

for Effective Promotion

Julia Green



Established in September 2005, the Centre for Human Rights and Legal Pluralism (CHRLP) was formed to provide students, professors and the larger community with a locus of intellectual and physical resources for engaging critically with the ways in which law affects some of the most compelling social problems of our modern era, most notably human rights issues. Since then, the Centre has distinguished itself by its innovative legal and interdisciplinary approach, and its diverse and vibrant community of scholars, students and practitioners working at the intersection of human rights and legal pluralism.

CHRLP is a focal point for innovative legal and interdisciplinary

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Faith-based organizations (FBOs) have long played a role in protecting the human rights of people living in sub-Saharan Africa. Unfortunately, there have been many examples of how the religious underpinnings of some FBOs have ultimately led to human rights being violated. The Western media has given particular attention to problematic FBO behaviour, such as the role conservative Christian groups have played in anti-LGBTQ+ legislation in Uganda. These types of narratives have led to many voices advocating for a more secular approach to human rights and development work. However, research has shown that FBOs have many advantages over their secular counterparts, and thus ought to be supported fully by the international human rights and development community. The following paper argues that FBOs can and should play a crucial part in promoting human rights in }El 7 krk|kx'K p'sk' l onk'€}o'yp' r'o'kn, kx-kqo}' r'o..nk'x' ypp|8S begins with a discussion of the negatives and positives of FBOs and concludes with recommendations for ways that international and national governments as well as FBOs themselves can ensure these religious organizations are upholding international human rights.

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Introduction

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Africa, Alyson B. Lipsky broadly defines FBOs as any organization that has a mission and identity “self-consciously derived from the teachings of one or more religious or spiritual traditions.”²⁰ Dan Heist and Ram A. Cnaan, in their 2016 review of faith-based development work, define FBOs as “non-state actors that have a central religious or faith core to their philosophy, membership, or programmatic approach, although they are not simply missionaries.”²¹ For the purposes of the following discussion, the most important defining feature of FBOs is that they are

of all others.² It has long been recognized that the primarily Western countries behind the drafting of these international

of western imperialism by establishing a powerful base of converts in a community, which can in turn have a strong control over the educational system, economic activities, social policy, government and even military affairs of that community.

Furthermore, proselytization by FBOs often goes beyond merely converting individuals, with some FBOs extending their efforts to attempts to incorporate religious beliefs into law. Zimbabwe provides a pertinent example of this. In 2010, Zimbabwe was draftin

will destroy their traditional cultures. In the name of “human rights,” HLI has worked to discount years of evidence from countless organizations and the UN that abortion can be safe, especially in countries where maternal health is often compromised due to a high incidence of rape and unwanted pregnancies.

These examples show how FBOs can work to promote an agenda that ultimately does not align with international human rights standards

sex with men and sex workers. This special treatment further stigmatizes these groups within their communities as they are seen as “dirty” because they need condoms while other people apparently do not. Some FBOs may even refuse service to these groups altogether. It has also been documented that some religious institutions support the perception that people with HIV/AIDS have sinned and deserve punishment, which may be reflected in the work done by FBOs associated with these institutions.

which time the immunization of children was delayed, resulting in the spread of new polio infections in Nigeria and other parts of Western and Central Africa.

On a continent where access to healthcare, family planning, and the empowerment of women and girls are crucial factors in reducing poverty and ultimately promoting human rights for all, FBOs that actively work against these missions are a barrier to improving quality of life. It is important to remember, however, that these examples are only reflective of the behaviour of some FBOs. As the next section of this paper will outline, many FBOs do not impose these same limits on their work and can even offer significant positive contributions to the development and human rights framework.

The Positives of Faith-Based Human Rights Work

Despite the drawbacks of FBOs described above, the idea that all non-profits should remain secular is not appropriate in a place like sub-Saharan Africa. As Atiemo notes in his essay about Ghana, in Africa, human rights and religion often go together. He points out that religious groups have done great things for human rights in Africa over the years and argues that it would be a mistake and even a violation to undermine or ignore faith in societies where human dignity is often expressed through religion. In an essay she wrote for the open access website E-International Relations, Barbara Bompani also argues that human rights and development actors risk failing to create enduring social change

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For example, women living with HIV in Uganda were reported to cite religion as their main means of coping with the challenges they faced as a result of contracting the virus. The support they received from their religious communities, prayer, and a belief that God provides sustenance all helped them persevere.

All of the FBOs that I worked with this summer were very connected to the religious tradition that they stemmed from, and I witnessed the positive effect this had on the staff. At Ripples International for example, each day began with a daily devotion in the on-site church, where staff had a chance to pray together about the work they were doing and any challenges they may be experiencing. Everyone at the organization was a practicing Christian, and motivational Bible verses on plaques throughout the property served as a way to regularly remind staff of their spiritual reasons for doing the work they do. At an FBO like Ripples International, faith is used as an important tool to motivate staff, raise morale, and cope with challenging or traumatic experiences. FBOs that similarly incorporate religion into the work they do may have the advantage over secular organizations of having staff that are better equipped to cope with the emotionally challenging work they may encounter in the course of their duties.

Of course, there are two important caveats to consider with this potential advantage of FBOs. First of all, as mentioned at the beginning of this paper, FBOs are difficult to define and may have very different operation models across the board. Some FBOs may incorporate things like prayer or group worship into their work, while others may only very loosely connect to the religious origins of their organization. Secondly, while there is significant research to support the positive effect that religion can have on people carrying out stressful work like that done by non-profits working in social and economic development in sub-Saharan

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As discussed at the beginning of this paper, while religion is becoming less and less popular in the Global North, religion is on the rise in most parts of sub-Saharan Africa. FBOs therefore have the advantage of being seen more favourably by some of the communities they are serving compared to their secular counterparts. A 2008 Gallup Poll showed that 82% of people in sub-Saharan Africa said they trusted religious organizations more than other societal institutions.⁰ Data from a set of studies from the World Bank showed FBOs focused on development are better at connecting with the client population than secular organizations.¹ These findings from Africa are consistent with other studies from around the world demonstrating that people in developing countries tend to prefer working with organizations that share their religious beliefs. In a study conducted in Central Asia, Iraq, and Pakistan, it was found that locals trusted international Muslim FBOs such as Muslim Relief Worldwide and Muslim Aid more than secular organizations, which they saw as "agents of the corrupt West."²

Besides the fact that FBOs tend to be seen more favourably by people living in sub-Saharan Africa, they also are often the only organizations operating in rural or hard to reach places, especially when it comes to healthcare. As the UNHCR declared in its *Needs Assessment, Learning and Feedback* in 2014, "faith actors are widely present in all parts of a given country due to their vast networks. Their presence does not necessarily depend upon external or international funding. They often remain long after international attention has faded, and funding has declined."

The connection between FBOs and their local communities has been identified as so important that many large international institutions working towards human rights and development have implemented comprehensive plans for working with FBOs in developing countries around the world. Several arms of the

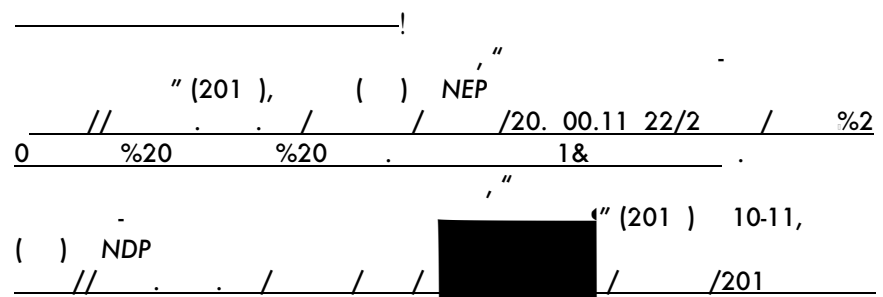
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United Nations including the United Nations Environment Program (UNEP), the United Nations Development Program (UNDP), and the United Nations High Commission on Refugees (UNHCR) have created comprehensive guidelines for partnering with FBOs. The World Bank has created a Faith Initiative Team with a mandate to bridge the gap between the FBOs looking to engage with the World Bank Group. In all of these documents, these secular international bodies acknowledge the key role that FBOs play in engaging with the communities they are working in because of their connection to the local culture and traditions. Furthermore, five years ago, the UN began hosting an

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I A at their headquarters in New York to bring together leaders of FBOs and the UN to explore and discuss the role of these organizations in continuing human-rights based development work.

Faith Based Organizations Going Forward

FBOs are a huge part of the human rights and development framework in sub-Saharan Africa and many other parts of the world, and they are not likely to go anywhere soon. Indeed, while in the West it seems that non-profits are somewhat shying away from openly identifying with religion, on the African continent they are becoming increasingly recognized as important and essential actors for promoting economic and social development, human rights, and a better quality of life for all.



As such, it is important that FBOs operate in a way that accords with current international human rights standards. In particular, FBOs must ensure that in exercising their duties in line with their religious missions, they are not further infringing on human rights. The following section outlines a few suggestions for ways that FBOs can remain accountable and operate in a manner that is consistent with international human rights standards. The goal of these suggestions is to provide a framework for best practices that will ensure FBOs are providing services that are just, effective, and available to all.

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The UN undoubtedly has a role to play in monitoring and guiding FBOs. The UNHCR in particular provides an interesting example of how this international government can interact with FBOs. In December 2012, the *H C ' D* C by the UNHCR was held on the theme of "Faith and Protection." At the dialogue, there were over 400 representatives of FBOs, faith leaders, and other partners who came together for two days in Geneva to discuss how the UNHCR could better partner with faith-based actors. The participants at the meeting strongly reaffirmed the key principles of humanitarian work, namely impartiality, non-discrimination, respect for the beliefs of others, diversity, empowerment, equality, humanity, and protection against any form of conditionality. They acknowledged that humanitarian work must be carried out according to these principles.⁰ The note that came out of this meeting suggested several ways the UNHCR can effectively collaborate with FBOs to ensure that vulnerable people receive the best possible service. UNHCR staff are encouraged to map out potential partners within local faith communities, identify supportive religious leaders in the local area, and become familiar with the activities taken by certain faith actors. They should also find out what existing services are provided by faith actors and identify areas for collaboration on joint initiatives. One of the guidelines advises that local branches of the UNHCR "establish a relationship of mutual understanding and trust to ensure that humanitarian principles are respected."¹ This suggestion implies some kind of evaluation by the UNHCR of whether aid is being delivered without conditions, or if persons of concern are willing or reticent to be aided by organizations of a same or different faith.

In essence, these guidelines propose that a secular organization like the UNHCR should monitor FBOs to ensure that they are effectively providing services to those who need them, in a way that is consistent with international human rights standards. While checks and balances by an international agency are a potential strategy for ensuring that FBOs do not have a negative effect on the communities they are serving, the guidelines in this document lack teeth when it comes to what the UNHCR should do when it encounters an FBO that is discordant with international human rights. The guidelines for working with FBOs created by the United Nations Environment Program (UNEP) are similarly missing clear instructions for how these programs can intervene in situations where FBOs are violating human rights.² For the most part, guidelines created by UN bodies for interacting with FBOs simply set out that the UN should not partner with organizations that are not meeting international human rights standards, without providing any steps to take to correct them.

A list of guidelines with specific techniques for communicating with FBOs who are discordant with international human rights standards would be helpful. A document created by the United Nations Development Program (UNDP) for working with FBOs lists practices like engaging in interfaith dialogue, internal training to promote better communication with religious leaders, and mediation as a way to mitigate risks that FBOs may pose. I propose that the UN could create a more comprehensive framework to monitor the work of FBOs, including more suggestions like the ones in the UNDP document and a comprehensive evaluation tool to assess whether FBOs are adhering to humanitarian principles.

In an essay published on the online human rights forum Open Global Rights in 2014, Adem Kassie Abebe suggests an idea that is not particularly radical in theory: balance. He says that an approach to human rights work “that does not absolutely preclude religion, or blindly endorse religion as a matter of principle, is preferable.” He notes that in some areas, certain

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religions dictate behaviours that are undoubtedly incompatible with human rights objectives, particularly on issues like maternal health or interactions with the LGBTQ+ community. At the same time however, the

mechanisms and follow-up procedures to be developed to ensure some kind of process for when an FBO is found to be violating human rights standards in the name of their religious beliefs.

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While there have been several documents produced outlining how international and state governments can effectively engage with FBOs, no government nor UN agency has published anything that looks like a code of conduct for FBOs to uphold international human rights standards. Given the diverse nature of FBOs discussed at the beginning of this paper, it would be extremely difficult to have one body that could recommend guidelines for all FBOs. That said, the following suggestions may serve as a good framework for FBOs to follow when engaging with their populations.

conducting evaluative research themselves. FBOs could then contribute new knowledge on best practices in FBO settings to the scientific community, and these findings could be disseminated broadly through the network. On its face, the collaboration that Asomugha et al. suggest between health practitioners and FBOs may look like nothing more than a set of guidelines for partnership much like the ones created by the UN and other international bodies. However, getting FBOs to play a larger role in scientific research related to health has the potential to decrease the mistrust that FBOs may have for “Western” scientific ideas, and also help with the real or perceived power imbalance between larger secular agencies and FBOs.

Another way that FBOs can ensure that their religious affiliations do not wind up interfering with their ability to adhere to international human rights norms is by using a historical-critical interpretation of religious scriptures if they are incorporating them into their mission. Historical criticism is usually defined as an approach to biblical interpretation that closely examines a text to create a picture of the historical and social circumstances at the time it was written.

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