

Universal Rights is a Secular but not a Marxist Idea

Secularism & Religion-State Relations Internationally

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Introduction

The notion that universal human rights as a secular and not a Marxist idea will be explored in this paper through a brief glimpse at universal rights itself, their origin in modern times and some of its influences that led to our contemporary understanding of universal human rights. The connecting link is the *religious* link between both Marx's view and the understanding of "secular states." I will look at Karl Marx's view of human rights considering his understanding of human suffering in a stratified, hierarchical society of classes and how he faces these challenges without the "problem" of religion. Finally, critical of Marx's approach, the *secularity* of universal human rights is best understood as rights primarily defended by states and world leaders, but not underestimating the importance of religion in the understanding and implementation of these rights.

Universal Human Rights

The United Nation's Universal Declaration of Human Rights¹ begins with some key concerns that I wish to underline:

- Whereas recognition of the **inherent dignity and of the equal and inalienable rights of all members of the human family** is the foundation of freedom, justice, and peace in the world,
- Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, **the rule of law should protect human rights,**
- Whereas it is essential to promote the development of **friendly relations between nations,**
- Whereas **Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,**
- Whereas **a common understanding of these rights and freedoms is of the greatest importance** for the full realization of this pledge,

¹ Universal Declaration of Human Rights. <http://www.un.org/en/universal-declaration-human-rights/>. Accessed 12/3/2016.

The Declaration of Human Rights grew out of the dark and tumultuous days at the end of World War II, in the face some of the greatest atrocities witnessed by humanity. In 1941, a year after H.G. Wells wrote of the need to include a human rights provision in an eventual peace treaty², Pope Pius XII, in a radio broadcast, commemorated the 50th anniversary of a special teaching of the Roman Catholic Church called *Rerum Novarum (Revolutionary Change)*, lamenting the blatant inattention to the basic rights and duties that belong to all members of the human family. He stated: “These are the principles, concepts, and norms, beloved children, with which we should wish even now to share in the future organization of that new order which the world expects and hopes will arise from the seething ferment of the present struggle.”³

The statements gleaned from the Bill of Rights⁴ above stress not only the importance of these rights of all human beings, but places the responsibility for the enforcement of these rights squarely in the hands of states and governments, not within the scope of religious bodies and institutions. That distinction is important as we will see further. At the end of World War II, as the world began rebuilding from the ashes of destruction, the newly formed body of the *United Nations* began to formulate such a vision for all nations to help circumvent atrocities such as seen in the attempted extermination of the Jewish people. Regretfully, atrocities followed in the subsequent decades, from Yugoslavia, Indonesia, Angola, Bosnia, Rwanda, and others.⁵ At that time though, there was surprisingly not a large clamor for this need, and only after the insistence of some smaller nations, particularly from Latin America, did anything happen.⁶ The UN Human Rights Commission was thus born.⁷

The Universality of Human Rights and the State

The Universal Declaration of Human Rights by the United Nations that was eventually adopted by the General Assembly, December 10, 1948. It associates human rights with the “highest aspiration” of the

² Mary Ann Glendon. “*The Influence of Catholic Social Doctrine on Human Rights.*” JOURNAL OF CATHOLIC SOCIAL THOUGHT – 10:1, 2013, 69-70.

³ Ibid

⁴ Within the course, we spoke of other Bills of Rights in our discussion of secularization in the United States and in France in the preamble of the constitutions of both countries.

⁵ Thirty Worst Atrocities of the 20th Century. <http://users.erols.com/mwhite28/atrox.htm>

⁶ Mary Ann Glendon. “*The Influence of Catholic Social Doctrine on Human Rights.*” JOURNAL OF CATHOLIC SOCIAL THOUGHT – 10:1, 2013, 70.

⁷ The discussion of the framing of the Universal Declaration of Human Rights that follows is based on Glendon, A World Made New: Eleanor Roosevelt and the Universal Declaration of Human Rights (New York: Random House, 2001).

common people, and it asserts itself as the highest “aspiration” of all humanity.⁸ This claim sees the universality of human rights that transcends the particularities of philosophies, ideologies, cultures, and religions that may indeed support universal human rights, but also may conflict with human rights as well.⁹ This universality is underlined through the notion that the source of human rights is the moral nature of humanity, what Jack Donnelly calls the “prescriptive moral account of human potentiality.”¹⁰ This conception of human rights is based on *secular humanism*, in that it conforms with moral and political philosophy, and finds inappropriate universal focus on the religious ideas of human dignity and right as a universal norm in a diverse state.¹¹

Donnelly goes on to outline the universal declaration in the framework of equality and autonomy, that is, “the state must treat each person as a moral and political equal.”¹² If everyone is entitled to these rights, then it is the state that enforces such rights and it is the state that must intervene, when necessary, if these rights are abused. The centrality of a state that is separated from religion has the autonomy and power to insure every human being has certain equal rights and is thus entitled to equal concern and respect from the state, which holds together the diversity of its constituencies. In this sense, human rights are the foundation of secularism.

Marxism and Human Rights

Universal human rights for Karl Marx says much about his take on the root of injustice. He is in many ways a well-known name, as a German philosopher, economist, sociologist, journalist, and revolutionary socialist. He is most often known for his statement that religion is the “opium of the people,”¹³ but a further analysis of his work shows much more nuance to this facile statement about belief in God and his view of religion’s role to insulate people from real problems. For Marx, the fact that people continued to believe in God, despite rational evidence to the contrary was at the core of his concern. The restrictive and oppressive structures of a capitalist society sustain this belief, and if any real change

⁸ Michael Freeman. “The Problem of Secularism in Human Rights Theory.” *Human Rights Quarterly*. Vol 26. No. 2. (May 2004) pp. 375.

⁹ *Ibid*, p. 376

¹⁰ Jack Donnelly, *Universal Human Rights in Theory and Practice*, 2nd Edition (Ithaca, NY: Cornell University Press, 2003), p. 14.

¹¹ Michael Freeman, p. 382.

¹² Jack Donnelly, p. 44.

¹³ Karl Marx on Religion. <http://atheism.about.com/od/weeklyquotes/a/marx01.htm>

out of the oppression of the most vulnerable peoples were to happen, these social structures needed to change.¹⁴

The young Marx, in 1843 remarked on human rights in this way: ““the rights of egoistic man, of man as a member of bourgeois society, that is to say an individual separated from his community and solely concerned with his self-interest”. Universal rights would promote the interests of one social type: the possessive individual of capitalism. Not only due to the context in which they emerged, but also in their very form, these rights would be linked to bourgeois ideology.¹⁵ I gather from this that Marx may have saw this as an attempt to accentuate the rights of an individual is at the heart of the problem of classism and the ultimate alienation of the person. “These alleged universal rights of the abstract individual would promote the interests of one social type: the possessive individual of capitalism. The individual acts as an individual, including competing with others.”¹⁶

The issue of human rights is taken up by Marx more specifically in his work which appeared in 1844, *The Jewish Question*. In a paper by Marcel H. Van Herpen entitled, “Marx and Human Rights Analysis of an Ambivalent Relationship,” he analyzes Marx’s view of the problem of human rights through a polemical exchange between he and an old friend, Bruno Bauer. The struggle at that time for German Jews to attain full rights as citizens was criticized by Bauer. He felt as though this question could not be resolved because the main problem was in religion itself. This could only be resolved, for Bauer, if they would give up religion completely and become atheists. A political emancipation in a Christian state would be impossible since state and religion must also be separated from one another.¹⁷

Marx of course agrees with Bauer regarding his position on religion. However, for Marx, it is not religion itself as an obstacle to full human rights but human *egoism* in society. In this sense, Bauer’s view of the separation of church and state gets at the symptoms of the problem, but not the cause. He does not feel that Jews must overcome their religiosity and its accompanying narrowness to get rid of the obstacles of the rights they wish to pursue, or what Marx calls, “secular restrictions.” Namely, it is the division of state and civil society. On one hand, they are citizens of the state, and on the other, part of civil society,

¹⁴ Peter Thompson, “Marxism,” in *The Oxford Handbook of Atheism*, 2013, 293.

¹⁵ Justine Lacroix. Was Karl Marx truly against human rights? Individual emancipation and human rights theory. http://www.cairn-int.info/article-E_RFSP_623_0433--was-karl-marx-truly-against-human-rights.htm#no3

¹⁶ Ibid

¹⁷ Marcel H. Van Herpen. Paper: *Marx and Human Rights Analysis of an Ambivalent Relationship*. Paris/Maastricht, 2012. Cicero Foundation Great Debate Paper No. 12/07, p. 5.

selfishly seeking their own self interests.¹⁸ The rights of individuals are the rights of an egoistic person, separated from others and from the community, an ideological expression of alienation in society.¹⁹

Marx's critique of human rights completely ignores the one great importance of these declarations: to attempt to guarantee some sense of protection from the "overwhelming power of the state." Behind the declaration of the human rights is a pivotal notion that the person is not there for the state, but the state exists for the person. Marx's view of the individual and his negative notion of society seems to be major obstacles into the important understanding of universal human rights.²⁰

It seems to me, however, that despite the view of Marx regarding human rights, there are elements that indeed would place Marx on some common ground with human rights theory. The declarations themselves offer guidance in a complex world, but they are no guarantee that these rights are attainable within certain contexts. It has been shown that despite the claims for equality in many places, inequality is often lurking, particularly in the socio-economic world.²¹ The Declaration of Human Rights, and its acceptance worldwide provides a benchmark that many are still struggling to obtain, but the influence of nation states on each other in this regard, along with the deep convictions within individuals, faiths, and ideologies that hope for these same rights, and find communion in this declaration is foundation most needed in these volatile times.

Conclusion

The thesis that universal human rights is secular and not a Marxist idea looks at how secular societies, who have varying degrees of separateness or disinterest in religious institutions within the society, promotes and enforces these rights across all the pluralistic elements of that society, be they religious or ideological. It is the political state that is secular, and maintains some type of state-church separation, that can try to maintain in its identity universal human rights. This of course varies greatly among nation states, but commonalities of secularism involve the "legal recognition of individual liberty and autonomy, freedom of thought and religion, peaceful coexistence of social groups, aspiration for

¹⁸ Ibid, p. 6.

¹⁹ K. Marx, On the Jewish Question, in: K. Marx/F. Engels, Collected Works, Vol.3, London, 1975, p. 162.

²⁰ Marcel H. Van Herpen, p. 11.

²¹ Ibid

consensus in much of the public space, respect for the social contract, and general acceptance that religious laws should not take precedence over civil ones.”²²

The Marxist view for the eradication of religion through the elimination of the capitalist system naively underestimates the contribution that religion makes to culture. The secular state does well to honor the pluralism of a society that gives space to the religious and secular sectors in the mutual uplifting of society. This includes Atheism/humanism whose moral compass and important ethics underlines their own belief: “I can be good without God.” Religious and secular voices, although in tension on many matters, also holds common ground in the declaration of human rights.

Notwithstanding the contribution of other religious traditions to the ongoing understanding of human rights today, I wish to mention just one, Catholic social teaching. Catholic social teaching is the body of doctrine developed by the Catholic Church on matters of social justice, involving issues of poverty and wealth, economics, social organization, and the role of the state. It is generally considered to begin in the 19th century (1891) with Pope Leo’s encyclical, *Revolutionary Change* (Rights and Duties of Capital and Labor), which sought justice in difficult times for the working classes in slums and cities worldwide. This work was supplemented in 1931, 1961, and 1991.²³

Mary Ann Glendon wrote in the *Journal of Catholic Social Thought* an important article on the influence of Catholic Social Doctrine on human rights. She saw this influence develop over five phases: “First, in the post-World War II human rights “moment”; second, in the Cold War years; third, in the heady days when human rights ideas were among the forces that led to the fall of oppressive regimes in South Africa and Eastern Europe; fourth, in the contests over meaning, interpretation and implementation that intensified in the 1990s; and finally in the pontificate of Pope Benedict XVI whose 2008 speech at the UN contained several pointed warnings about the future direction of the human rights movement.”²⁴ Both secular and religious society, when free of overdue influence and interference from each other, have the potential for developing a world that truly reflects the universal human rights we proclaim.

²² Dr. Barry Kosmin. *Contemporary Secularity and Secularism* in *Secularism 7 Secularity: Contemporary International Perspectives*. Edited by Barry A. Kosmin and Ariela Keysar. Institute for the Study of Secularism in Society and Culture, p. 12.

²³ Wikipedia: Rerum Novarum. https://en.wikipedia.org/wiki/Rerum_novarum

²⁴ May Ann Glendon, p. 69.