



Freeing *All* God's Children

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Freeing God's Children: The Unlikely Alliance for Global Human Rights by Allen D. Hertzke. Lanham, MD: Rowman & Littlefield, 2004. 419pp.

Each year since 1999 the U.S. State Department has issued a lengthy report on violations of religious freedoms around the world. In recent years, Human Rights Watch and other major rights organizations have made religious persecution one of their major foci. And the world media now pays significant attention to violations of worship rights. As a result, countries such as Sudan, China, North Korea, Uzbekistan, and others have faced international pressure for their repression of various faiths, especially Christianity.

Ten years ago, however, religious rights received little of the resources or attention which they now attract. Violations of religious freedom were not ignored, but neither were they singled out for special recognition, campaigns, and monitoring. Instead, those suffering imprisonment, torture, or killing due to religious beliefs or practices were not treated particularly differently from other victims; human rights NGOs and government rights bureaucracies documented their plight and campaigned for them but only to the extent that limited budgets, pre-existing missions, and competing concerns permitted. In this sense, victims of religious persecution were only modestly different from countless other groups that endure a variety of abuses but have not become priorities of the rights movement. While the movement has done much to reduce certain abuses, it does not value all abuses equally and does not always devote its power and resources to those who are most in need.

Religious Rights on the Rise

What has changed for those facing persecution based on religion? Why have abuses of religious freedom become a major new focus of human rights NGOs, especially those based in the United States? Allen D. Hertzke sees the rise of religious rights as the triumph of an ecumenical social movement. The movement gained most of its grassroots support from America's highly organized, if sometimes fractious conservative evangelicals. The religious right, which is primarily but not exclusively Christian, had in the past focused its energies at home. But in the mid-1990s, it mobilized

in support of Congressional action to monitor religious rights abuses and punish offenders, eventually rallying around the International Religious Freedom Act of 1998 (IRFA).¹ Powerful Christian ministers pushed for this, mobilizing their parishioners with graphic accounts of the “suffering church” overseas (22). In Hertzke’s account, other key actors included Freedom House’s Nina Shea and Michael Horowitz, a politically connected Jew who Hertzke paints as the catalyst of the movement (146). Galvanizing support among religious conservatives in Congress and, electrifying sympathetic audiences, Horowitz convinced the evangelical foot soldiers of the movement that legislative change was not only necessary but also possible. In addition, he helped activate small but influential numbers from other religions, forming a movement that, at least on its surface, appeared ecumenical (169).

According to Hertzke, the movement faced opposition most strongly from corporations anxious to invest in countries with questionable rights records (210-03). More surprisingly, mainstream human rights organizations such as Human Rights Watch and the World Council of Churches expressed deep reluctance to single out religious persecution as a discrete form of human rights violation, initially rejecting it as “special pleading” (177). But with rising attention to religious rights in Congress and the media, even traditional human rights organizations came to accept and in some cases embrace the cause of religious rights.

The first beneficiaries of this movement were the people of southern Sudan. While precise demographic figures are uncertain, much of this population is Christian. For decades, the region had been embroiled in war, pitting the Sudan Peoples Liberation Army against the northern, Islamist government.² The conflict was as much about ethnic divisions, regional autonomy, and resource allocation as about religion. Ultimately, it cost perhaps 3 million lives, mostly civilians, killed in the fighting itself or through its indirect effects—famine and disease. But until the late 1990s, the Sudanese conflict had never garnered major international attention. As a result, the warring parties had escaped strong international pressure to find a peaceful solution, even while civilians paid a terrible price.

But with growing mobilization around religious freedom in the U.S., Sudan became an ideal “poster child” for the burgeoning movement. The conflict was portrayed as a battle between radical Islam and struggling Christianity. Narratives of repression and faith by visiting Sudanese refugees personalized and dramatized the conflict to church audiences. Enslavement of Black African Christians by Muslim Arabs also became a central theme. This ignited activism by African-Americans across the political spectrum, though the morality and utility of a signature tactic—slave redemptions for cash—came into question because of fears that it in fact encouraged capture and “trading” of new victims. Meanwhile, environmentalists joined the fray when multinational oil companies working in Sudan were accused of condoning or conniving in government repression.

The result was an unlikely but powerful coalition—one that exerted significant pressure on the U.S. government to pursue a negotiated solution. Ultimately this helped push the combatants to

¹ Among its provisions, IRFA created the position of U.S. Ambassador-at-large-for International Religious Freedom, established a special State Department office to cover the issue, required issuance of annual reports about religious freedom in countries around the world, and promulgated procedures for U.S. government sanctions against violators (183-84)

² This conflict is distinct from the current conflict in Darfur, western Sudan. See note 3.

negotiate seriously, leading in 2003 to an accord and then a series of further agreements that eventually brought fighting to an end. Reciprocally, the Sudan example fueled the movement to elevate religion on the broader human rights agenda, especially in the U.S.

Too Few Rights?

Hertzke's story is fascinating and important on its own terms, even if it is told with a clear bias in favor of religious rights. But the story also has more general implications which Hertzke does not draw out. The initial neglect of religious rights as such; the world's relative indifference toward the Sudan conflict despite its horrendous toll; the rise of a movement to raise the stature of religious freedoms; its ultimate success in reshaping the landscape of human rights; and its role in bringing a fragile peace to southern Sudan—all of these exemplify broader questions that cut across the human rights field: Which of the world's numerous human rights issues galvanize the rights movement, and why?

Of course, the international agreements underlying the contemporary human rights movement are breathtaking in their scope. The language of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and numerous other international human rights documents are expansive enough to cover almost any potential issue—and certainly persecution, discrimination, or mistreatment on the basis of religion. Moreover, major rights organizations and institutions often report to some degree on violations against such aggrieved groups, at least in general terms; all of them, as human beings, suffer “human rights” abuses.

Yet the problem remains: there are numerous issues upon which the human rights movement might focus attention and resources, but it does so for only a limited few. Part of this is because the movement has restricted resources, making it impossible to examine all problems equitably, as judged by some hypothetical method of objectively comparing the real needs of abused populations. The effect, therefore, is to create competition, sometimes open, sometimes veiled, for the scarce time, personnel, and money of human rights institutions.

Moreover, pre-existing missions, concerns, tactics, and methods of key rights institutions sometimes impede expansion into new issues. It is predictable that bureaucratic inertia would play a major role among international organizations and national governments. More surprisingly, it does so as well among NGOs, although their smaller size and nondemocratic structures typically make them more quickly adaptable than larger, more representative, and therefore more cumbersome organizations. Yet entrenched thinking, ideological and cultural predispositions, and turf battles all militate against easy expansion of NGO agendas. Hertzke claims these as among the reasons that mainstream human rights organizations, with their origins in liberal social justice traditions, originally opposed the movement against religiously-based persecution. Interestingly, however, Amnesty International began in 1961 with two main foci, “guarantee[ing] the free exchange of ideas and the free practice of religion,” although it quickly focused on the former and long neglected the latter (Buchanan 2002: 591).

Finally, influential guardians of a human rights “core” have often opposed “proliferation,” “profusion,” and “inflation” of human rights, fearing that this would weaken core protections. Alston has expressed “serious concern” about new rights being “conjured up . . . as if by magic”

(Alston 1984: 607), while Ignatieff has criticized the tendency to “define anything desirable as a right” (Ignatieff 2001: 90). The result, at a practical level, is that NGOs regularly reject aggrieved groups whose claims go beyond extant conceptions of rights (Saro-Wiwa 1995; Human Rights Watch 2001).

How then do NGOs, international organizations, and states choose the rights they focus upon? Why do some forms of human rights violations become international causes *célèbres*, while others remain submerged? Even after new types of violations gain acknowledgment, which among the communities bearing them gain major international recognition?

These questions are critical for many aggrieved groups. Despite recent growth in the resources and power of the human rights movement, many such populations rightfully cry out that the world is ignoring their plight—failing to notice, report on, support, and otherwise mobilize around their particular abuses. Even if their issues receive general attention as “human rights” abuses, this may not be enough. They demand more specific acknowledgment of their plight, its causes, their identities, or their preferred remedies. This goes not only for the religious, but also for groups as varied as the physically and mentally disabled; lesbians, gays, bisexuals, and transgendered; victims of diseases such as AIDS; targets of cultural practices such as female genital cutting (FGC); India’s Dalits (Untouchables); and many others (Bob forthcoming). In the past, this problem has also certainly held for women, children, indigenous peoples, and others.

In short, almost any group united by a common grievance may feel that the broad term “human rights violation” does not capture the particularities of its oppression or suggest a remedy specific enough to solve its problems. This is particularly so for groups with a pre-existing sense of identity, whether chosen or given. Critical to the realization of this potential for new rights activism is political awakening, at least among a small cadre of the group, about the potential for human rights framing. Such mobilization is particularly inviting for those with broader political agendas. Group recognition, even through the seemingly weak mechanisms of particularized human rights reports or a specialized international rights standard, can bolster internal identity and mobilization, while increasing external resources and support. Together these can shift the balance of power in ongoing conflicts, as they have in Kosovo, East Timor, and elsewhere.

The Contentious Emergence of New Rights

Given the importance of these processes, how do “new” human rights issues come to occupy portions of the human rights terrain? Hertzke’s purpose is not to answer this broader question. Indeed, he associates early neglect of religious persecution among “mainline” Christian churches and human rights organizations with their advocacy on such issues as AIDS, homosexuality, and immigration (another example of human rights competition). Skeptics might also argue that the religious persecution case is unique, that its meteoric rise in the late 1990s is explicable primarily because of the issue’s special resonance with a powerful and well-organized interest group in American society, itself closely linked to top politicians in Congress and later the White House. Certainly, these circumstances played a critical role, even if it was still not “easy” for religious rights to gain the prominence they have recently attained. Nonetheless, the lessons of this unusual success illuminate other issues, even if they may not be readily implemented by all aggrieved groups.

Structures and Gatekeepers

Hertzke focuses both on the religious activists that reshaped human rights and to a lesser extent on the political and organizational structures within which they acted. This dual focus is quite appropriate. For many neglected rights issues, the “structure” includes major human rights NGOs and governmental rights agencies both on the national and international levels. As the rise of religious freedom and other “new” rights demonstrates, these are by no means impermeable or immune to change. Equally, however, altering these structures is not simple and does not occur uniformly in all cases. Even severe violations may sometimes have difficulty gaining recognition in the human rights community if they fail to resonate with the substantive, cultural, tactical, ethical, or organizational predispositions of rights organizations and institutions (Bob 2005).

NGOs are organizations and, like all organizations, they must concern themselves with their own funding and survival. This need not contradict their human rights missions, and it may mean that large-scale human rights tragedies will gain international attention. But given NGOs’ limited resources, their organizational needs repeatedly pose dilemmas. How much time can they devote to issues that will not attract media reporting? Do they have the resources to mount a major public education campaign on a new issue? Consciously or not, decisions on new rights issues are shaped by pre-existing commitments and worldviews. Numerous factors matter in this regard. The strategic advantage of gaining media coverage by issuing press releases portraying an issue in simple terms argues against activism on complex, multi-sided conflicts (Ron, Ramos and Rodgers 2005). Similarly, the benefits of being able to trumpet success stories sometimes militate against intervention in particularly intractable issues. These reasons may help explain why the Congo war of the late 1990s, with a death toll of perhaps 4 million, failed to spark significant NGO organizing. The legalistic origins and bent of many rights NGOs has for many decades foreclosed major activism on issues that are not easily justiciable, such as economic rights (Sikkink 2002). The growing demands for accountability to funders sometimes makes it difficult to support needy groups who lack knowledge to track expenditures (Bob 2005). Even among NGOs renowned for their autonomy from governments, cases linked in some way to American national interests will often have an advantage over others that are equally severe, judged by objective standards of abuse (Ron, Ramos and Rodgers 2005).

In most cases, as well, a handful of key organizations act as “gatekeepers” to major international activism and media reporting on “new” issues. Human Rights Watch and Amnesty International, with their resources, reach, and reputations for credibility and objectivity, play this role, in effect “certifying” new causes as important and worthy. While smaller NGOs may champion diverse issues, acceptance by the gatekeepers can open numerous new resources, journalistic reporting, and other valuable supports.

Where these gatekeepers are indifferent or actively oppose recognition of new rights, alternative routes may be available in a few cases. Thus, the influential activists promoting religious persecution legislation successfully bypassed major rights NGOs when they initially expressed indifference. But most other groups will not have such powerful allies.

The Power and Limits of Activism

While such structural factors limit the ability of new rights issues to surface, it is also the case that individual activism can make a difference. Resonance does not just happen. Rather, it is the work of individuals from aggrieved communities or highly motivated outside champions.

However, these activists are not all created equal. In the religious persecution case, Sudan's Christians were, for decades, unable to shift the human rights infrastructure on their own. By aligning themselves with the politically powerful Christian rights movement in the U.S., they gained traction. And, in Hertzke's telling, the broader movement succeeded in large part because Horowitz, a dogged, wealthy, and savvy Washington operative, both animated and expanded it beyond its conservative Christian base.

The general lesson is that individuals can make a difference in elevating new rights issues. The more accurate and specific point is that certain individuals—those with resources, connections, and knowledge—will have greater impact than others. And, in most cases, aggrieved groups will not have the “advantages” held by those suffering religious persecution. They will not attract a champion with the skills and power of Horowitz. Indeed, many will rely primarily on “indigenous” leaders who must learn by doing. These individuals too will vary greatly in such critical capacities as knowledge of English or another world language, skill with electronic communication technologies, familiarity with the media's interests, and understanding of NGOs' organizational practices and needs. Unfortunately, leaders of the neediest groups will often fare worst in these regards. Indeed, those that have not even coalesced into groups may be the most vulnerable, disadvantaging them severely in the competition for the human rights movement's limited resources. Of course, outside intervention cannot solve all human rights grievances, and in some cases may exacerbate them. Moreover, some who suffer abuses do not seek international support and effectively solve their problems through domestic institutions or mobilization. But for the many groups which seek international rights activism, there are often large impediments to obtaining it.

Rights Proliferation: Virtue or Vice?

Notwithstanding these difficulties, activists are sometimes successful in changing the structure of the broader rights agenda. For Hertzke, this “proliferation” has been a great boon, at least when it comes to religious rights. For one thing, he suggests, repression of religious groups is a “canary in a coalmine,” a reliable warning that broader societal abuses are imminent (62). This claim, of course, has also been made on behalf of other weak or minority groups—women, children, the disabled, sexual minorities—some of which continue to be orphans of the human rights movement. In addition, Hertzke suggests that expansion of the rights agenda (at least to religious persecution) may have a virtuous spillover, strengthening enforcement of all rights for all people (5).

If Hertzke is correct, one might expect the activists who champion new rights to work hard for others once they obtain some measure of their own success. Indeed, the religious persecution issue would seem a “most likely” case for this happy outcome, given the well-connected and heavily resourced coalition that won the battle for religious rights in the United States. In this view, “proliferation” far from posing a threat to the human rights “core” would actually strengthen all rights for all people.

As it happens, there is an important test of Hertzke's proposition: the ongoing conflict in Darfur. With several hundred thousand killed and millions uprooted, Darfur calls out for

international activism (though arguably no more so than other conflicts in Africa such as wars in the eastern Congo and northern Uganda). Indeed there has been some international organizing, media attention, and governmental action on Darfur. But as most activists also acknowledge, much more could be done to end Darfur's suffering.

What role has the newly activated and recently successful Christian human rights movement played in Darfur? Given the centrality of southern Sudan to the movement earlier this decade, the Darfur case would appear to be one in which the same evangelical forces could be activated relatively easily and might well be effective. In fact, however, the religious right's record in this regard has been disappointing. As Hertzke himself acknowledges in a later article (2005), right-wing Christian evangelicals have been less active in this case pitting Islamic rebels against an Islamic government. Without Christian victims, many, although by no means all, of those who were so vocal on southern Sudan have been quieter—despite the Darfur conflict's savagery and even despite allegations of government-sponsored genocide.

Of course, it would never have been easy to publicize the Darfur case, given its location and complex causes.³ But the lesson of this sad conflict as well as the more hopeful case of religious rights is that victims of violations are not all valued equally—even by religious activists who only recently found themselves outsiders to the human rights movement.

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³ Hertzke (2005) argues that the human right's movement's "triumph in the south [of Sudan] sparked the rebellion in the west" when "Darfur's rebels seized the opportunity to achieve a similar result." However, he blames this on the penchant of "militant Islamists" to "always spread disorder" when they are frustrated in pursuing their goals (Hertzke 2005, 19). This seems inaccurate in two respects. First, the Darfur rebels acted *against* the Islamists controlling Sudan's government. Second, the "moral hazard" of international intervention—for instance, of activism for the southern Sudanese spurring other discontented groups to rebel in hopes of attracting similar support—is by no means confined to the Islamic world (Kuperman & Crawford 2006).

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