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Striving for Human Rights in an Age of Religious Extremism

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Bahá'u'lláh emphasizes, “Be anxiously concerned with the needs of the age ye live in” (*Gleanings* 213). Undoubtedly two such “needs” in this present age are dealing with religious extremism and clarifying the role of religion in human rights. The message of the Universal House of Justice to the world’s religious leaders in April 2002 bemoans the fact that, “Tragically, organized religion, whose very reason for being entails service to the cause of brotherhood and peace, behaves all too frequently as one of the most formidable obstacles in the path; to cite a particular painful fact, it has long lent its credibility to fanaticism” (¶ 2).

This fanaticism has now grown into the relentless global scourge of violent extremism. Killings are prevalent around the world, and we see the horrors escalate from year to year with no end in sight. For example, take the story of Miriam:

On the night of April 12, 2014, 14-year-old Miriam was jolted from sleep by the sound of a door being kicked in. She knew what it meant: Boko Haram had arrived. She dove under a pile of clothes in a corner of her room and watched as armed men dragged her father and her two teenage brothers out of the house. The rapid gunfire that followed told her that they were dead.

The men then returned for Miriam, her mother, and her five-year-old brother. . . . Miriam . . . lived in the village of Marnaghafai, in northeastern Nigeria, where the militant Islamist group Boko Haram has operated since 2010. The group has killed an estimated 8,000 civilians, and another one million people have been forced to flee their homes. Since last year, the group has expanded to Cameroon, Chad, and Niger and has pledged allegiance to the self-proclaimed Islamic State (also known as ISIS).

. . . Boko Haram is perhaps best known for its widespread abduction of women and girls—an estimated 2,000 since 2009. The captives are raped, forced to marry Boko Haram fighters and convert to Islam, and, sometimes, brainwashed to become suicide bombers. The captives include the 276 schoolgirls from Chibok, whose abduction on April 14, 2014, sparked the #BringBackOurGirls campaign and galvanized global outrage. (Segun n.p.)

And, of course, these atrocities are not restricted to Nigeria. For example, UN figures show the thousands of civilians killed each month in the war against ISIS in Iraq. In January 2015, the UN put the number of deaths in the Syrian Civil War at 220,000. Over the last eighteen months, in Myanmar, some 90,000 Rohingya Muslims¹ desperately attempting to escape religious extremism have handed themselves over to smugglers and traffickers. Thousands of these refugees die along on the way.² ISIS terrorism in Tunisia has caused sixty deaths this year (2015), at the Bardo Museum in March and in Sousse in June. Sixty-seven people were killed in an attack by al-Shabab at the Westgate shopping mall in Nairobi in September 2013. On 7 July 2005, suicide bombers in central London killed fifty-two people and injured more than 770 people.

This global scourge is also a grave concern for international human rights law. One international lawyer has commented, "If international lawyers do not engage [in addressing religious/Muslim fundamentalism], we risk making our field unnecessarily irrelevant in the face of some of the most significant international law questions of our time" (Bennoune

698). However, it is not inconceivable that discussion of national security laws against terrorism and other narrow concerns will get the global perspective of human rights law totally crowded out of the response to religious extremism.

A BAHÁ'Í PERSPECTIVE ON GLOBAL HUMAN RIGHTS

In sketching an examination of human rights in an age of religious extremism from a Bahá'í perspective, let us consider four concerns. First, let us examine what human rights law is. Second, let us reflect on human rights law from a Bahá'í perspective. Third, let us observe whether the issue of human rights is consistent with the advancing oneness of humankind, and, if it is, where we can discern this coherence. Finally, let us examine the challenges that religious extremism presents to human rights law and how religious insights can help respond to these.

HUMAN RIGHTS LAW

To start, let us consider human rights as a system of international law with its own standards, norms, and allied institutions. We could also consider human rights from philosophical, political science, sociological, educational, and other perspectives, but for the sake of clarity, we focus here on the legal aspects of the issue.

The modern human rights project focuses on asserting a global legal

1 Muslims from Myanmar who speak the Rohingya language and are indigenous to the Rakhine state.

2 From early 2014 to mid-2015. See <http://edition.cnn.com/2015/06/16/opinions/mathieson-religious-extremism-myanmar/>

minimum safety net for all human beings, simply by virtue of their humanity—as a birthright and without any further conditions or requirements. Such inalienable rights do not need further qualifiers or prerequisites—such as citizenship, religion, race, behavior, and so on. We do not earn or deserve human rights; we are entitled to them merely by virtue of our humanity.

According to Article One of the Universal Declaration of Human Rights (UDHR), “All human beings are born free and equal in dignity and rights.” Over the past seven decades, the commitment to human rights in the UN charter and the UDHR has grown into a complex system of soft and hard legal instruments, and has developed various mechanisms for the protection, promotion, and fulfillment of international human rights law at the international, regional, and national levels.

In light of this position that human rights are unalienable for everyone, we necessarily conclude that the standards for these rights are not excessively high, unachievable, or beyond our ability to guarantee them for everyone. For example, in relation to economic and social entitlements, the International Covenant on Economic, Social, and Cultural Rights states that the parties to the covenant “recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health” (Art. 12). Of course, no state can guarantee good health for all, but they can

and should facilitate and provide the conditions for access to health care, as much as an equitable use of available resources permits.

A BAHÁ'Í PERSPECTIVE ON HUMAN RIGHTS LAW

Religious objections to human rights cluster around various concerns. The most common objection is that because the issue of human rights does not include duties to the community, these rights are atomizing and thus create self-centered, self-serving individuals. In addition, the human rights concern does not provide sufficient consideration of the rights and freedoms of others and does not allow for recognition of collective rights, a concern more aligned with a religious point of view. The Bahá'í perspective may also share some of these same critiques, so let us briefly turn to these first inasmuch as they can be refuted fairly easily.

As a system of norms and laws, human rights are as open to abuse or to being over-stretched as other laws. However, human rights also have provisions regarding (a) duties to the community, (b) limitations on rights (especially in light of the rights and freedoms of others), and (c) recognition of collective rights—such as freedom of association, of assembly, of religion or belief—for persons belonging to minorities and guarantees of due process.

DUTIES TO THE COMMUNITY

Article 29.1 of the UDHR recognizes

that “Everyone has duties to the community in which alone the free and full development of his personality is possible.” This assertion is also echoed in binding regional human rights instruments, such as the American Convention on Human Rights (ACHR)³ and the African Charter on Human and Peoples’ Rights (ACHPR),⁴ which even elaborates on the duties of the individual in eight specific areas.⁵

3 Article 32.1 states, “Every person has responsibilities to his family, his community, and mankind.”

4 Article 27.1 states, “Every individual shall have duties towards his family and society, the State and other legally recognised communities and the international community.”

5 “(1) To preserve the harmonious development of the family and to work for the cohesion and respect of the family; to respect his parents at all times, to maintain them in case of need. (2) To serve his national community by placing his physical and intellectual abilities at its service; (3) Not to compromise the security of the State whose national or resident he is; (4) To preserve and strengthen social and national solidarity, particularly when the latter is strengthened; (5) To preserve and strengthen the national independence and the territorial integrity of his country and to contribute to his defence in accordance with the law; (6) To work to the best of his abilities and competence, and to pay taxes imposed by law in the interest of the society; (7) To preserve and strengthen positive African cultural values in his relations with other members of the society,

LIMITATIONS ON RIGHTS

Human rights as a whole are universal in their applicability but not absolute in their enjoyment. They can be derogated—that is, they can be suspended in times of national emergency that threaten the life of the nation (International Convention on Civil and Political Rights, Article 4). Furthermore, most rights can be limited in order to uphold public order, public health, morals, or the rights and freedoms of others.⁶

in the spirit of tolerance, dialogue and consultation and, in general, to contribute to the promotion of the moral well being of society; (8) To contribute to the best of his abilities, at all times and at all levels, to the promotion and achievement of African unity” (African Charter on Human and Peoples’ Rights, Art. 29).

6 This is clearly encapsulated in article 29.2 of the UDHR, which states, “In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.” And in article 29.3 we find, “These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.” The ACHPR stipulates in article 27.2 that the rights and freedoms of each individual “shall be exercised with due regard to the rights of others, collective security, morality and

In relation to freedom of expression, for example, the International Convention on Civil and Political Rights (ICCPR Art. 19.3) reminds us that freedom of expression carries with it special duties and responsibilities, a provision that means that this right could be subject to certain necessary restrictions as established in law.

RECOGNITION OF COLLECTIVE RIGHTS

The claim of human rights nurturing unlimited entitlements without any sense of community is therefore ill-informed and overstated. For example, article 21 of the ICCPR asserts the right to peaceful assembly. Article 22 maintains the right to freedom of association with others. Article 18 protects freedom of religion or belief, whether held individually or as part of a community—in private or in public. Finally, article 27 refers to “persons” belonging to minorities holding their rights “to enjoy their own culture, to profess and practise their own religion, or to use their own language” in concert with the other members of their group.

Thus, human rights necessarily imply resources and reference points for duties to others, for recognition of limitations on rights, and for acknowledgement of collective rights. It also common interest”; whereas article 32.2 of the ACHR recognizes that the rights of each person “are limited by the rights of others, by the security of all, and by the just demands of the general welfare, in a democratic society.”

is important to note that that these three aspects of human rights are often underemphasized in current international human rights law, but there is the possibility to bring them to the fore, and it is in this sense that human rights often align themselves with the desire of various communities to freely practice their religion.

STRENGTHS OF HUMAN RIGHTS: RELIGION AND HUMAN RIGHTS AS PILLARS OF JUSTICE

Let us now examine two areas where the system of religious knowledge may recognize strength and support in international human rights law: human flourishing and universality.

Those whose worldview draws from religious perspectives often hold that a human soul is born into this physical world in order to fulfill its life purpose, to reach its potentialities, and to flourish spiritually. Since this objective benefits from stability, education, family, sufficient access to food and water, and various other protections, then, in this context human rights can be considered a spiritual project.

Indeed, all the revealed religions put great emphasis on justice and freedom from oppression. In envisaging and describing a world community in which “the clamor of religious fanaticism and strife will have been forever stilled; in which the flame of racial animosity will have been finally extinguished; . . . in which the fury of a capricious and militant nationalism will have been transmuted into an abiding

consciousness of world citizenship” (*World Order* 41), Shoghi Effendi discusses the establishment of “a single code of international law—the product of the considered judgment of the world’s federated representatives” (41) and a legislature enacting “such laws as shall be required to regulate the life, satisfy the needs and adjust the relationships of all races and peoples” (203).

A “code of international law” surely encompasses many aspects of human society: legal codes with regard to trade, countering the drug trade, criminal law, the laws of war, laws regarding refugees and internally displaced people, maritime law, environmental law, meteorological law, telecommunication law, and so on. Included in these laws, however, is the human rights objective to set out a minimum safety net for the protection of the rights of the individual and the collective in order to allow them to live a life of dignity.

Although the vision of human flourishing from the religious perspective focuses mainly on spiritual matters—rather than on physical wellbeing, educational opportunities, and access to shelter—both material and spiritual concerns are essential to the flourishing of individuals and society as a whole. The spiritual damage that can result from the opposite condition—namely, injustice and oppression—are clear for all to behold. Indeed, the Universal House of Justice takes note of the plight of the “countless millions” of victims of injustice the world over and observes

that “the spiritual damage done to the victims” exceeds the “physical and material anguish caused”:

Deliberate oppression aims at dehumanizing those whom it subjugates and at de-legitimizing them as members of society, entitled to neither rights nor consideration. Where such conditions persist over any length of time, many of those affected lose confidence in their own perception of themselves. . . . Indeed, some who are exposed to sustained oppression can become so conditioned to a culture of brutalization that they, in their turn, are ready to commit violence against others, should the opportunity offer itself. (“To the Followers of Bahá'u'lláh”)

Thus, it is here that we can vividly observe a spiritual purpose behind countering oppression and promoting human rights—the determination to stand up for the victims of oppression, re-legitimize their case, and, accompany them in the avoidance of, or healing from, spiritual damage.

UNIVERSALITY

The very idea of the universality of human rights may be challenging to some religions and belief systems, but we see evidences of its general acceptance in the authoritative Bahá'í texts. For example, addressing Bahá'ís in Iran, the Universal House of Justice refers to “the universal principle

of the equality of men and women” and boldly asserts, “For you, the equality of men and women is not a Western construct but a universal spiritual truth—a statement about human nature—that was promulgated by Bahá’u’lláh . . .” (To the Believers in the Cradle of the Faith). Indeed, the Bahá’í view has always been that “[w]omen and men have been and will always be equal in the sight of God” (Bahá’u’lláh qtd. in *The Compilations of Compilations* 379).

The Bahá’í teachings also strongly support the protection of the rights of children, which—in human rights law—is upheld in a Convention on the Rights of the Child and three Optional Protocols. This support is reflected in Bahá’í texts such as the Ridván 2000 Message of the Universal House of Justice, which addresses “the cruel fate” faced by millions and millions of children around the world who are dislocated socially,

employed as soldiers, exploited as laborers, sold into virtual slavery, forced into prostitution, made the objects of pornography, abandoned by parents centered on their own desires, and subjected to other forms of victimization too numerous to mention. Many such horrors are inflicted by the parents themselves upon their own children. The spiritual and psychological damage defies estimation. (7)

This messages goes on to warn that “[o]ur worldwide community cannot escape the consequences of these conditions. . . . Children are the most precious treasure a community can possess, for in them are the promise and guarantee of the future” (7).

More generally, on the subject of one of the fundamental rights—equality before the law—‘Abdu’l-Bahá Himself states, “All men are equal before the law, which must reign absolutely. . . . prince, peer and peasant alike have equal rights to just treatment, there must be no favour shown to individuals” (154).

WEAKNESSES OF HUMAN RIGHTS: RELIGION AND HUMAN RIGHTS AS OFFERING “DIFFERENT VISIONS”

To this extent, then, we may consider religion and human rights as pillars supporting and reinforcing the same foundational objectives. And yet, we still are faced with questioning the weaknesses of the human rights movement. Is the faltering of this once thriving dynamism the result of uncritically swallowing the whole project of human rights, or do noteworthy questions arise when we look further and in more detail at human rights concerns? By what means are these rights determined, for example, and who are the key actors in this process?

In order to seek answers, we will focus on two areas: the function of states, and the level at which decision-making regarding human rights takes place.

STATE ACTORS

Human rights standards are drafted and adopted by states. Every declaration, treaty, optional protocol, and human rights mechanism is pursued only when it coincides with state interests and includes only the protections and procedures—down to the punctuation!—to which states have agreed during drafting. Even then, states decide whether to sign and ratify treaties and whether to do so with reservations that modify the extent to which they are bound by treaty provisions—though such reservations should not undermine the very objectives and purposes of the treaties.

We can therefore see that human rights can only be deemed a consultative process in a very limited way; the “action/reflection” processes are indeed quite elementary, and the decisions fall far short of being participatory, both in generation and in implementation. In sum, though we may call the standards of human rights an outcome of decision-making by the “international community,” the extent to which the resulting standards reflect the view and advantage of the broader “international” community is sharply limited.

COMPLEMENTARITY: AT WHAT LEVEL IS DECISION-MAKING TAKING PLACE?

Despite an increasing attention to non-state actors such as private security companies, multinational companies, rebel groups, and so on, the

state-centered nature of human rights law remains dominant and largely intact.

In contrast, the Bahá'í perspective exceeds this limitation by envisioning a diverse and inclusive global community, one in which matters of concern are communicated both from the individual upward and from federated governance down to the local community. Thus, while incorporating the state model, such a federated commonwealth transcends these intermediary limitations. It directs downward, emphasizing decentralized decision-making to the lowest appropriate level and building up communities from the neighborhood level. It also directs upward toward recognizing the need for far greater cooperation at the global level, and toward accepting responsibility for global phenomena. We can already see this movement reinforced by warnings of the suffering that has resulted and will continue to result from postponing the creation of robust international fora for discourses about global issues.

These “direct up” and “direct down” models can best be understood by the concept of complementarity, a reciprocity that also guides the work of the European Court of Human Rights (complementary to the national courts) and the International Criminal Court. Furthermore, the Bahá'í view, it would seem, does not abdicate to states the sole responsibility of promoting, protecting, and fulfilling human rights, such as facilitating education, building a human rights culture, spearheading

dialogue toward ensuring pluralism, and protecting from incitement to hatred.

While we have focused on just two areas—states as the key actors and the concern for the level where decision is taking place—there are many other important issues to consider. For example, do we have sufficient clarity about human rights as they relate to the individual's freedom to search for truth independently? How do we go about eliminating the egregious extremes of wealth and poverty that presently create a vast global economic gulf between those who have sufficiency and those who do not? How do we eliminate the various forms of prejudice that currently underlie the plague of violence in virtually every country and territory? And how do we deal with the practice of a "block voting" that occurs in so many human rights fora? In short, we clearly cannot accept human rights uncritically as a packaged solution for all time when our main litmus test necessarily derives from and relates to the oneness of humankind.

HUMAN RIGHTS AND THE ONENESS OF HUMANITY

The imperfections of the present condition of discourses about human rights should not lead us to reject *in toto* the human rights project, as it still features elements that are consistent with the broader aims of advancing the oneness of humanity and human wellbeing in general.

The human rights movement has emerged as humanity's imperfect but growing and largely constructive response to upholding a minimum safety net for the promotion, protection, and enjoyment of certain unconditional rights based solely on our common humanity. It claims to be neither the perfect encapsulation nor the arbiter of our human essence. In short, this project is hardly a completed one, even though some may refer to it as such.

As we have noted, human rights are largely negotiated and adopted by states. They are mediated by their national self-interests and diluted and modified by their quest to maintain their powers. Although the concern for human rights currently remains largely state-centered, increased recognition is gradually being given to the responsibilities of non-state actors, and, as Aaron Emmel observes, human rights are continuing to change and adapt.⁷

Thus, the imperfections and incompleteness of the project of human rights need to be understood, but they should not surprise anyone. This is especially true for Bahá'ís at this time, whom Shoghi Effendi designates as the "generation of the half-light" (*World Order* 168), experiencing the "simultaneous processes of rise and of fall, of integration and of disintegration, of order and chaos, with their continuous and reciprocal reactions on each other" (*Advent* 72).

7 See Aaron Emmel, *Human Rights in an Advancing Civilization*. George Ronald, 2013.

In the context of these twin processes that seem to run “at opposite sides of the same corridor of time” (Universal House of Justice, *Ridván 2000 Message*), human rights would appear to lie largely on the constructive, integrative side of the equation. But this is not so in all circumstances nor in all places, and Bahá'ís should not shy away from recognizing this reality. For example, some human rights activists may have insufficient concern for social cohesion⁸ or hold vastly different visions for progress in society. Certainly any assumption that an uncritical notion of “human rights” should serve as the higher value system by which the totality of religious knowledge or spiritual precepts should be judged is patently misguided. The human rights movement and human

8 Perhaps we can use the analogy of Bahá'u'lláh's description of the newspapers of the world, where He writes in the Sixth Taraz that they act as “the mirror of the world,” reflecting and making known “the deeds and the pursuits of divers peoples and kindreds.” Then He warns that “it behoveth the writers thereof to be purged from the promptings of evil passions and desires and to be attired with the raiment of justice and equity. They should enquire into situations as much as possible and ascertain the facts, then set them down in writing.” As *communicators* or *writers* of human rights, NGOs and human rights organizations or defenders should similarly inquire into human rights situations as much as possible and “mirror” matters responsibly and effectively.

rights law cannot and do not serve as a substitute for religion, nor is this their objective.

There are also concrete critiques that anyone assuming a Bahá'í perspective may find useful in assessing the human rights movement. For example, the human rights cause is usually discussed in terms of “struggle,”⁹ as a process characterized by opposition, fighting, or as an unfinished revolution. There is, in other words, a distinct sense that adversarial systems have inserted themselves firmly into the discourse of human rights advocacy.

However, this friction has not always existed. The UN Commission on Human Rights (the UN's premier political body focused on human rights, now called the Human Rights Council), in the effort to advance human rights, initially rejected the possibility of naming particular human rights situations and contexts. In fact, in 1947, the Economic and Social Council resolved that the Commission had “no power to take any action in regard to any complaints concerning human rights” (Resolution 75[V]). Two decades later, in 1965, the Commission was under considerable pressure by Apartheid South Africa and

departed from previous practice and established an ad-hoc

9 For example, Christof Heyns, in “A ‘Struggle Approach’ to Human Rights,” states, “Human rights is the flipside of the coin of legitimate resistance” (171).

working group of experts to investigate the situation of human rights in Southern Africa [CHR resolution 2 (XXIII)]. The ad-hoc working group can be considered as the first Special Procedure of the Commission on Human Rights. Following the 1973 coup in Chile against President Allende by General Augusto Pinochet, the Commission established an ad-hoc working group in 1975 to inquire into the situation of human rights in Chile. In 1979, this working group was replaced by a special rapporteur and two experts to study the fate of the disappeared in Chile. This led to the establishment of the first thematic Special Procedure in 1980: the Working Group on Enforced Disappearances to deal with the question of enforced disappearances throughout the world [CHR resolution 20 (XXXVI)]. (introduction, UN Human Rights Council)

Put simply, the Commission totally reversed its decision from rejecting the notion of naming specific violations to determining that it should recognize them and designate those states promulgating such violations. UN human rights mechanisms were subsequently developed to focus attention on particular countries and regions where human rights were being threatened. In addition, the protagonists in the human rights movement widened from being state-centered to including

expert-centered mechanisms: naming and shaming—the “violations approach” to human rights—became mainstream and virtually the only game in town.

On the face of it, this “violations approach” may sound somewhat divergent from what is considered the “Bahá’í culture,” but there are various passages in the Bahá’í Writings that speak strongly about the need to counter tyranny and oppression. One of the Hidden Words by Bahá’u’lláh warns the “Oppressors on Earth” as follows: “Withdraw your hands from tyranny, for I have pledged Myself not to forgive any man’s injustice” (Persian Hidden Words n. 64). ‘Abdu’l-Bahá speaks at length and often of the equality of women and men and the importance of women’s struggle for equal rights (Part 2, 50:14). We therefore recognize that it has required struggle to advance rights. Nevertheless, the Bahá’í approach at the community level—except in the most pressing and grave violations, such as domestic violence or child abuse—is *not* best described as a “violations approach,” as it employs a much broader spectrum of tools for advancing human rights under the general aegis of “community building.” For example, in response to polygamy or the failure to marry across caste divisions, the Bahá’í community employs the tools of consultation, patient encouragement, allowing for generational change and, most important of all, exposing individuals to the depths of their own spiritual powers to make lasting, positive change.

Even in the narrow purview of human rights there is growing appreciation of the fact that the violations approach alone cannot suffice at all levels and at all times. We cannot do away with highlighting violators in a system of law, including human rights law, but this cannot be the only tool in the toolbox.

Most generously, the violations approach is described as having become a victim of its own success. To begin with, it is an expensive and time-consuming approach. For example, as of 31 December 2014, 69,900 applications were pending before the European Court of Human Rights.¹⁰ There is a preponderance of repeat challenges. In fact, since the court was established in 1959, almost half of the judgments delivered by it concern five member states,¹¹ a situation that has caused the court to combine applications raising similar legal questions so that it can consider them jointly.¹²

10 Almost half of these applications had been lodged against one of three states: Ukraine, Italy, and the Russian Federation (http://www.echr.coe.int/Documents/Facts_Figures_2014_ENG.pdf).

11 Turkey (3,095), Italy (2,312), the Russian Federation (1,604), Romania (1,113), and Poland (1,070).

12 In 2014, for example, the court delivered 891 judgments concerning 2,388 applications. A total of 86,063 applications were decided in 2014, through a judgment or decision, or by being struck out of the list (http://www.echr.coe.int/Documents/Facts_Figures_2014_ENG.pdf).

We may therefore conclude that the current ascendancy of the “naming and shaming” or “violations approach” to human rights protection will not remain so prominent in the long term. It will always retain a role, but it will be complemented by a broader spectrum of methods and tools.

SOCIAL CHANGE

Another Bahá'í perspective relating to human rights concerns the ingredients of social change—namely, that social change is not possible without involving the core of human spirituality.

A broad spectrum of human rights aims at deep social changes: non-discrimination, the elimination/reduction of racism, a change of culture to advance the rights of women. All these rights are rooted in social change, in what has been called “establishing a culture of human rights.” For example, the UN’s Convention on the Elimination of Discrimination against Women calls upon states “[t]o modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women” (Article 5[a]).

The UN’s International Convention on the Elimination of All Forms of Racial Discrimination, in turn, declares,

States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination . . . (Article 4)

As we note above, although the role of the state is a very heavy one in the current context, Bahá'í perspectives *would not* recognize solely the state role for change of cultural patterns of conduct that lead to various prejudices. Rather, the emerging Bahá'í experiences at the community level are suggestive of resources emanating from a powerful inner force for cultural change, a dynamism rooted in the individual's spiritual reorientation. This motive force can prove a very significant complement to such "cultural" objectives. It is not, however, a force that the vast majority of human rights advocates seek to empower and utilize.

WHAT IS THE OVERLAP BETWEEN HUMAN RIGHTS AND THE ONENESS OF HUMANKIND?

As Bahá'ís, we may indeed assess human rights standards against what might be termed our "litmus test" objective—the oneness of humanity. Indeed, many Bahá'ís consider the oneness of humanity as an immutable

concept, and according to a letter written on behalf of the Universal House of Justice on 31 January 1985, "Bahá'u'lláh's principal mission in appearing at this time in human history is the realization of the oneness of mankind and the establishment of peace among the nations; therefore, all the forces which are focused on accomplishing these ends are influenced by His Revelation" (n.p.).

'Abdu'l-Bahá's "Candles of Unity" include unity in the political realm, unity of thought in world undertakings, unity in freedom, and unity of races, "making all that dwell on earth peoples and kindreds of one race" (*Selections* 32). Shoghi Effendi asserts,

The world is, in truth, moving on towards its destiny. The interdependence of the peoples and nations of the earth, whatever the leaders of the divisive forces of the world may say or do, is already an accomplished fact. . . . The welfare of the part means the welfare of the whole, and the distress of the part brings distress to the whole. (*Promised Day* 122–24)

The drafting and adoption of human rights standards—whether as declarations, treaties, or covenants—is a process that requires stalwart and evolving political unity. Furthermore it is a process that has been motivated by a desire to promote "unity in freedom," or a universal standard of rights, based on the understanding that "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” (United Nations, *Universal Declaration of Human Rights*, preamble ¶ 1).

While there may be a large *prima facie* overlap between the spirit behind human rights and advancing the oneness of humanity,¹³ we cannot assume the two to be interchangeable. Again, Shoghi Effendi speaks of the need for a “radical change in the very conception of society” that will “coalesce ultimately the disjointed, the bleeding limbs of mankind into one body, single, organically united, and indivisible” (*Promised Day* 123). This goal is indeed far too ambitious for “human rights change” to achieve on its own, considering that its methods for legal and cultural change rest on actions such as: promoting human rights norms, urging states to comply with those standards

13 The evidence of such “unity” has also been noted in a number of messages from the Universal House of Justice. For example, the Ridván 2000 message described the “phenomenon” of “the people of the world” having “arisen to express their aspirations through what has come to be known as the ‘organizations of civil society’” involved in “major discussions shaping the future of humankind.” Human rights were a key concern in a number of these world gatherings, for example in Rio in 1992, Vienna in 1993, Cairo in 1994, Beijing in 1995, Copenhagen in 1995, and were also included in the Millennium Forum in 2000.

that they themselves have drafted, doing so only when a state has decided to ratify the relevant standard without reservations, “naming and shaming” state non-compliance in international fora, encouraging the strengthening of civil society, and seeking to highlight cases of violations against human right defenders.

Thus, while advancing human rights is at the heart of many integrative, civilizational development objectives in its purview, the movement in its present form will necessarily fall short of achieving this more ambitious goal, especially in the polarized, confrontational, and adversarial state-centered context to which it is presently restricted.

EXTREMISM:

FORCING RECONSIDERATION OF RELIGION AND HUMAN RIGHTS?

Having considered human rights law and the Bahá'í perspective of its limitations as well as its strengths, we now turn to probably the strongest challenge the human rights movement has faced—modern religious extremism. But before doing so, it is important to see what human rights law has thus far recognized as religion. Sadly, in examining human rights literature, I have yet come across the descriptor of religion as being a system of knowledge that must needs complement science. The field of human rights—in its oppositional stance—often focuses on religion as a barrier to human rights, though there is also

emerging literature seeking to recognize religious actors as possible allies in the promotion and implementation of rights.

In the field of human rights, religion is considered individual-centered rather than belief-centered. As Jeremy Gunn notes, religion includes beliefs, traditions, and ways of life (“Complexity of Religion”). Likewise, its scope is very broad, consisting of theistic, non-theistic, and atheistic beliefs. Religion thus does not rest exclusively on an understanding of or belief in a divinity. In fact, some case law has recognized the protection for religion or belief systems in particular circumstances as including pacifism, veganism, and climate change. In short, religions and belief systems are considered to include everything that is held with cogency, seriousness, cohesion, and importance, and these standards are considered to be the criteria utilized by human rights-compliant courts or supervisory bodies to identify religion or belief, not their relationship to any theological determinations. The scope or manifestation of the expression of belief may thus consist of a variety of forms of practice, worship, observance, and teaching.

However, violent extremism and religious fundamentalism are serving as the trigger for many states to clamp down—in good faith or for opportunistic reasons—on freedom of religion or belief. The tension facing human rights—to offer adequate protection for genuine freedom of religion or belief and its expression on the one

hand, and not to allow freedom of religion or belief to serve as a mask for extremist and violent fundamentalism on the other—are two of the most challenging problems of our time.

As the threats from self-styled religious groups that have adopted deviant extremist forms of behavior grow ever more powerful and ruinous, the risk of adopting an attitude of throwing religion out with the fundamentalism likewise grows. A very recent article in *Foreign Policy* recognizes that “the biggest threat to religious freedom is religious extremism” and dubs this concern “Defending Religion from Itself” (Thames n.p.). Fundamentalism has brought about an increased risk to the practice of all religions and beliefs around the world.

The letter from the Universal House of Justice to the world’s religious leaders in April 2002 shows great insight regarding this question. It observes that, as the twentieth century opened, “the prejudice that seemed more likely than any other to succumb to the forces of change was that of religion” (¶ 7), yet now

the greater part of organized religion stands paralyzed at the threshold of the future, gripped in those very dogmas and claims of privileged access to truth that have been responsible for creating some of the most bitter conflicts dividing the earth’s inhabitants. The consequences, in terms of human well-being, have been ruinous. . . . Denunciations of . . .

terrorism are of no real assistance in coping with the contemporary moral crisis if they do not begin by addressing candidly the failure of responsibility that has left believing masses exposed and vulnerable to these influences. (¶ 10–12)

In sum, nothing has been more challenging to the relationship between religion and human rights than religious extremism and violence perpetrated in the name of religion, a conflict that perceives religion as the gravest danger to human rights and to humanity as a whole.

When seeking to counter violent extremism and religious fundamentalisms, we need to rethink (1) the category of religion, (2) the overlap between so-called “religion” and political objectives, and—perhaps most importantly—(3) the idea that “freedom of religion or belief” means we cannot impose our religious precepts on others through violence and coercion.

Such distinctions are fraught with risk—particularly the temptation for states to exclude from protection those religions and beliefs they consider threatening or undesirable. Nevertheless, states are already active in making distinctions between what they consider “good” and “bad” religious belief, for example by dissevering cyber laws, incitement laws, and terrorism laws from human rights laws.

One effort to allow for both freedom of religion or belief and protection from violent extremism is taking

“a contextual approach which enables a thick analysis and maximizes the ability to effectively address particular challenges to human rights in a specific context” (“Secularism” 396).

For freedom of religion or belief as a human right to be coherent and sustainable, it has to be granted to all on an equal basis. Bahá'ís find this a very obvious and necessary prerequisite because they hold that the “primary task of the soul will always be to investigate reality, to live in accordance with the truths of which it becomes persuaded and to accord full respect to the efforts of others to do the same” (Universal House of Justice, Letter to the World’s Religious Leaders ¶18)

Another very crucial protection can also stem from a more robust understanding in international human rights law that—as a letter from the Universal House of Justice to all National Spiritual Assemblies emphasizes—“One’s beliefs are an internal and personal matter; no person or institution has the right to exert compulsion in matters of belief” (¶2). For this reason, the Universal House of Justice, in its letter to the world’s religious leaders, condemns—as one of “the many temptations the world offers”—the preoccupation of religious leaders “of exercising power in matters of belief” (¶ 22).

In the Kitáb-i-Aqdas, the Most Holy Book of Bahá'u'lláh, “recognition of Him Who is the Dayspring of His Revelation and the Fountain of His laws” and observance of “every ordinance of Him Who is the Desire

of the world” are described as “twin duties”: “[n]either is acceptable without the other” (¶ 1, 9). In the same vein, the Universal House of Justice, in a letter to the National Spiritual Assemblies in Africa, further reminds us, “Love for God is best exemplified not through words, but through deeds. . . . By obeying His laws we demonstrate our love for Him” (¶ 10). Put another way, without “love for Him,” we cannot expect obedience to religious laws; indeed, perhaps without “love for Him,” we should not even promote obedience to His laws.

The Bahá’í view also captures a fascinating duality here, regarding both the indictment and the power of religion. In the letter from the Universal House of Justice to the world’s religious leaders, we find the following statement regarding the misery caused in the name of religion:

Such reflections, however painful, are less an indictment of organized religion than a reminder of the unique power it represents. Religion, as we are all aware, reaches to the roots of motivation. When it has been faithful to the spirit and example of the transcendent Figures who gave the world its great belief systems, it has awakened in whole populations capacities to love, to forgive, to create, to dare greatly, to overcome prejudice, to sacrifice for the common good and to discipline the impulses of animal instinct. (¶ 14)

The message goes on to observe, “Indeed, it would be difficult to think of any fundamental advance in civilization that did not derive its moral thrust from this perennial source. Is it conceivable, then, that passage to the culminating stage in the millennia-long process of the organization of the planet can be accomplished in a spiritual vacuum?” (¶ 15).

On the one hand, Bahá’ís deeply recognize the essential role that religion will play in imparting its power to building an integrated free world community; on the other, Bahá’ís are also aware of the awful dangers and miseries that a twisted “religion” can pose to humanity. Violent extremist religion draws its sustenance from “all those claims to exclusivity or finality that, in winding their roots around the life of the spirit, have been the greatest single factor in suffocating impulses to unity and in promoting hatred and violence” (¶ 16). Countering this awful trend is a “historic challenge” (¶ 17).

As the horrendous excesses of religious extremism grow, humankind needs to ponder religion in a way that is belief-oriented and inclusive, that seeks to distinguish true religion from destructive political objectives, and that perceives freedom of religion and belief as an ongoing right for all and not as a basis for imposing one’s religious laws on others. The teachings of the Bahá’í Faith have long impressed on its followers the need to consider these principles with urgency, a practice that may also encourage some support to human rights law to navigate the challenges the global community now faces.

CONCLUSION

In some parts of the world, and in public discourse, the subject of human rights is discredited as imperialist, interventionist, orientalist, or a conservative discourse by the elite and the privileged. In other parts of the world, it is seen as the tool of emancipation, as necessarily positive in all its guises, as residing on the side of the virtue, and, therefore, as beyond criticism. Then there are also millions of others for whom religion itself is deemed as beyond reproach. For these people, religion carries severe penalties for those who want to assert contrary views or explore what ends religion should serve, who controls it, and other equally reasonable questions.

Uncritical positions on both sides do not hold much promise for a detailed examination of the relationship between religion and human rights. Yet examining this relationship continuously, intelligently, and sensitively offers some key opportunities toward understanding one of the truly anxious concerns of our time, especially in light of contemporary egregious violations perpetrated by proponents of violent extremism. In this regard, the Universal House of Justice expressed caution as early as April 2002: "With every day that passes, danger grows that the rising fires of religious prejudice will ignite a worldwide conflagration the consequences of which are unthinkable. . . ." (¶26). Though the message addresses religious leaders, it is obvious that human rights law

also needs to play a supporting role in fulfilling our collective objectives, especially inasmuch as this same text reminds us that we cannot

delude ourselves that appeals for mutual tolerance can alone hope to extinguish animosities that claim to possess Divine sanction. The crisis calls on religious leadership for a break with the past as decisive as those that opened the way for society to address equally corrosive prejudices of race, gender and nation. Whatever justification exists for exercising influence in matters of conscience lies in serving the well-being of humankind. At this greatest turning point in the history of civilization, the demands of such service could not be more clear. (¶26)

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