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## **Religious Human Rights Discrimination?**

by Lawrence A. Uzzell

In 1997, when Russia enacted a law restoring state control over religious life, Human Rights Watch worked harder than any other secular human-rights organization to warn the world. The leaders of the New York-based organization, unlike their counterparts in Amnesty International, showed by both word and deed that they took religious freedom seriously as one of the fundamental human rights protected by international law. But Human Rights Watch, like many other groups, still wants the state to favor certain secular belief systems over religious ones. If governments follow its standards, they will treat religious believers as second-class citizens by comparison with preferred minorities such as feminists and homosexuals.

The latest annual *World Report* of Human Rights Watch includes an important essay by its staffers Jean-Paul Marthoz and Joseph Saunders on “Religion and the Human Rights Movement.” The two suggest that there may be a “schism between the human rights movement and religious communities.” That formulation is problematic, implying that there is a single “human rights movement” with a uniform creed rather than a range of pro-freedom ideologies with serious disagreements among themselves. But the authors deserve credit for being open to self-scrutiny. They ask, “Is the ‘liberal’ human rights movement in fact implicitly imperialistic?” They rightly warn that “The secular human rights movement sometimes sees conservative religious movements as an artifact of history and itself as contemporary, ahead on the ‘infinite road of human progress and modernity.’ . . . Rather than trying to enshrine the human rights project into different faiths and cultures, of trying to legitimize human rights norms within religions and not alongside or against them, human rights activists might be tempted to dismiss such faiths and cultures as obstacles to economic or human rights modernity.”

On issues such as the French and Turkish governments’ bans on Muslim head scarves, Marthoz and Saunders clearly come down on the side of individual religious conscience against state-imposed conformity. They also acknowledge the role of religious believers as allies of secular activists on issues such as ethnic cleansing in Sudan. However, they see the “high points of this convergence” as already a decade behind in the past. They observe that “Essential disagreements appear increasingly to pit secular human rights activists against individuals and groups acting from religious

motives . . . on issues such as reproductive rights, gay marriage, the fight against HIV/AIDS, and blasphemy laws.”

Marthoz and Saunders are undoubtedly right that “The list of contentious issues is growing.” But they need to reflect more about why this is so. After all, it is not the traditional Christians, Jews or Muslims who have changed their positions about the issues mentioned. On most of these questions the views that Human Rights Watch sees as “fundamentalist” have been shared by nearly all cultures in nearly all periods of history until the very recent past. By taking for granted that the latest avant-garde trends on these issues are unquestionably and universally superior, Human Rights Watch commits its own form of “fundamentalism”: the complacent assumption that the present is always wiser than the past. Such chronological provincialism is as irrational as geographical provincialism; a truly cosmopolitan human-rights movement should transcend both. Indeed, closer study of why the “contentious issues” are growing would suggest that it is the secular left that has changed—by becoming less pluralistic. The left wing of the human-rights movement used to call for government neutrality on issues such as homosexuality, but now it seeks to harness government power to suppress Christian and other critics of avant-garde lifestyles.

Marthoz and Saunders commendably declare that “the human rights movement should do more to defend religious freedom,” and that this defense should embrace even “those who would threaten liberal conceptions of rights if they were in power, so long as they do not physically attack or otherwise impinge on the rights of non-believers.” But unfortunately, their organization does not consistently observe that standard. Like so many on the secular left (unlike secular libertarians on the right), Human Rights Watch fails to make the crucial distinction between banning an activity and declining to subsidize it. It seems uninterested in the rights of citizens who as a matter of conscience do not want their tax payments used to finance the distribution of contraceptives or the performance of abortions.

Especially striking is the failure of Human Rights Watch to discuss the institution of secularized, monopoly government schools—by far the most powerful institution in the western world for indoctrination of captive children into beliefs which their families do not share, at those families’ own expense via compulsory tax payments. It is difficult to believe that secular human-rights advocates would be silent about this issue if it were a matter of traditionalists coercively indoctrinating the children of modernists rather than vice versa.

Marthoz and Saunders rightly acknowledge that “it would be inappropriate for the human rights community to advocate for or against any system of religious belief or ideology.” But at the same time they go out of their way to praise the inter-religious dialogues sponsored by UNESCO, such as its 1994 Barcelona conference with its ambiguous call for individuals and communities to stop teaching “that they are inherently superior to others.” Human Rights Watch is far too knowledgeable about today’s repressive governments not to realize that such governments often accuse groups like the Jehovah’s Witnesses of illegally “inciting hatred” simply because they teach that their own religion is true and others false. Secular activists should be more

explicit in affirming a religious entity's rights to speak out robustly against beliefs which it considers heretical and to define its own membership requirements. To deny a religion the right to enforce its own internal discipline on those who voluntarily affiliate with it is in effect to deny it the right to exist. The human-rights cause urgently needs to affirm that freedom of conscience is not only for relativists, but for firm traditionalists who are not interested in ecumenical dialogue and who just want to be left alone.

Religious believers should also have the right to denounce activities which they consider immoral. That right, which the English-speaking world used to consider self-evident, is now under attack in places like Canada where Christians have been brought to court simply for reaffirming the teachings of their sacred texts about sexual morality. A Saskatchewan newspaper publisher was fined for publishing a paid advertisement that quoted Bible passages condemning homosexual behavior. Activist judges are turning Canada into a place where a citizen cannot publicly state his disagreement with the homosexualist agenda; only one side of the debate enjoys full freedom of speech. To the best of my knowledge the leaders of Human Rights Watch have neither specifically endorsed nor specifically opposed this ominous development. It would be tremendously reassuring for them to do the latter.

The concept of "freedom," like that of "equality," unfortunately lends itself to utopian abstractions. At times the human-rights activists of the secular left sound like the disciples of Ayn Rand on the right: both tend to see freedom in flat, one-dimensional terms. They under-appreciate the role which traditional communities such as churches and families play not as threats to freedom but as guardians of it. Without such "intermediate bodies," the individual is left naked and defenseless against the state; moreover, neither the individual nor the state can effectively replace these bodies as producers of certain public goods. As the *Atlantic Monthly* famously admitted in 1993, "Dan Quayle was right" in proclaiming the superiority of traditional, two-parent families for securing the long-term well-being of children. Five decades earlier Aldous Huxley, who in *Brave New World* saw even more deeply into the future than his contemporary George Orwell, suggested that "as political and economic freedom diminishes, sexual freedom tends compensatingly to increase." If today's governments agree to give newly invented sexual rights priority over rights tested by centuries of historical experience, we will end up with not more freedom but less.

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