recognizes as a tool or condition for a further objective is in fact an actual verity. Its status as an adventitious construct of human ingenuity cannot be forgotten, and this vitiates its status as a claim one can in fact suppose to be true. Kant's thought therefore is self-contradictory, Fries argued, since if one cannot be moral without a belief in heaven, and if heaven cannot actually be proven, then the moral law cannot be realized consistently

over time given the inability of agents to take seriously what is known to be a human tool (Fries 1805).

This psychological insight can be applied to the concept developed by Heck that rights serve as postulated instruments serving the larger purposes of the shari'a law. If Fries is right, we should not expect to be able to have those tools serve as effective restraints, as their status as human constructs or postulates would vitiate their status as absolute restraints on behavior.

A second fundamental question emerges, on the other hand, if international standards of human rights were to be seen as objectively binding and true. For if this were so, then they would begin to be seen as more than mere instruments, which in turn creates the real possibility that they could erode the deliverances of sacred scripture. Heck mentions in an off-handed way a development in Turkey that provides an excellent example of just how this could happen, an example that should be deeply troubling to any believer in the inerrancy of the Qur'an as a sacred text: "In Turkey, the Ministry of Religious Affairs has begun a project to reconsider the authenticity" of the revelations and prophetic traditions that demean women "because the prophet would never have supported such teachings" (193). Here the tool overcomes the master.

The question therefore emerges, is there in Islam and Christianity a fully objective basis for affirming human rights as true, an understanding of human rights as restraints that can bind human behavior? The objective source of any set of human rights in both traditions would have to be discovered from the will and law of the creator. But how do we know what the creator commands? We do so at least by revelation (and perhaps only by revelation). The question then becomes, which revelation—Muslim or Christian—is true? And can both be true, qua revelation? Or at least, can both contain *elements* of revealed truth? That is, can Christians see in the Qur'an anything that is true *as special revelation*? Is there anything true in the Qur'an about God other than the claims made in the Qur'an which are independently verifiable through the use of natural reason (as would be the claim, for example, that there exists a purposive and providential creator, which is stated in the Qur'an but which many Christians would claim is verifiable simply by rational examination of the cosmos)? Rather, can a Christian see as true anything in the Qur'an that is not independently verifiable by unaided (i.e. non-scripture-dependent) reason itself? If so, to what extent and on what basis could such truth be discerned? In turn, what might this tell us about the common ground between Islam and Christianity?

To answer the question of whether Christians and Muslims could see each other's revelations as true necessarily involves the important preliminary question of whether Christians can accept any post-Christic revelation apart from Christ's second coming? Islam can certainly affirm—and does affirm—that much in the Christian revelation is true qua revelation. But can Christianity do the same for Islam? This is the essential preliminary to the question of whether the Qur'an, even in principle, could be true qua revelation from a Christian viewpoint.

Since the Qur'an does not entertain the idea that Muhammad is an incarnation or is at all divine, we do not have to explore the fascinating question that Thomas Aquinas explores, namely whether there could in principle be multiple incarnations. Aquinas holds that there could in principle be numerous incarnations, for:

the power of a Divine Person is infinite, nor can it be limited by any created thing. Hence it may not be said that a Divine Person so assumed one human nature as to be unable to assume another...for the Uncreated cannot be comprehended by any creature. Hence it is plain that, whether we consider the Divine Person in regard to His power, which is the principle of the union, or in regard to His Personality, which is the term of the union, it has to be said that the Divine Person, over and beyond the human nature which He has assumed, can assume another distinct human [form] (III, q. 3 a. 7).¹

Our question, rather, is, can there in principle be prophets who come after Christ? What does Christianity say about the possibility of later prophets? The very fact that Aquinas admits the possibility of multiple incarnations suggests the answer: if incarnations could be multiple, a fortiori so could verbal and sensory revelations by the deity to emissaries of the divine will. Nothing in principle would stop this. Indeed, Heck himself accurately states that the Christian tradition has always been open to new revelations coming after Christ, referencing the crediting of the Revelations of John, given to John after Christ's death, and their incorporation as texts of the Christian Bible (35). John claimed to speak the truth of God, claiming to be visited by an angel of whom he says: "I saw it fly in the midst of heaven, having the everlasting gospel to preach unto them that dwell on the earth" (Rev. 14:6-7). Indeed, as John Moorhead has pointed out, one of the earliest Christian theological responses to Islam was actually a response that seemed to have credited Muhammad with the status of an actual prophet of God. The Armenian bishop Sebeos in roughly 661 argued that the religion of Islam was led by Muhammad, who "taught the Arabs to know God" and led them back to the religion of their ancestors, the Ishmaelites. As such Muhammad served as a prophet of the God of Abraham, and thus a prophet of the Christian God as well (Moorhead 1981: 266).

To be sure, as Moorhead recounts, this view of Muhammad as a veridical prophet was "a particularly positive view of Islam" (266), one which soon fell out of favor as "other Oriental authors took a hostile view of Islam" (268)—a view that would come to predominate in the decades and centuries to follow.² But the question remains: why and on what basis have Christians accepted as true the post-Christic revelations which have met with consensual support, such as the revelations of John? From the perspective at least of the Catholic Church, this has to do with the status of John as canonical. The key point about post-Christic prophethood, therefore, is that from the Catholic perspective the Church enjoys a privileged position with respect to its capacity to form a canon, or authoritative body of revelations. This relies ultimately, from a Catholic viewpoint, on the Church's commission from Christ and the promise to her of a paraclete—or helper in the form of the Holy Spirit—who will make all things known to the body of believers. As John's Gospel has Jesus affirm in 14:16 and 14:26: "I will pray the Father, and He shall give you another Comforter, that He may abide with you forever...and this Comforter, whom the Father will send in my name, he shall teach you all things."

¹ Duns Scotus also developed the idea of the possibility of multiple incarnations. See *Ordinatio* 3.1.3, n.2 (7:44), available at <http://www.franciscan-archive.org/scotus>.

² However, a small number of recent Christian theologians have made tentative steps towards acknowledging Mohammad as a true prophet of God. See firstly the work of the often heterodox Catholic theologian Hans Kung in *Islam: Past, Present and Future*, p. 123: "isn't it simply a dogmatic prejudice for Christians to recognize Amos and Hosea, Isaiah and Jeremiah and the extremely violent Elijah as prophets, but not Mohammad?" See also the much more cautious speculations of Church of England bishop Kenneth Cragg in *Muhammad and the Christian*.

From the Catholic viewpoint, the paraclete, or spiritual helper, resides in the visible Church. As the *Catholic Encyclopedia* recounts: “The Paraclete comforts the Church by guaranteeing her inerrancy and fostering her sanctity” (2011). Catholic theologian Kilian McDonnell further notes that the paraclete’s “charism expresses the constitutive role the Spirit plays in the [Church’s] ministry, that is, not as a power added to previously existing [Church] structures but [as] the power which constitutes the...ministry of...the Church itself” (1978: 285). As such the paraclete confers on the Church the status of the most reliable judge of post-Christic claims to revealed knowledge. Whatever post-Christic claims are advanced, the Church can certify them as true or false.

What this means, then, is that the Catholic Church can in principle certify a wide range of persons as post-Christic prophets.³ It is important to emphasize that the paraclete is promised by Christ to teach believers “all things.” Hence, it is incorrect from a Catholic perspective to hold that the operations of the paraclete speaking through the Church are limited merely to Church pronouncements that defend or reaffirm traditional faith-claims. As the Theological Commission of the First Vatican Council stated: “infallible definitions of popes and councils are irreformable of themselves and do not require the approbation of the people” (Dulles 1978: 88). The Church therefore can teach with the power of the Holy Spirit as the Spirit so directs, and not merely by way of reiteration of ancient doctrine. This power follows of necessity from the breadth of the Johnine promise of the paraclete, who will “guide you into all the truth,” and will “speak whatever he hears” (John 16:13-15). On this basis the noted Catholic theologian Avery Dulles states that the paraclete not only prevents error—it is not only conservative—but is also a directive force guiding “into” truth (79).⁴

Hence, the Church could in principle define Muhammad as a veridical prophet; it could sanction the early view of the Armenian bishop Sebeos. Further, this very power implies that the Church in itself is a kind of standing post-Christic prophet. Islam and Catholic Christianity, therefore, both very much include the belief in a post-Christic prophet: post-Christic prophethood is a fundamental aspect of the Catholic self-understanding; to deny the very possibility of post-Christic prophets would be for the Church to undermine its own status as magisterium, or inerrant teacher. It would be for the Church to reject the “constitutive” essence of its own “ministry,” in the words of McDonnell (1978: 284).

Tenuous though this may be, there are here solid grounds for unity between Islam and Catholic Christianity—a common belief in some form of post-Christic prophethood. This represents a genuine point of commonality. This fact alone should assist many Catholic Christians to understand that Islamic faith is predicated on a way of thinking that is structurally inherent in Catholic Christendom itself, and so, far from being radically other in its approach to and conception of religious truth, Islam bears similarities in a deep and structural way to the nature of the visible Church itself.

³ Hence the Church can certify that “private revelations have been made to persons.” Indeed, many people after Christ have had, it is thought, genuine revelations from God (e.g. St. Margaret Mary and St. Bernadette of Lourdes). Catholics can accept these revelations, but only if they are first certified by the Catholic Church (Morrow: 23).

⁴ A further example of this would be the thought of St. Bonaventure with respect to the sacrament of confirmation, a view held by many Catholic theologians. St. Bonaventure along with many others such as Alexander of Hales, taught that Christ had not revealed the sacrament, but rather confirmation “had been instituted by the Church under the guidance of the Holy Spirit.” See Joseph Martos, *Doors of the Sacred: A historical Introduction to Sacraments in the Catholic Church* (Liguori, MO: Liguori/Triumph, 2001), p. 196.

The Common Ground between Catholicism and Islam

In addition to this formal similarity between the Catholic Church as a standing prophet and the arrival of post-Christic revelation, Heck's book, in fact, argues at its most cogent points for more substantive commonalities between Islam and Catholic Christianity. Indeed, the common ground that the author detects is most often that between Catholicism and Islam. A few examples can suffice to prove this point. Heck dilates on the role of saints in both Islam and Catholicism (chapter 1). He acknowledges astutely the strongly positive view of saints in Catholic thought, calling saints "cosaviors with Christ" (31). He in turn develops, with considerable erudition and sensitivity to the varieties of Islamic thought and practice worldwide, the similarity of such a strongly saint-based view to a number of current trends in Islamic thought and practice. He notes that "the saints of Islam...are agents of God's purposes, working to mediate the presence of God for the world" (30).⁵ The *beati*, or holy ones, in both religious traditions are esteemed because they meet, he argues, the profound desire on the part of people of faith to see God's purposes put into concrete effect—His purpose of drawing men and women to the deepest faith in His abiding goodness. Such a profound faith in God has to be seen in the world for belief in God to retain its vigor for the mass of ordinary believers, both in Catholicism and Islam, Heck maintains. On this jointly held commitment to see holiness concretely visible in the world, Islam and Catholic Christianity hold common ground.

Further, Heck notes how Catholic Christianity's de-emphasis on human corruption and its focus on the human capacity for loyalty to God through righteous actions—through a human response to God's call—allows one to see salvation in terms of merit, with God's grace "increasing or decreasing in accordance with the works one performs" (56). A "similar story unfolded in Islam," he argues, since "Islam has no doctrine of original sin" (57). Although "humans are susceptible to seductions...[they are] not [so] in any permanent or irrefutable way" (17). Hence humans are held up as agents able to respond on their own to the divine mandate. This optimistic view of human nature as allowing consistent performance of divine commands is affirmed by Heck with explicit reference to the Jesuits (56, 57). Both Islam and the Jesuits are "optimistic about the ability of human nature" to participate in the work of God, he argues, and so both see humans as capable of responding to God through concerted actions to improve themselves and the world around them (56).⁶

Protestant Traditions and Islam

Although these parallels are highly interesting, the way Heck emphasizes Catholic theological concepts is in fact a significant limitation of the work. The reader is reminded of one prominent response to Huntington's thesis of civilizational conflict: The differences within civilizations are often as great as the differences between civilizations. Heck's work has a focus on Catholicism, and this hides very real differences between Islam and non-Catholic Christianity, especially elements in Lutheranism and Calvinism that emphasize total depravity and the all-sufficiency of divine grace. These differences are critical to a fuller survey of the breadth and depth of the common ground between Muslim and Christian thought.

⁵ To be sure, some variants of Sunni Islam reject any special status being accorded to saints at all.

⁶ Hence acclaimed scholar of Islam Annemarie Schimmel notes that in Islamic thought, "Human beings are good by nature" (1992: 32). This view follows from numerous passages of the Koran, such as sura 20:123: "Then if, as it is sure, guidance comes to you from Me, then whosoever follows My guidance, will not lose his way."

What then are we to make of those Christian traditions flowing from the Reformation and their relationship to Islam? Some reformers did come close to praising Islam and even supporting it, as seen by a few radical reformers who appeared to espouse something approximating full anti-trinitarianism, and also as seen in the development of some positive ties between the two communities in the movement given by Catholics the name Calvino-Turcism, a movement whose leader, Jan Amos Comenius, wrote movingly in an epistle in 1666 to the Ottoman sultan of the parallels between the two faiths. Nevertheless, serious differences between Islam and Protestantism, and especially those elements in Protestantism emphasizing total human depravity, must be acknowledged. Indeed, Islam appears very similar to large parts of what in the waning days of pre-Reformation Europe was known theologically as the *via moderna*, a school of thought represented by towering figures such as Jean Gerson and Gabriel Biel, yet a school of theology explicitly rejected in the work of leading reformers such as Martin Luther. This point merits exploration in greater detail.

As many historians have noted, in the late 14th and early 15th centuries a movement known as the *via moderna* arose in Europe, which in the words of theologian Alister McGrath sought to answer the question “what must I as an individual do to merit salvation?” (McGrath 1988: 69). As McGrath and others have demonstrated, the answer this movement developed centered on the concept of a covenant defining “God’s obligations to his people, and their obligation to God” (57-58). This covenant was construed to demand of humans what would become a famous phrase in Christendom: *facienti quod in se est Deus non denegat gratiam*. God will save those who strive as best they can to serve Him. The noted late medieval theologian Gabriel Biel explained that ‘doing your best’ meant “rejecting evil and trying as best one could to do good” (McGrath 1988: 58).

Inherent in the *via moderna* is the idea of man’s natural ability to do actions satisfying to God. As Heiko Oberman argues, the *via moderna* presupposed a “natural capacity to love God above all else” (Oberman 1961: 269).⁷ “Gabriel [] assumed,” McGrath argues, “that humans were capable of meeting this precondition” for salvation—meritorious action—“without undue difficulty” (McGrath 1988: 72). For the champions of the *via moderna* such as Gabriel Biel, individuals can achieve this loving submission to God by what Biel called *lectio* (reading) and *meditatio* (meditation) (Oberman 1961: 272). In other words, one can inspire oneself to meet the requirements of *facere quod in se est*—the doing of one’s best—by reading revelation and meditating upon it and also meditating on the grandeur of the created world. Doing so can engender what Oberman argues for Biel was the “all-sufficient” virtue needed for salvation: humility (Oberman 1961: 273). By reading God’s word, and reflecting on human smallness and the greatness of man’s creator, humility can be achieved, as one comprehends the impending judgment after death; as one reflects on the tremendous sacrifice made on one’s behalf by Jesus; and as one gazes on the magnificence of the natural order. This reading and reflection has, in the words of Oberman, “merely a psychological relevance,” as it functions to provide an inspiring example, and to fill the mind with awesome thoughts, allowing the individual to break the bonds of sinful pride through his own inherent power (1961: 272).

Viewed as a whole, the *via moderna* is remarkably similar to Islamic theology as traditionally understood. In Islam God demands action for salvation. What is critical is the action of humility—or submission, the very word from which this great world religion derives its name. As sura 96

⁷ Hence William Landeen remarks with some understatement, “Biel develops a dogma of justification in which the free cooperation of man is stressed almost to the point of Semi-Pelagianism.” William Landeen, “Gabriel Biel and the Brethren of the Common Life in Germany,” *Church History* Vol. 20, No 1 (March, 1951), p. 23.

thunders: “prostrate yourself and bring yourself closer.” For, as stated in sura 25, “the servants of Allah are those who walk the earth with humility” (sura 25:63). How does one acknowledge the need for submission and practice the virtue of humility? As sura 96 insists, one learns from the God who “teaches men by the pen.” Hence men are to “Read, in the name of God” (sura 96). If men but read God’s recitation, they can be changed, changed to the point of trying as best they might to submit fully to the will of their maker. If they complement their reading of God’s revelation to Muhammad with the reading of the evidences of the natural world, all the more they will see themselves as wondrous creatures, crafted as God says from a mere “blood clot” (sura 96). Humility is born in the breast of the readers of divine writ and the admirers of the handiwork of the heavenly maker. For of course it is He who “causes well planted gardens to grow full of beauty and delight: It is not in your power to cause the growth of such trees” (sura 27:60). It is he who gives the world its “order and perfection” (sura 79:28). “Allah created the heavens and the earth and sends down the rain from the sky, and it is He who brings fruits to feed you; it is he who has made ships to serve you, he has made the rivers too” (sura 14:32).

By reading the recitations of Muhammad, one also discerns an impending judgment. Judgment in the afterlife in fact is echoed so frequently by Muhammad that the sheer repetitiveness of this point creates an unmistakable clarity, which in turn is one of the major reasons often adduced for why the Qur’an needs no supplement and Muhammad no successor as prophet. The *wudoob*, or clarity, of the Qur’an concerning judgment after death leaves men no excuse: “When sinners are cast in Jahannam [Hell], they will hear the terrible drawing in of its breath as it blazes forth...It almost bursts up with fury. Every time a group is cast therein, its keeper will ask: ‘Did no warner come to you?’” (Caliphate 2011.) The answer is certain.

Human actions, however, in both the *via moderna* and Islam, are not in any way associated with divine actions—as if God could be brokered with. The covenant at the heart of the *via moderna*, as McGrath points out, is one unilaterally imposed by God. Good works merit salvation on this account, not because man can through his works tie God’s hands, as if human actions in themselves had some attribute that God *must* esteem, but because God elects to treat human actions as having value (1988: 59). The same is true of Islam. To hold that human actions in themselves can bind Allah would be to engage in *shirk*, or associating any thing or any action with God, which is strictly forbidden in Islam, even to the point of being a sin that can never be forgiven (sura 4:48). To see God as one whom humans could contract and haggle with, as if human actions were elements within God’s own economy of value, is simply idolatrous. The same kind of objection is found in the defenders of the *via moderna* to the charge of extreme Pelagianism. To that charge they argued, “the covenant is not negotiated, but unilaterally imposed by God” (McGrath 1988: 58). God chooses to credit human actions with worth. The defenders of the *via moderna* analogized that good works were like wooden coins that were given value by the king’s promise, being devoid of inherent worth (1988: 59). Hence, human actions were not elevated beyond their station: they could not inherently gain salvation, but only could do so because of God’s will for them to be seen as valuable.

Moreover, in both the *via moderna* and in Islam, God does not demand of humans that they act with perfect piety. As McGrath argues, in the *via moderna* and its “covenant between God and humanity, a relatively small human effort results in disproportionately large divine reward” (1988: 71). For all that is required is the definite action of doing good acts as best one can. The same is true in Islam. Indeed, one of the most frequently used and sweetest of the names of Allah is *Ar-Rahim*, the most merciful. As sura 29 declares, “those who believe, and do righteous deeds—surely,

from them, we shall remove any evil deeds still left in them, and we shall truly, reward them according to the best of their deeds” (sura: 29:7). Hence Heck notes that, “if one falls from the straight path, one is simply to repent and start again,” without, however, God “reliev[ing] believers of their religious obligations” to try their best (17, 18).

Furthermore, this doing of one’s best can be encouraged and given incentive by reflection on a paradigmatic exemplar both in the *via moderna* and Islam. In the *via moderna*, Jesus’ actions inspire rightful deeds. Gabriel Biel, that great architect of the *via moderna*, is clear on this point. And this produces another powerful parallelism between the two approaches to God. In Islam, Muhammad’s actions inspire the faithful and provide the faithful a paradigm—a point Heck is at pains to emphasize: “the prophet, even if dead in his grave in Medina, remains alive...inspiring them” (19). For staying on the straight path “is not easily accomplished,” that is, is not easily accomplished “without assistance”—the assistance of the example of the life of Mohammad (17). In the thought of the Islamic theologian Ibn Hazm, “Muhammad was sent for the purpose of perfecting noble character” (Heck: 103). His example empowers the faithful to do their best, and allows some to attain to a level of great piety, which in turn inspires the faithful all the more to act in the straight path as best they might (103). This, once again, relates Islam closely to the *via moderna* and its Gabrielist theology of human power.⁸

If Islam bears striking resemblance to the *via moderna*, what then of Martin Luther’s rebuke of the *via moderna*? A deep fissure is opened that renders problematic the common ground Heck labors to identify. Luther would come to reject strongly the so-called synergism in the *via moderna*.⁹ His *Turmerlebnis* was precisely a breakthrough, as McGrath and others have documented, that saw the young Wittenberg professor reject the *via moderna*’s understanding of salvation (McGrath 1988: 74). Luther did so because he came to hold that humans are unable to do the minimum amount required for justification, due to their indwelling sinfulness. Hence as McGrath states, “the God of the gospel is not a judge who rewards individuals according to merit, but a...God who gives sinners something they could never attain through their own efforts” (75). After this recognition Luther writes movingly how “I began to understand the ‘righteousness of God’ as that by which the righteous person lives by the gift of God; and so refers to a passive righteousness, by which the merciful God justifies us by faith...this immediately made me feel as though I had been born again” (Luther: 336).

What does the Lutheran challenge to the *via moderna* tell us about the common ground between Islam and Christianity? There seems to be rather massive implications to this difference between the prophet and the Wittenberg professor. I shall reflect on two implications of the Lutheran-Islamic fissure.

First, one implication can be seen by noting that the Lutheran¹⁰ position is, as many have argued, largely a repositioning of theological analysis back to the spirit of Augustine. As the famous phrase of B.B. Warfield has it, “the Reformation, inwardly considered, was just the ultimate triumph of

⁸ Gerson especially emphasizes the elevating example of the greatly pious. For example, Gerson turned the spotlight on St. Joseph as the ideal family model and protector. Gerson’s 2,957-line poem about St. Joseph, the *Josephina*, promoted the saint and his marvelous virtues across Western Europe. See Sandra Miesel, “Finding St. Joseph.” Available at <http://www.catholicculture.org/culture/library/view.cfm?id=4464>.

⁹ For a classic statement of this view see Leif Grane, *Contra Gabrielem: Luthers Auseinandersetzung mit Gabriel Biel in der Disputatio contra scholasticam theologiam 1517* (Copenhagen, 1962).

¹⁰ Of course other leaders in the Reformation held similar views, and Luther’s own views may not have been consistently maintained across his body of work.

Augustine's doctrine of grace" (quoted in MacCullough 2003: 111), a point McGrath reiterates: "Luther scholars tend to put quotation marks round the words 'new' or 'discovery': Luther's ideas may have been new to him, but they were hardly a new discovery for Christianity! Luther's 'discovery' is really a 're-discovery' or 'reappropriation' of the insights of Augustine" (1988: 75. Emphasis in the original).

Given the great parallelism between Augustine and Luther on the topics of grace and justification, one is led to the conclusion that from a consistently Lutheran, and so Augustinian, view of grace, no individual who fails to live up to divine law can be punished with the severest penalties for betrayal of the divine law. For the indwelling sinfulness of man means that turning against God cannot be viewed as a willful, malicious backstabbing; it is not a species of pure betrayal, since our nature is inherently corrupted and so prone to sin in *all* action. To view someone as a true traitor is to assign to him the ability to stay loyal, an ability that is freely chosen *against*—despite one's ability to do otherwise. Yet Augustine places a great emphasis on God's grace and the limitations of human power in regard to faith, given the inherent and indwelling tendency to sin in all humans do; he has an Anti-Pelagian de-emphasis on the will in relation to salvation. He frequently remarks that humans lack complete voluntary control over their own faith and their prospects for salvation. In *de correctione donatistarum*, he asks: "where in scripture is what they are accustomed to cry: To believe or not is a matter that is free?" (22). His thought deemphasizes, therefore, the importance of the individual will in regard to salvation, and this in turn limits the extent to which a free choice *against* God, in the face of a clear opportunity by one's own power to remain loyal to him, is ever assigned to mankind.

This logic is precisely what Augustine used as the reason for not deploying extreme violence against heretics, those who turn against God and His Church. Augustine strongly condemned using the death penalty against heretics. As Tuberville notes in reference to the Donatist heretics, Augustine "strongly reprobated" the use of the death penalty (1964: 127). Even in his later period when he countenanced the use of state power to restrict heresy, Augustine firmly held that "we Catholics wish the Donatists corrected, not put to death; we desire the triumph of [ecclesiastical] discipline, not death penalties" (p. c, n. 1 *Vos rogamus ne occidatis*—Letter c to the Proconsul Donatus). Hence, he claimed boldly: "not one of them should perish" (Tuberville 1964: 226).

This view follows as a result of Augustine's theology of grace. One cannot be condemned to death for heretical betrayal of God,¹¹ for *all* actions are directed toward sin, not merely the action of rejecting the Church. It is not as if in this one area—the area of loyalty to God and His Church—man has the opportunity to do other than sin, but with willful malice *freely* chooses against the Church, for man is prone to sin in all he does. Only grace can make action right. Furthermore, given this theology of grace, no punishment should be permanent, as is the case with death, for such is to act as if God could not through his unearned gift redeem people; with God's grace no person is beyond redemption.

¹¹ In the medieval bulls of *Excommunicamus* and *Ille humani generis* of 1231, pope Gregory IX calls for extensive inquests, to be undertaken, especially but not exclusively in the South of France, by Dominicans to ferret out heresy. During the first stages of the Inquisition, however, the Church does not explicitly authorize secular rulers to use the death penalty for recalcitrant heretics. The Church instead was simply to "relax to the secular arm" and call for the "appropriate punishment" of heretics. Any calling for death by Inquisitors in the early stages of the medieval Inquisition was deemed highly "irregular" in light of long standing Church doctrine indebted to Augustine. Yet in the bull *ad extirpanda* in 1252, pope Innocent IV made it clear that the punishment for recalcitrant heresy was clearly expected by the Catholic Church to be death, and excommunication was mandated as the penalty for secular leaders who did not condemn recalcitrant heretics to the stake.

The *via moderna* on the other hand was a movement in opposition to Augustine; it was more modern, more “progressive,” we might say, than the theology of the doctor of grace. The *via moderna* replaces the older Augustinian view of the human person as one whose salvation, because of human deficiencies, must be a gift and cannot savor of human contract. Because sin had made one incapable of long term, consistent obedience to anything like a spiritual contract, for Augustine a robust degree of *perfectibility* was not seen as possible for the human subject. For the *via moderna*, however, the individual now became precisely what could be called *responsible*: The prototypical self becomes one who is capable of keeping promises and behaving in a way that can earn salvation; the act of willfully singly out God for a freely chosen betrayal can now be assigned to mankind. Such a subject can be held responsible for error, and can even be condemned to death for such rank treason to God.

We can see this line of thought in the *via moderna* itself. We can do so by focusing on the influence of one of the greatest minds of the movement, Jean Gerson, who became chancellor of the University of Paris in 1395, at the height of its fame, and who became a strong champion of the movement (Oberman 1961: 273). As Oberman argues, Gerson prized above all else humility. And this humility, Gerson thought, could easily be acquired by humans. As Oberman notes, for Gerson, “Nobody can excuse himself on grounds that humility would be beyond his reach; a proper consideration of the majesty of God’s creation humiliates man sufficiently” (274). The result is that the subject who fails so to humiliate oneself becomes a subject who is willfully and freely betraying God, and so deserves an ultimate punishment. Thus, in his letter to the Archbishop of Prague Gerson pleads for the death penalty for heretical betrayers: “the fearless arm of government should cut down heresy with its own authority and send them to the fire...so as not to let the speech of heretics have its evil creep.”¹²

This line of thought has a direct parallel in Islam. Although as Heck points out Islam is “relatively free” from inquisitorial persecution in terms of disagreement over doctrinal points (205), its endorsement across time—though an endorsement that as Heck notes is not uniform and shows a long history of lax enforcement (201)—of killing apostates, is structurally similar to the use of death against heretics. *Haeresis*, after all, is merely the Greek word for choice; it is to choose to go against the teachings of the Church. Apostasy in Islam is similar; it is to choose to go against the practices of Islam: both are willful betrayal. Apostasy in Islam and heresy in Catholic Christianity are therefore structurally similar. And both see the betrayer subjected to an ultimate punishment—the punishment that the doctor of grace forbade to be used against heretics.

In addition to the idea of how the doctrine of grace precludes the assignment of fully willful malice in opposition to divine law, a second profound differentiation between Islam and the Lutheran-Augustinian tradition can be detected. It has to do with a deeper form of betrayal: the betrayal of the innocent through cruel and unmerited suffering; the betrayal of the promise of health through nature’s destructive forces; the betrayal of the hope of joy in this life by the hideous display of unfair devastation by forces beyond all control. A deeper problem, simply put, emerges in terms of the problem of evil.

¹² Translation by Joseph Prud’homme. The full text reads: *Superest igitur, velut in desperate peste, securus brachii secularis, excidens haereses cum auctoribus suis, et in ignem mittens. Providens hac tanta severitate et misericordi ut sic dicatur, crudelitate, ne sermo talium, veluti cancer, serpat in perniciem tam propriam quam alienam.* See Penny *Cyclopedia of the Society for the Diffusion of Useful Knowledge* (Charles Knight: London, 1841), p. 350.

Islam rejects the idea that Jesus suffered death on the cross (*vide* sura 4:157). For Martin Luther, on the other hand, “the cross alone is our theology” (quoted in McGrath 2010: 41). The cross of Christ is the central concept for Luther in part because it helps to address the deepest form of doubt, doubt occasioned by the existence of evil. Heck is surely right to argue that doubt suffuses the life of faith. Yet the doubt that does so is much more than mere propositional doubts about the probability of an immaterial being who created the world *ex nihilo*. Such doubts troubled scholars like Al Ghazali, as Heck points out (69). Other kinds of doubt Heck focuses on involve moral philosophy. Heck notes how “doubts about moral practices raise questions about the credibility of religion as a whole” (49). This may all be true, at least to some extent. However, the deepest form of doubt comes to us, in McGrath’s words, on “the eve of funerals” (46). Suffering seems to show forth the shallowness of theological argument and to engender the most serious measure of doubt. The doubt truly central to the life of faith is occasioned by the ugliness and sickening sense of betrayal that issues from the sight of unmerited sorrow, unearned cruelty, unrelieved decay.

Islam’s dissimilarity with Christianity, and especially the differences between it and Luther’s focus on the cross, can be seen to deplete Islamic thought of its ability to wrestle with evil in the most appropriate manner. To see this point we must ask, what is the Muslim response to the problem of suffering?

Far be it for me to say that I can discern *the* Islamic approach to the problem of evil. But as Dr. Muzammil H. Siddiqi, President of the Islamic Society of North America, and others have outlined,¹⁵ there do tend to be four standard-most responses to the problem of unmerited suffering in Islamic theology: i) The idea that this world is not the only one and so suffering can be endured in promise of a better afterlife; ii) that evil results from the consequence of physical laws that individuals can and should know and steer clear of (Schimmel 1992: 33); iii) the idea that evil is a test and trial for some people who suffer; and iv) the idea that evil is a test and trial for both those who do and those who do not suffer—a point also emphasized by Heck. In this fourth response to evil, Islamic thought tends to assert that evil allows two things. First, it allows the faithful an opportunity to help those in need in the tangible way of extending them charity. But also, evil allows the purity of holy men to inspire ordinary believers. This is so by the way the holiest of men can remain, in the presence of unmerited suffering, conspicuously loyal to God—loyal despite the afflictions. Such loyalty in light of sorrow serves to inspire others to stay true to their faith. Great holy men in the face of unmerited sorrow stand firm in their loyalty and inspire the faithful by their ennobling example.

Now my point is not to say that Islam does not provide succor to those facing sorrow. My point rather is that this fourth response to the problem of evil—the view that evil permits great men to show forth their faith, despite the sorrow, and by doing so inspire loyalty in the rest of the faithful—holds very important implications for theological analysis. This response to evil is a precarious and potentially dangerous response to the problem. Heck himself notes the special precariousness of the role of the saintly exemplar, the one who endures unmerited evil yet retains inner strength and so witnesses faithfulness to the masses. It is a precarious approach precisely in the way it allows “martyrdom [to] become one way to display one’s great piety” (19). That martyrdom as evidence of one’s faith would arise in such a context is completely unsurprising: The

¹⁵ See http://www.islamonline.net/servlet/Satellite?pagename=IslamOnline-English-Ask_Scholar/FatwaE/FatwaE&cid=1119503544478.

more evil there is to be endured, by this logic, the more need there is to prove fidelity through the life of increasingly visible exemplary acts by the holiest individuals. By this approach, martyrdom can be crept toward as a supreme outward display by which the holy man masters the apparent sickness of the world. Martyrdom can come to be seen as the best way to vindicate God in the face of suffering, since it is the supreme and most demonstrative means of showing one's loyalty to God, and thereby producing an example to all of how, despite this world of suffering, man can yet remain loyal to his maker. As sorrows and wretchedness rise, the logic of witnessing to faithfulness in the light of the sorrow can lead to the point of the holy men being willing to die—to sacrifice their own lives—in the service of the author of this world of suffering, the creator whose ultimate goodness the martyr manifests an abiding belief in by the supreme measure of his sacrificial devotion. As sorrows and suffering continue to rise, ever more demonstrative acts of fidelity are called for, even, we can surmise, to the point of martyrdom in the fight against the enemies of God.

This approach, on the contrary, is much less prevalent in a theology of the cross. The example of endurance in the face of suffering is already provided: it is the suffering of God himself on the cross on Calvary. This, humans can never approximate. The cross itself is the ultimate witness to loyalty in the light of tragedy; no human need bear that burden.

Implications for Human Rights

The differences between Islamic and Christian thought developed above may well have important implications for the theory of human rights. First, the emphasis on the uniformity of human corruption found in elements of Christianity can be seen to provide a means of enhancing the preservation of rights. This is so because, as we have noted, individuals can be afforded a greater degree of protection of their rights to life and safety by having it known that the development of a manifestly supreme level of dedication to a faith is not necessary for the faith to thrive, much less for it to survive. God's grace will ensure that. As we have discussed, when members of a faith think of their confession as *requiring*, for its continued vitality, social relevance, and even its very continued existence, exemplary demonstrations of supreme loyalty, the course is set for extremists to arise who pursue greater and greater levels of conspicuous loyalty and more and more grandiose demonstrations of self-less dedication to their faith. This can lead, over time, perhaps, to selfless acts that destroy their own lives and the lives of others. A prophylactic to that kind of extremism is found in the idea that the supreme example of loyalty to the faith has been provided for us—by the sacrifice on the cross at Calvary—and so the witness to supreme loyalty need not arise from an extraordinary human effort. By this process the rights to life and safety can better be preserved against the potential harm from religious extremists.

Also, as we have discussed, the emphasis on uniform human corruption as seen in elements of Christianity seems to promote the recognition of the individual's right to freedom from persecution should one fail to live one's faith fully. For given an emphasis on uniform human corruption in all areas of life, human nature has very little power on its own to avoid failures in the faith. Hence, the potential to charge one who has failed to remain fully loyal to his faith with an especially willful and deliberate act of treason against God—as if he could have stayed loyal to the faith by his own power, but freely chose not to—is removed. This in turn can serve to protect individuals from severe reprisals should they lose the vigor of their faith, hence providing once more protections for the rights of life and safety.

Lastly and most fundamental, the leveling of the aristocracy of the spirit—or the hierarchy of spiritual attainment between the masses and a saintly few—as seen in elements of the Protestant tradition serves to buttress human rights by its sheer egalitarianism: all are entitled to equal concern and respect, as all are equally incapable of meriting God’s favor. In turn, individuals can come to recognize in others what the contemporary political theorist George Kateb describes as the ultimate foundation of human rights: all can be seen to have *unearned* and so inviolable dignity.¹⁴

Indeed, one way to appreciate the full implications for human rights theory of the ideas in the Protestant tradition I have developed is precisely to explore how they relate to the work of George Kateb. Below I explore the connection between the ideas advanced above and ideas on rights set forth in Kateb’s important new book, *Human Dignity*. I argue that much of Kateb’s work on the nature, status, and defense of human rights comes very close to a Protestant perspective, that is, a perspective on rights that grows from the ideas of uniform human corruption, spiritual equality, and the sacrifice of Christ that have been sketched above. However, Kateb’s defense of human rights ultimately fails to provide a justification for rights in the way Kateb defines rights, namely, as absolute protections of each individual’s incalculable worth and value. The failure of Kateb’s argument to achieve its objective underscores the relevance of a Protestant-leaning justification for human rights.

In *Human Dignity*, Kateb endeavors to provide a secular defense of human rights.¹⁵ He first defines human rights as absolute. Rights in other words are absolute protections for individuals. Rights are absolute because humans each have “absolute value” (29). As possessed of absolute value, no person can be treated as having no consequence or no importance, as if his value could somehow be taken away. Since human value cannot be withdrawn, human rights, which he sees as the minimum protections essential to upholding human value, must equally be inviolable. Human rights theory must therefore conceptualize rights in a manner that upholds the irrevocable nature of rights.

Kateb develops an account of and a justification for irrevocable human rights by describing humans as each having unearned dignity. Human dignity arises “without having to try” to satisfy any standard of human performance (12). If humans can be said to have *unmerited* worth, then both one’s right to existence and right to seek to fulfill one’s potential are non-revocable, since the value of each human does not depend on the *actions* of any person, but only on an *existential* fact, or a truth about the way the world is. If worth were merited by action, then rights would not be absolute, given that humans are inclined to engage in actions that violate rights. Without establishing that the worth of each individual inheres in a simple existential fact, human rights, Kateb believes, would confer only a conditional protection of the lives and opportunity to develop one’s potential of each individual. The human world would be made up of “those who have dignity and those who have (not yet) lost it” (4). Since human rights, as protections for absolute human value, must also be absolute (29) and so cannot be taken from one, Kateb seeks to ground the inviolability of individual human rights in the sheer existence of individuals as beings of a special sort.

¹⁴ See George Kateb, *Human Dignity*. (Cambridge: Harvard University Press), 2011.

¹⁵ Other recent accounts seeking to provide a secular foundation for human rights include Ari Kohen, *In Defense of Human Rights: A Non-Religious Grounding in a Pluralistic World* (2007).

Kateb argues that humans are each instances of a distinctive species—mankind—while also being individually unique and equal instances of that species. This duality—membership in a special species while also being unique and equal instances of that species—compels one to “recognize oneself as sharing in a common humanity” (17). When one recognizes and affirms that “I am what no one else is, while not [] superior to anyone else; and also, we human beings belong to a species that is what no other species is,” a recognition of human commonality is made central to our understanding of the human condition. Those we affirm human commonality can say in turn, “humanity is the greatest type of being...and that every member deserves to be treated in a manner consonant with the high worth of the species” (13-14), since no one member of the elevated group is superior to any other.

Kateb argues that we are able to affirm these two points—the specialness of the species and the uniqueness and equality of each member of the species—through introspection. First, as to our membership in a special species, we see this by recognizing the vast creative potential all humans have and others species do not, and by reflecting on other distinguishing characteristics of humanity. These unique features of the human species can be summarized in Kateb’s contention that humans enjoy a “partial discontinuity with nature” (5). The unique characteristics of human species are the ones that enable us to transcend the bodily limits that other species are defined by. They include, Kateb holds, “the use of spoken language; the use of written language, and other notational systems... the capacity for agency...and unpredictable creativity and imagination” (133).

As to the second condition buttressing human dignity as an existential fact—our equality as members of an exalted species—we recognize this by our acknowledgement of individual uniqueness. I am not *simply* interchangeable with another. “I have a life to live; it is my life and no one else’s” (18-19). Each person is not “nothing,” which would be the case were we interchangeable (19). Moreover, each human deploys his special talents, to some extent, in distinctive ways; in other words, there is something in each person’s set of actions that are truly unique. The uniqueness of some of the ways that each person expresses his natural talents establishes the incommensurability of the full and rich lived life of each person. There is simply no way to assert that the full richness of the expressions of human potentiality by one person is more or less precious than that of another (18).

Kateb holds that the fact that the human species is special, and that individuals are equal and unique, supplies the ground for ascribing absolute dignity to every individual. This is deeply consonant with a Protestant perspective. For Luther (and most other Christians), humans are special and unique owing in part to their being the creative handiwork of God; and the species of which individuals are members is the apogee of the creative work of the author of the universe. The doctrine of creation—that God willed this world and saw his work as good—guarantees to each person a dignity that no misbehavior or misfortune can vitiate. Each person has absolute value since his very being is the result of an intentional act by a benevolent creator. Moreover, especially in the Protestant tradition, the doctrine of the fall, according to many theologians, serves to underscore this absoluteness because every human retains dignity independently of human action, as human action is unable to do anything pleasing to God without divine grace. Lastly, the doctrine of redemption—that salvation was secured by the extreme act of selflessness of a past human (albeit a human also divine) further reiterates the degree to which human works are removed from the consideration of value. For so many in the Protestant tradition, as for Kateb, human dignity is absolute because human value is removed from judgment on the basis of works. Kateb’s view on

the human condition and that of Luther (and many other Reformers) cohere, therefore, to a deep and important extent.

However, Kateb's secular view, though similar to elements within Christianity, ultimately reproduces a more Islamic conception of the human condition—that is, a view that makes right behavior central to our understanding of human stature. This is so because Kateb comes to acknowledge in *Human Dignity* that the mere existence of humans as members of a special species defined by distinctive traits, and the mere equality of humans based on their possession of unique capacities, is ultimately insufficient to render human value truly absolute. Human dignity cannot be *utterly* unearned, on Kateb's account. This is so because Kateb acknowledges that “human identity rests on unique traits and attributes, which make human beings capable of commendable works and ways of being, but also of wrongdoing of every kind and in every degree. If these [human capabilities] were expressed only or mostly in wrongdoing, it would be nonsense to speak of human dignity” (18). This recognition, then, makes Kateb's thought much more in line with the views I have described as in opposition to elements of the Protestant tradition. For the imputation of value depends on at least some commendable human work for Kateb. On Kateb's view, as on Heck's, rights therefore become conditional. Kateb's secular view therefore does not establish the inviolability of human rights as he seeks to establish.

How then can inviolability of rights be secured? The doctrines of creation,¹⁶ the fall, and redemption by the cross remove completely works from the calculation of human value. As created beings, dignity inheres in every individual *ab initio*. As utterly corrupt, the entire economy of works and demonstrative displays of loyalty becomes meaningless; as redeemed by the cross, each person's created worth is reaffirmed by an external act of sacrifice by *Deus-Homo*—a God-man. Important elements in Christianity, by rendering human dignity independent of works, are able to supply that very inviolability that Kateb aspires to secure for the theory of human rights. Yet this seems to be less accessible to an Islamic perspective.

In conclusion, the common ground between Christianity and Islam Paul Heck claims to identify in his important new book might prove much narrower than he acknowledges. Christianity is complex and not monolithic. And there may well be a rather sharp distinction to be drawn between a more Protestant-leaning view of rights and an Islamic one. Such a conclusion, in turn, seems to hold important implications for the status and justification of universal human rights.

¹⁶ Islam of course also affirms as a central tenet a doctrine of creation, though without a corresponding doctrine of the fall and of redemption by the cross. My point certainly is not to deny that there are any points of commonality between Christian and Islamic thought.

References

- Augustine. *de correctione donatistarum*. In Joseph Cullen Ayers. 1913. A Sourcebook of Ancient Church History. New York: Charles Scribner's Sons.
- _____. *contra epistolam Manichaei quam vacant fundamenti*. In Joseph Cullen Ayers. 1913. A Sourcebook of Ancient Church History. New York: Charles Scribner's Sons.
- Caliphate. Website: <http://www.caliphate.eu/2007/10/tony-blair-on-16th-july-2005-at-labour.html>.
- Catholic Encyclopedia. Website: <http://www.newadvent.org/cathen/>.
- Cragg, Kenneth. 1984. Muhammad and the Christian: A Question of Response. Maryknoll, NY: Orbis.
- Dogmatic Constitution on the Catholic Faith. Website: <http://www.papalencyclicals.net/Councils/ecum20.htm>
- Dulles, Avery. 1978. "Moderate Infallibilism," in Paul C. Empie, T. Autin Murphy, and Joseph A. Burgess (eds.), Teaching Authority and Infallibility in the Church: Lutherans and Catholics in Dialogue VI. Minneapolis: Augsburg.
- Fries, Jakob. 1805. Wissen, Glaube und Ahnung. 2nd ed. Berlin. n.p.
- Heck, Paul L. 2009. Common Ground: Islam, Christianity, and Religious Pluralism. Washington, D.C.: Georgetown University Press.
- Kateb, George. 2011. Human Dignity. Cambridge: Harvard University Press.
- Kohen, Ari. 2007. In Defense of Human Rights: A Non-Religious Grounding in a Pluralistic World. London: Routledge.
- Kung, Hans. 2007. Islam: Past, Present and Future. Oxford: One World Press.
- Luther, Martin. 1955-1975. Luther's Works. St. Louis and Philadelphia: CPH and Fortress Press.
- MacCullough, Diarmaid. 2003. The Reformation: A History. New York: Penguin.
- McDonnell, Kilian. 1978. "Infallibility as Charism at Vatican I," in Paul C. Empie, T. Autin Murphy, and Joseph A. Burgess (eds.), Teaching Authority and Infallibility in the Church: Lutherans and Catholics in Dialogue VI. Minneapolis: Augsburg.
- McGrath, Alister. 1988. Reformation Thought: An Introduction. Oxford: Blackwell Publishing.
- _____. 2010. Mere Theology: Christian Faith and the Discipleship of the Mind. London: SPCK Publishing.

Moorhead, J. 1981. "The Earliest Christian Theological Response to Islam." Religion 11, 265-274.

Morrow, Louis LaRavoire. 1961. *My Catholic Faith*. Kenosha, WI: My Mission House.

Oberman, Heiko A. 1961. "Gabriel Biel and Late Medieval Mysticism." Church History 30(3), 259-287.

Schimmel, Annemarie. 1992. Islam: An Introduction. Albany: State University of New York Press.

St. Thomas Aquinas, Fathers of the English Dominican Province (Trans.). 1947. Summa Theologica. New York: Benziger Bros.

Tuberville, Arthur. 1964. Medieval Heresy and the Inquisition. London: Archon Books.

Joseph Prud'homme is a professor of Political Science and the Director of the Institute for the Study of Religion, Politics, and Culture at Washington College. He received his doctorate from Princeton University, where he studied in the Interdepartmental Program in Political Philosophy, with additional specialization in legal and constitutional thought. He was awarded a Fellowship at Harvard University, where he studied at the Harvard Law School and served as a member of the Faculty of Arts and Sciences.

© 2011, Josef Korbel School of International Studies, University of Denver.