America, Christianity, and Beyond

Samuel Moyn *

Abstract

This response essay surveys the argument of Anna Su’s new book Exporting Freedom, before going on to wonder how much America innovated in propagating religious freedom under imperial auspices, and to inquire whether Su ultimately believes that propagation amounts to a specifically Christian project, either for better or for worse.

***

“To gather people behind Christian aspirations,” the philosopher Simone Weil wrote in 1943 when asked to give advice to the French Resistance as it looked ahead to victory, “it is necessary to try to define them in terms to which even an atheist might adhere completely, yet without depriving these Christian aspirations of what is specific to them.” Christianity demanded partial de-Christianization for the sake of its own realization: “Even a professed Christian,” she concluded, “needs this sort of translation.”1

Americans advance religious freedom, Anna Su seems to be arguing in her new book, in something like the same spirit.2 As Alexis de Tocqueville once explained of their experiment, Americans serve Christianity through liberalism, and especially through the disestablishment and allowance for free exercise of religion that together allow Christianity to prosper in its truest locales of the local community and the individual conscience. Anna Su adds that, in the twentieth century and into our own, Americans have served American exceptionalism through global universalism: the imposition of this model of “religious freedom” far away from their own shores. Any creed, Americans apparently believe, can and should become Christian too—even atheism. At least, this is one way to make sense of her impressive book.

Su’s Exporting Freedom is on most counts a great success. In this response essay, I will simply pose two questions about it. To what extent is the international history of religious freedom mainly, let alone exceptionally, American? To what extent does Su’s account of it show—as many allege today, though Su may not go so far—that religious freedom is a tool whose intent or function is to gather people behind Christian aspirations? Marking the limits and uncertainties of Su’s arguments by posing these two questions is simultaneously to celebrate her great achievement.

* Professor of Law and History, Harvard University.

1 Simone Weil, Profession de foi, in Écrits de Londres et dernières lettres 151, 169-70 (1957). It is reported in Simone Pétrement, Simone Weil: A Life 493 (Raymond Rosenthal trans., 1976), but I have changed the translation.

I. The Book

Based on an intelligent reading of primary and a helpful synthesis of secondary sources from the initiation of American control of the Philippines as the last century dawned down to the invasion and “reconstruction” of Iraq after the turn of the millennium, Su’s *Exporting Freedom* offers a terrific depiction of the entangled history of American power with individual religious liberty (as well as the related norms of non-establishment and the separation of church and state). One of the book’s best features is that it expertly tacks between the synthetic overview and the research monograph, resulting in a wonderfully useful book that will become a standard reference in several fields.

In particular, in the tradition of Andrew Preston and others, Su participates in taking international history and the study of America’s foreign relations in particular even further into their current “religious turn.” With her standout chapters on the Philippines and Japan, Su integrates Pacific history in our understanding of American foreign relations much more than many other historians have done. And among other things, *Exporting Freedom* is also a valuable contribution to the new human rights history, and indeed Su makes a number of helpful statements about how to think about the internationalization of a norm like religious liberty without imputing to Americans an eternal mission to propagate human rights. In this regard, she hews to an emerging orthodoxy to distinguish rigorously between the 1940s and the 1970s, and goes even further in usefully meditating on the difference between human rights politics before and after the end of the Cold War.

But it is much easier to say with which historiographies Su is engaging than what her own overall argument is. There are, to be sure, a number of more microscopic interventions about the various places and times that American power and religious freedom intersected, and the vast majority of them are highly persuasive. These interventions are important not least because they help reorient the study of those places and times, whatever her larger narrative is; for example, the aftermath of World War I and Woodrow Wilson’s attempt to make the world safe for democracy look different when approached through the optic of religious freedom. But the macroscopic argument of the whole book is open to interpretation.

One master theme, clearly, is the contingency of history, and *Exporting Freedom* succeeds brilliantly in illustrating this often neglected feature of the past. At critical points, and especially in her introduction and conclusion, Su insists that her lesson is to reject deep necessity in order to illustrate contextual alternatives: religious freedom, whatever its value, is not God-given or naturally occurring as a norm, and the early modern move to announce and protect it set no precedent for its internationalization; if so, its current incarnation must have been politically constructed by Americans out of a host of impulses and under the pressure of numerous factors, and therefore could have taken some radical-

---

ly different form. But actually, it seems as if Su is equally if not more intent on saying something about the enduring connection and specific evolution of the relationship between American power and religious freedom. Contingent outcomes are not necessarily chaotic ones. Su seems committed to a theory of a theme and variations whose overall coherence needs to be explained, and she also appears to want to argue for a developmental path that is far more than a sheer random walk.

Most broadly, then, Su means to show that there is no way to understand the ascent of American power to its present global dominance without putting religion in general, and religious freedom in particular, in the mix. While that much is clear, however, it is far from self-evident whether Su considers religious freedom to be the true goal of American power—the reason why it has played the role it does for the actors Su is describing or for the American people as a whole—or the ideological pretext behind which other agendas, including that of achieving and maintaining power itself, have lurked. In conclusion, Su says her answer is that it is equally both: religious freedom “served as a point of confluence between the pursuit of naked national interest, on the one hand, and the aspirations of political morality, on the other.” And fair enough. Messy relations of these kinds are hard to disentangle.

And fortunately, it is possible to find something more determinate and specific if one presses harder on the text. First off, it mattered that America was a Protestant nation (and empire) and so from the start its interaction with other Christian and non-Christian faiths—or aggressive secularisms, in the Soviet Union’s case—has to be central to explaining how religious freedom mattered. Along with Islam, even Roman Catholic Christianity was routinely viewed as world-historical though now backward competition to be not so much pluralistically tolerated in a model of permanent coexistence as definitively superseded by Protestant norms. And Su’s wonderful chapter on Japan after World War II shows how Americans were sometimes willing to treat others as possessing less faiths to protect than simple political ideologies to domesticate or even eliminate as Protestant democracy prevailed. Finally, the Cold War was a “holy war” with a godless foe that may have announced religious freedom in its constitutions but deserved most opprobrium for disrespecting that very value.

Even more tantalizing is the series of remarks that Su makes in the course of the chapters, and again in the conclusion, positing stages in an evolution of the relationship between Protestant religious freedom and American hegemony. Su traces a trajectory from what one might label successively colonializing to democratizing to internationalizing religious freedom, with the last phase—in which religious freedom becomes an international

---

4 Su, supra note 2, at 3, 4, 9, 147, 158, 161, 231 n.81.
5 Id. at 159. Similarly, in her Japan chapter Su suggests that the norms of religious freedom and national security goals proved “closely aligned.” Id. at 91.
6 Id. ch. 4.
7 Id. at 70, 114-15.
human right—accruing in two versions. It was very different, Su implies, to export religious liberty through direct imposition as a colonial power and to abet its preeminence as an international norm, just as the recurrent penchant to exploit momentary influence in the constitution-making processes of new regimes looks like a different strategy from engaging international norms to pressure a foreign policy adversary. Along the way, Su concurs with other scholars in charting a shift from collective to individual protection of religion, both in the move from the League of Nations minorities regime to the United Nations and “human rights” as well as in the origins of the Iraqi Transitional Administrative Law after Saddam Hussein’s fall. Religious freedom over a century also features radically different roles for state and non-state actors, since at least in Su’s presentation “non-governmental organizations” appear much more important at some moments than at others, and most prominently in her narrative of post-Cold War affairs and the origins of the International Religious Freedom Act of 1998. (That said, as I will note below, I believe Su systematically understates the significance of Christian missionary ideology, which she highlights strongly only in the first two pages of her book, although it exerted phenomenal force on international affairs all along.)

When it comes to the history of human rights, Su is highly deferential to my own attempt to distinguish the 1940s from the 1970s. Perhaps too much so: one of the virtues of her account is to give a sense of the recurrent themes in American foreign policy history, no matter what changes were wrought along the way. When it comes to the 1940s, Su persuasively insists on how distinctive it was for President Franklin Roosevelt to envision religious freedom as a “core component of a democratic order” rather than a human right protected in international order or law. By comparison, religious freedom was draped in “new clothes” when asserted in the 1970s by Senator Henry M. “Scoop” Jackson and other actors as a principle of international affairs. Even more important, Su makes an entirely helpful advance in the new “human rights history” by positing a profound break after the 1970s in a new post-Cold War moment. Religious liberty after 1989, she observes, “was no longer a weapon against a rival superpower but an argument for justification for [America’s] own power. . . . The momentum of the 1970s might have sowed the seeds . . . but it was only upon the thawing of Cold War tensions that [the] present-day polycentric incarnation [of religious freedom] could fully materialize.” This insight deserves to be


9 Su, supra note 2, ch. 6.

10 Id. at 62; see also id. at 69, 86, 160.

11 Id. at 113; cf. Samuel Moyn, The Last Utopia: Human Rights in History (2010). But even I find exaggerated Su’s claim that the 1970s marked “the first time that appeals to international legal norms were made” in U.S. history, surely an overstatement that applies more plausibly to the defense of individual rights as consecrated in international law. Su, supra note 2, at 113.

12 Id. at 136, 147; see also id. at 160.
pursued across the board for America’s promotion of the whole panoply of human rights. However much the 1970s turning point mattered, as a number of people have recently argued given the new prominence of and international mobilization around human rights, the 1990s were in all likelihood the true era of their breakthrough.13

II. How American?

As historians debate Su’s findings, one of the points on which they will rightly place pressure is the extent to which the overall nexus of Protestantism, liberty, and empire was really new—even if Americans took it through several unanticipated renditions. One of Su’s own mentors, David Armitage, famously outlined how the British empire was ideologically shaped through its commitment to Protestant liberty (as well as commerce and seafaring).14 Armitage, to be sure, did not give the same sort of emphasis as Su does to the norm of religious freedom. However, in recent scholarship on the nineteenth-century British empire, historians have begun amply to do so, illustrating in detail how it long claimed, especially after its early adoption of antislavery policies, to “export freedom” through imperial expansion and normative hegemony.15 This raises the question of whether the twentieth-century history Su narrates is much more one of eventual “imperial handoff” than she is willing to see—whether America assumed the burden of Protestant empire serving, and served by, religious freedom rather than inventing it as either a contingent or national mission.

Of course, historians have long rejected the self-promoting “Protestantism and liberty” literature that projected nineteenth-century liberalism too far back in history. After the famous denunciation by Herbert Butterfield in his classic Whig Conception of History, it is now commonplace to emphasize that early Protestants in England primarily aimed to ensure Christian societies, rather than religiously “free” ones.16 Even their most celebrated advocates of toleration such as John Locke drew stark lines that were intended to allow persecution of outliers, especially the atheists who supposedly teemed.17 But there is also no doubt that religious liberty had by the nineteenth century become a central plank of Britain’s self-conception of its role in world history, bolstering the nation’s imperial entitlement to rule. This self-understanding had massive ramifications for foreign policy beyond the boundaries of formal empire, and was of particular importance in the defense of Christians living under Ottoman rule in the age of the notorious “Eastern Question.”

16 Herbert Butterfield, The Whig Interpretation of History (1931).
Accordingly, one must wonder what parts of Su’s *Exporting Freedom* could have been written about the prior “empire of liberty,” and what parts Americans pioneered alone.

Only a comparative optic could help answer this question. We have long ago learned, from John Elliott and others, to view imperialism as aimed at the establishment of “sacred space,” and it is now the order of the day to foreground the overt and implicit rivalry of empires, which often occurred on intra-Christian fault lines, even or especially when outsiders to Christianity were involved as subject peoples. Thus, it would be interesting to know how the older competition of British empire with its Catholic peers and the American colonial development of religious liberty within an imperial setting created baselines for Su’s twentieth-century developments and how they help explain what (if anything) was distinctive about the later American state’s own commitment in various forms to the promotion of religious freedom.

More importantly, given nineteenth-century British policy, it seems clear that Su’s fascinating depiction of America in the Philippines deserves to be placed in its wider imperial moment, when Americans were gingerly taking up a project other powers had been practicing for centuries. Certain features of American policymaking in the Philippines likely do stand out, such as the choice to avoid establishing a particular faith not merely on pragmatic grounds but as a matter of constitutional principle. Even so, we have a strong inkling from historians such as Nandini Chatterjee and John Stuart how fundamental the promotion of religious liberty was to British imperial ideology and practice for the longest time. And while Christian missionaries are not terribly prominent in Su’s story—as mentioned above, strong non-governmental promotion of religious freedom enters implausibly late in the arc of the book—they surely provide grounds for uniting the American story with that of the British empire. For that matter, the secularist French republican form of imperialism also foregrounded religious freedom, in the spirit of its own revolutionary traditions, a fact that might help disengage the specificity (if any) of American ventures. The same is true for the strategic uses of religious freedom by Jews in both the British and French empires, as brilliantly reconstructed by Abigail Green and others, a point of special importance given the surprisingly common but unthematized appearance of Jews throughout Su’s American story.

---


19 Su might have done even more with the norms of non-establishment and the separation of church and state, which are only mentioned intermittently and might well have formed the basis for claims about American specificity. Su, supra note 2, at 7-8, 13-14, 83, 111, 149-50, 153-54, 161 (ideal of non-establishment of any church) & 7-8, 13-14, 18, 20-27, 67, 73, 97-101, 109, 160-61, 207-08 n.79 (ideal of separation of church and state, bulking in the Philippines chapter as well as in American policy towards Japanese Shinto).


Of the relevance of all these matters, Su gives only a passing hint in her introduction. She acknowledges the “transnational civilizational discourse” that “saw it a duty of civilized, if mostly Christian, nations to bring religious liberty to the less enlightened parts of the world.” But on the next page she suggests that “American ascendancy had entirely new ramifications,” attributing these novel features to the general move away from formal empire in the twentieth century. And yet Su herself shows that Americans began the twentieth century with formal empire. In a nicely put and very strong statement in her conclusion, Su remarks that “the liberalism of empire is not the same as the empire of liberalism,” but America started with the former and was hardly alone in moving to the latter. Already much nineteenth-century history—notably that of the Eastern Question—illustrates innovations beyond direct imperial control, and my suspicion is that a fair survey would show the nineteenth century, not the twentieth, to be the era in which religious freedom was thoroughly internationalized. Even Su’s fantastic section on American policy towards Muslims in the Philippines invites comparison, because of its late date, with cognate European imperial experience. Su unpersuasively dismisses the massive foreign policy of religious liberty conducted by nineteenth-century Europeans as mere “extraterritorial extensions within other empires”—but it seems dubious to cordon them off analytically because Americans eventually forged their national ascendancy and foreign policies in a non-imperial world. All things considered, Green’s comment on Preston is easily adaptable to Su: each “does a wonderful job of exploring . . . a narrowly American context. Yet, without reference to parallel developments in Britain and, potentially, the continent, it is impossible to assess the unique qualities of this tradition adequately.”

Indeed, in at least one major respect the comparative imperial optic could usefully have been deployed here to ensure that Su’s starting point in the Philippines is not too late even within the narrowly American tradition. It is true that there were few precedents for a Protestant empire taking over for a Catholic empire and debating—as Americans did in the Philippines—how to change imperial policy regarding religious practice. (There are some: the Dutch, with their own storied commitment to religious pluralism, had taken over Ceylon and Malacca from the Portuguese as far back as the seventeenth century.) But one should not forget that Americans themselves were by this point old hands at in-

22 Su, supra note 2, at 2.
23 Id. at 3 (emphasis added). Similarly, she later observes that the uses of religious freedom in the Philippines takeover allowed America to “cast itself to the world as a benevolent apostle of liberty and progress, unlike its European counterparts”—but surely unlike only some of them, most especially Spain, the former ruler of the relevant lands. Id. at 34 (emphasis added).
24 Id. at 161.
25 Id. at 3.
corporating prior portions of the French and Spanish empires into sovereign territory, in what historians do not hesitate now to view as an imperial expansion on a continuum and perhaps in thoroughgoing continuity with overseas empire. Aside from the Louisiana Purchase, this occurred directly in the case of Florida in 1821 and indirectly with the vast spaces the United States took as spoils after the Mexican War in 1846. In both cases, Protestant freedom came to Catholic-ruled lands (immediately, in the case of the bill of rights American General Stephen Kearny imposed as part of his military occupation authority). Perhaps the overseas locale of the Philippines made some decisive difference in outcomes, but perhaps not, since in the southwestern United States religious liberty had been quickly established as a governing principle too.

Finally, there was a non-American setting for the rest of Su’s twentieth-century story. Central today to how historians understand the inception of “the American century” is a long period of imperial handoff with all actors in some sense responding to the isolated nation’s initially reluctant rise. Mark Mazower goes so far as to insist that not only after World War I but also after World War II Americans may have had the power to determine significant features of the postwar landscape, and certainly did eventually assume control, but the British long remained central to ideology and policy as counselors to the new rulers. If so, the wider imperial landscape for America’s promotion of religious liberty in world organization, whether in the founding of the League of Nations or the origins of the United Nations, both of which Su illuminates in excellent chapters, is required to resolve fully what (if anything) is American about the intersection of religious freedom and global ascent. In sum, Su creditably says she wants to “situate U.S. history as part of a wider, global narrative,” and it is a worthy goal, but it would be fairer to say that her book provides a strong reason to conduct that work in the future.

III. How Christian?

Su’s Exporting Freedom drops at a propitious moment in the critical analysis of religious freedom. But the very light shone by other excellent new work on the topic throws into relief how coy Su is about exactly what to conclude about the Christian inspiration of American policies. There are a few references in Su’s text to Elizabeth Hurd, Saba Mahmood, and their colleagues, who have provocatively revisited aspects of the promo-

27 It thus may have been part of the drill for General Elwell Otis to proclaim religious freedom on arrival in Manila in 1898. See Stephen Watts Kearny, Leyes del Territorio de Nuevo Mejico (1846), esp. the “Bill of Rights,” art. 3, at 13: “[A]ll men have a natural and indefeasible right to worship Almighty God according to the dictates of their own conscience . . . .” Apparently much of the Kearny Code was composed on the fly based on a copy of Missouri law a soldier happened to have in his saddlebags.


30 Su, supra note 2, at 5.
tion and especially the international promotion of religious liberty in ways that require Su to be more forthcoming about what she thinks the implications of her work are.\textsuperscript{31} I will conclude by offering some speculation on this score, in anticipation of Su’s own fuller reflections.

Generalizing, some of the most prominent entrants into the critical study of religious freedom unite in focusing on its role as a Protestant figure of thought, sometimes with little distance between Protestantism and “secularism.” Further, the critical literature is very clear that one purpose or effect of the promotion of religious freedom beyond national borders is to regulate the social experience of those—especially Muslims—who do not distinguish between private faith and public citizenship.\textsuperscript{32} Typically inspired by the eminent anthropologist Talal Asad, the critics go very far in claiming that the entire notion of “religion,” as well as the “secularism” that many simplistically oppose to it, have roots in a Protestant Christianity falsely generalizing its concrete historical form as if it were universalizable across time and space. As Su herself says in her conclusion: “The achievement of the necessary political liberty became inextricably tied to the existence of a protestant, individualist notion of religious liberty . . . .”\textsuperscript{33} Both religion and religious freedom took on their modern functions as part of the renovation of older Orientalist crusades and campaigns in the Middle East and elsewhere. If this critique is right, few of Su’s findings concerning American Protestant empire rising under the auspices of “religious freedom” in its various moments or stages will seem surprising.

But the fact of the matter is that there is conflicting evidence in Su’s historical research about how far to take the now popular notion that religious freedom—even when pushed by secularists—is Christianity by another name or in new and outrageously nefarious (because ostensibly neutral) form. Interestingly, Su notes that during establishment of the Moro Province, where many Muslims lived in the Philippines, U.S. Secretary of State John Hay reassured the Ottoman ruler that Americans had no intentions to disturb Islam, in the spirit of the caliph’s own historical tolerance “toward the Christians in his Empire.”\textsuperscript{34} For Hay, Christian rule copied longstanding Muslim practices. A generation later, however, General Douglas Macarthur in contemplating the “spiritual regeneration” of Japan found two closely linked sources that came together as a package: Christianity and


\textsuperscript{32} On this point, Su is very properly dismissive of the notion that Protestants ever did privatize faith, for example when she remarks that “there was not a lot separating Christianity from the wider [American] public culture.” Su, supra note 2, at 14. Similarly, she notes that while Woodrow Wilson “believed in the constitutional separation between church and state, the sacred and secular could not be as neatly separated in his thought processes.” Id. at 41.

\textsuperscript{33} Id. at 160.

\textsuperscript{34} Id. at 28.
democracy. It seemed that there was no way to impose the latter without implicating the spread of the former, however covertly accomplished. But Su does not try to speak in her own voice on whether and in what sense religious freedom ultimately counts as an ineliminably Christian (or more specifically Protestant) project.

It is probably a missed opportunity, especially for anyone interested in this problem, that Su also does not explicitly reflect much on the tangled history and shifting identities of American Christianity over the timespan of her study. True, Su’s material gives food for thought about how Christianity was itself changing profoundly in its forms and locations in American society across the short century she covers. Most of her book concerns mainline Protestantism, while at several moments in her last chapter she engages the rise of the evangelical Christian right. But she does not reflect on this material. Further, there is no meditation on the role of American Catholics in promoting religious freedom within their own church, with radical effects that both historical actors and recent historians have willingly viewed as the Americanization of the Roman Catholic Church across the world. Is it possible that the most massive effects that America caused in exporting freedom occurred through an epochmaking shift not in its own foreign policy or in international norms but in the transformation of the most global church? In any event, the plurality and permutations of (American) Christianities are surely relevant to whether the promotion of religious freedom ought in the final analysis to be seen as a Christian project.

That Su approaches but skirts the topic of specifically Christian advancement in and through religious freedom does not mean, however, that she is attracted to the principle’s history purely for more traditional historiographical reasons. To hazard a guess, I also do not think, in spite of appearances, that a fundamentally critical set of purposes drive the book—even or especially because these dominate how Su has framed her argument, as a top-flight scholar engaging with the most current literature. For in fact, Su does not wholly side with those who have fastened on religious freedom as part of a criticism of the Christian and “secular” West, nor with those who hope to salvage a more critical form of secularism from enduring Christian entanglements. Instead, the most original impulse of Su’s Exporting Freedom may be to enlist critical historical scholarship in an ongoing Christian project. In other words, perhaps Su’s book is a work of Christian self-criticism.

In closing both her introduction and her conclusion, Su holds out a kind of redemptive purpose for her study—since one reason to reveal how riven with overweening “hubris” our ancestors were and indeed how easily humans fall prey to sinful power is to make room for necessary grace. As Su puts it, “By showing the historicity and contingency of religious freedom, it also opens the space for its own transformation.”

---

35 Id. at 95.

36 See Moyn, supra note 31, ch. 4. But see now Anna Su, Catholic Constitutionalism from the Americanist Controversy to Dignitatis Humanae, 91 Notre Dame L. Rev. (forthcoming).

37 Su, supra note 2, at 9.
concludes by noting that the path to “mutual recognition” in the future will have to run through her own often withering account of religious freedom, presumably to allow its retrieval from error—redemption from sin?—so far. And she reveals in her acknowledgments that her own book is supposed to serve God’s glory. So one must wonder whether Su believes with the many Americans she chronicles that the principle they continue to export to the world is destined to fulfill Christianity someday, and that this is why others, even atheists, ought to promote religious freedom too.

38 Id. at 162, 273.