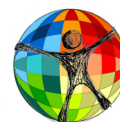


Faith-Based Organizations in Sub-Saharan Africa: Negatives, Positives, and Recommendations for Effective Promotion of Human Rights

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ABSTRACT

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 sub-Saharan Africa because of the advantages they can offer. It 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

Before I left for a summer human rights law internship in Kenya, I was given plenty of advice. A doctor told me to buy bug repellent with at least 30% DEET in order to avoid malaria. My supervisor at the non-profit at which I would be working warned me to keep my passport in a safe place at all times, lest it be stolen by a monkey. I was told to be prepared for hotter weather, a slower pace of life, different cultural customs, and a completely different working environment. Beyond all of this practical advice though, there was one other thing almost everyone seemed to mention: religion. Over and over, anyone I knew who had visited sub-Saharan Africa advised me to be ready for a work environment in which God comes first. Apparently, if I was going to spend time in Kenya doing human rights work, I had to be prepared to pray.

To most modern North Americans, the idea of mixing religion with work seems odd. Generally, North America is seen as having separation between church and state, and religious freedom is constitutionally protected in both the United States and Canada. As such, most North American workplaces do not expect or encourage any kind of religious activity. This makes sense in an increasingly non-religious part of the world: people who identify as nonreligious are now the second largest religious group in North America.¹ In the United States, the nonreligious make up almost a quarter of the population, their numbers now overtaking Catholics, mainline protestants, and all followers of non-Christian faiths.² Many North Americans have instead begun to view religion with suspicion, seeing it as a source of conflict that interferes with rationality.³ The mainstream media has a tendency to support this viewpoint and many stories of human rights being denied in the name of religion around the world are regularly

¹ Gabe Bullard, "The World's Newest Major Religion: No Religion" (22 April 2016), online: *National Geographic* <<https://www.nationalgeographic.com/news/2016/04/160422-atheism-agnostic-secular-nones-rising-religion/#close>>.

² *Ibid.*

³ Barbara Bompani, "Religion and Faith-Based Organisations in Africa: the forgotten actors" (27 Sept 2011), online: *E-International Relations* <<https://www.e-ir.info/2011/09/27/religion-and-faith-based-organisations-in-africa-the-forgotten-actors/>>.

published. From the treatment of women in Saudi Arabia⁴ in the name of Islam to Uganda passing a “kill the gays” bill in accordance with their “Christian values,” it is easy to believe that the ultra-religious are nothing more than backwards human rights abusers.⁵ These kinds of narratives led British journalist Deborah Orr to suggest that in order for all other human rights to be properly practiced, religion must come second.⁶

Since much of the international human rights framework and doctrine comes from the Global North, it is perhaps not surprising that it appears as though there is a “global” push to keep religion and human rights separate. However, in much of the Global South, religion is a crucial part of the social fabric. In a recent opinion piece on the political commentary website Open Democracy, Abamfo Ofori Atiemo explained that “most people draw on their religious belief for strength and motivation in almost every aspect of their lives.”⁷ In sub-Saharan Africa in particular, religion is actually growing, with the number of nonreligious people expected to shrink rapidly over the next 25 years.⁸ Furthermore, in Africa, much of the work that is being done for economic and social development is provided by faith-based organizations (FBOs). On the African continent a secular view to development and human rights has actually been noted to create shortcomings due to an inherent inability to connect to local contexts, communities and their beliefs, leaving FBOs to pick up the slack.⁹ FBOs make up 60 percent of USA-based international development organizations, which is significant in places like sub-Saharan Africa where many communities rely on these actors for

⁴ Adam Taylor, “The facts – and a few myths – about Saudi Arabia and human rights”, *The Washington Post* (9 February 2015), online: <https://www.washingtonpost.com/news/worldviews/wp/2015/02/09/the-facts-and-a-few-myths-about-saudi-arabia-and-human-rights/>.

⁵ Roger Ross Williams, “God Loves Uganda” (2013), online (documentary): *kanopy* < <https://www.kanopy.com/product/god-loves-uganda> >.

⁶ Deborah Orr, “For human rights to flourish, religious rights have to come second”, *The Guardian* (27 December 2013), online: <https://www.theguardian.com/commentisfree/2013/dec/27/human-rights-religious-rights-come-second> >.

⁷ Abamfo Ofori Atiemo, “In Africa, human rights and religion often go together” (12 June 2014), online: *openDemocracy* < <https://www.opendemocracy.net/en/openglobalrights-openpage/in-africa-human-rights-and-religion-often-go-together/> >.

⁸ *Supra* note 1.

⁹ *Supra* note 3.

services that the state is unable to provide.¹⁰ This begs the question of whether a secular approach to human rights work is really right for every part of the world.

Many have argued that most of the time, religion does nothing more than get in the way of human rights.¹¹ However, this is a markedly Western perspective on human rights, which has been long criticized for its assumptions that West is always best. Taking an approach that accounts for the political, social, and economic contexts of different places, those working towards human rights should recognize that in certain parts of the world, religious groups can and should play a role in the delivery of services aimed at promoting and protecting human rights. In this paper, I propose that in sub-Saharan Africa, FBOs can offer significant value to human rights work so long as they conduct their work with a mind to the key humanitarian principles of humanity, neutrality, impartiality and independence.¹² In this paper, I present a discussion of the role FBOs currently play in human rights work in sub-Saharan Africa, including both the negative and positive influences that a religious backbone can have for an organization. I then outline ways that international bodies, national governments, and FBOs themselves can ensure that the work of FBOs advances human rights.

Faith-Based Organizations in Sub-Saharan Africa: Context and Definitions

Context

The topic for this paper was inspired by my summer internship in Kenya, during which I did work on access to justice for child survivors of sexual violence in Mombasa and Meru. In the course of my internship I interacted with several non-profits linked to religious institutions, each of them advancing human

¹⁰ Dan Heist & Ram A. Cnaan, "Faith-Based International Development Work: A Review" (2016) 7:3 Religions at 1.

¹¹ "Aid without faith – is there a place for religious NGOs in the 21st century?", *The Guardian* (7 January 2015), online: <<https://www.theguardian.com/global-development/2015/jan/07/aid-without-faith-is-there-a-place-for-religious-ngos-in-the-21st-century>>.

¹² United Nations Office for the Coordination of Humanitarian Assistance, "OCHA on Message: Humanitarian Principles" (June 2012), online: OCHA <https://www.unocha.org/sites/dms/Documents/OOM-humanitarianprinciples_eng_June12.pdf>.

rights in a different manner. For example, an organization in Mombasa called Muslims for Human Rights (MUHURI) was primarily involved with advocacy for survivors, making sure that the rule of law was followed in trials against perpetrators of sexual violence.¹³ At Ripples International in Meru, my colleagues were a group of Christians who provided shelter, counselling, education and legal services to children who had been sexually abused “as inspired by the loving ministry of Jesus Christ.”¹⁴ I also spent a few weekends volunteering at the Sahajanand feeding centre in Mombasa, which provided food for approximately 4,000 children every Sunday and was closely linked to the local Hindu community.¹⁵

Definition of FBOs

While each of these organizations has a different mandate, they all have two things in common: they have a mission to improve the well-being and quality of life of people in their communities, and they draw inspiration for that mission from their religious beliefs. As pointed out by other authors who have written about FBOs, there has not been a significant amount of academic research on FBOs in general.¹⁶ The existing literature has typically looked at FBOs that provide particular kinds of services, for example medical support for people living with HIV/AIDS,¹⁷ family planning,¹⁸ or health services more generally.¹⁹ As such, a universal definition of FBOs has not yet been developed. In her article about FBOs that provide health services in sub-Saharan

¹³ “What We Do” (2018), online: *Muslims for Human Rights* <<http://www.muhuri.org/muhuri/>>.

¹⁴ “Our Promise, Vision, Mission and Goals” (2017), online: *Ripples International* <<http://www.ripplesintl.or.ke/our-promise-vision-mission-goals/>>.

¹⁵ “HDH Acharya Swamishree’s Visit to Sahajanand Feeding Centre,” online: *Shree Swaminarayan Temple Nairobi* <<https://www.swaminarayangadi.com/nairobi/news/news.php?id=3522>>.

¹⁶ *Supra* note 10 at 9.

¹⁷ Erasmus Otolok-Tanga et al, “Examining the actions of faith-based organizations and their influence on HIV/AIDS-related stigma: A case study of Uganda” (2007) 7:1 *African Health Sciences* (NCBI).

¹⁸ Sneha Barot, “A Common Cause: Faith-Based Organizations and Promoting Access to Family Planning in the Developing World” (2013) 16:4 *Guttmacher Policy Review* (Guttmacher Institute).

¹⁹ Alyson B. Lipsky, “Evaluating the Strength of Faith: Potential Comparative Advantages of Faith-Based Organizations Providing Health Services in sub-Saharan Africa (2011) 31 *Public Administration and Development* (Wiley Online Library).

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 organizations that are, just like their secular counterparts, trying to improve the life conditions for people in the communities they are serving.²² Thus, the working definition of an FBO for this paper is any non-profit organization with a central religious core that provides services aimed at bettering the lives of the community they are serving.

Definition of Human Rights Work

As I noted in the introduction, this paper examines the contributions that FBOs can have to furthering human rights in sub-Saharan Africa specifically. In this context, these organizations primarily work to protect human rights through initiatives aimed at improving economic or social development. Broadly speaking, the field of international economic and social development includes, but is not limited: to activities which promote literacy, vocational education, higher education, human rights, political freedom, reduced poverty, secure housing, sustainable development, social infrastructure, health promotion, and quality of life or subjective well-being.²³

Within the world of international development, there are further categories to consider, namely the distinction between the welfare/charity approach and the human rights approach. In the charity model, non-profits essentially deliver the public goods or services that the state cannot, without much focus on sustainable solutions for eradicating the root causes of these shortages.²⁴ An alternative model is the human rights model, which uses the

²⁰ *Supra* note 19 at 1.

²¹ *Supra* note 10 at 2.

²² *Ibid* at 14.

²³ *Ibid* at 2.

²⁴ Raymond C. Offenheiser & Susan H. Holcombe, “Challenges and Opportunities in Implementing a Rights-Based Approach to Development: An Oxfam America Perspective” (2003) 32:2 Nonprofit and Voluntary Sector Quarterly at 270-272.

promotion of human rights to achieve development worldwide.²⁵ Based on my personal experience working with FBOs as well as what I observed in the course of the research for this paper, it is fair to say that many FBOs in sub-Saharan Africa operate using a combination of these approaches. While many have an emphasis on promoting human rights as understood by international standards, there is also a distinct presence of the charity-based model, in which services and goods are being provided to communities that cannot otherwise access them. However, regardless of the model, these organizations address many fundamental human rights through their work.

Definition of International Human Rights Standards

I also recognize that any discussion of human rights must acknowledge the long-standing debate surrounding the current international human rights framework. The United Nations (UN) has defined human rights primarily through the International Bill of Human Rights, which is made up of the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). There are also other human rights instruments that have been adopted since 1945 which provide additional specific legal protections. Some examples include the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the Convention on the Rights of Persons with Disabilities (CRPD), and the Convention on the Rights of the Child (CRC).²⁶ The human rights outlined in these documents are meant to represent international standards.

While many governments around the world have explicitly accepted these human rights standards and seek to incorporate them into their domestic laws, some critics have gone so far as to call the UN human rights framework a kind of neo-imperialism which imposes Western values over the cultural or religious beliefs

²⁵ United Nations Development Programme, "Applying a Human Rights-Based Approach to Development Cooperation and Programming: A UNDP Capacity Development Resource" (2006), online (pdf): <
http://waterwiki.net/images/e/ee/Applying_HRBA_To_Development_Programming.pdf>.

²⁶ United Nations Human Rights Office of the High Commissioner, "The Core International Human Rights Instruments and their monitoring bodies", online: OHCHR <
<https://www.ohchr.org/EN/ProfessionalInterest/Pages/CoreInstruments.aspx>>

of all others.²⁷ It has long been recognized that the primarily Western countries behind the drafting of these international declarations and conventions prioritize the rights about which they care the most, without attempting to take an impartial approach to enforcement.²⁸ There is an ongoing discussion of whether or not it is really possible to have a “universal” understanding of human rights given the great diversity of the world.²⁹ In conducting research for this paper, I have found myself persuaded by both sides of this argument, and acknowledge that there is definitely room for the international human rights framework to become more inclusive and less paternalistic. However, for the purposes of this paper, the “fundamental human rights” to which I refer are those outlined by the UN in their various conventions above.

Sources

Finally, I would like to make a note about the sources that are used in this paper. While increased attention to FBOs by international bodies and national governments has led to more academic interest in the past ten years, there is still a relative dearth of empirical research on the direct connection between FBOs and human rights. However, I discovered that a lot of discourse on FBOs can be found in less formal media, such as opinion sections of newspapers, online political discussion forums, and blogs. In most cases, these articles are being written by experts in the field, primarily professors, journalists, or faith leaders looking to engage with others interested in this topic. For this reason, in addition to traditional academic sources, this paper references these types of media throughout.

The Negatives of Faith-Based Human Rights Work

Before I argue that faith-based organizations can play an important and positive role in the advancement of human rights, I

²⁷ William F.S. Miles, “Strange Bedfellows at the United Nations: African Religions, Human Rights Covenants, and Faith-Based Initiatives for Peace and Development” (2019) 17:2 *The Review of Faith & International Affairs* at 27 (Taylor & Francis Online).

²⁸ Eric Posner, “The case against human rights”, *The Guardian* (4 December 2014), online: < <https://www.theguardian.com/news/2014/dec/04/-sp-case-against-human-rights> >.

²⁹ Kenneth Cmiel, “The Recent History of Human Rights” (2004) 109:1 *The American Historical Review* at 119.

must address some of the negative drawbacks to mixing human rights work with a religious foundation. An example that has recently captured worldwide attention is that of American, right-wing evangelical groups pouring money into FBOs in Uganda that helped to pass the draconian “kill the gays” bill there in 2014.³⁰ Christian FBOs that mobilize activists and lawyers to lobby against the human rights of LGBTQ+ populations have become increasingly common in sub-Saharan Africa, resulting in governments passing bills that explicitly violate human rights for gay and queer people living in those countries. There are also non-profits such as the Center for Family and Human Rights, a US-based non-profit founded by the Catholic Church, which “monitor and affect” major UN social policy debates to discredit “socially radical” proposals.³¹ These examples demonstrate that despite the UN developing a definitive human rights framework, there are still many organizations that use law and advocacy as a tool to promote an entirely different idea of human rights.

These more extreme examples of flagrant human rights violations are being carried out primarily by small, highly evangelical groups whose overall contribution to international social and economic development is marginal.³² However, there have been other examples of ways FBOs may negatively impact the human rights agenda in sub-Saharan Africa. The following discussion will outline a few major problems that can arise when a non-profit is heavily connected to a particular religious institution.

Promoting an Agenda

While a growing number of FBOs claim to be serving populations indiscriminately with no ulterior motive beyond protecting human rights, many still do have a missionary component to their work. While they may coordinate charity, deliver services, and ultimately advocate for human rights in the course of their work, problems can arise when they are also trying to convince the people they are helping to convert. Some critics have pointed out that religious NGOs, particularly those associated with the evangelical Christian faith, perpetuate a form

³⁰ *Supra* note 5.

³¹ “Mission Statement”, online: Center for Family & Human Rights < <https://cfam.org/about-us/mission-statement/> >.

³² *Supra* note 10 at 10.

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.³³

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 drafting a new constitution. An American Christian law firm called The American Center for Law and Justice (ACLJ) decided to create a Zimbabwean counterpart known as the African Centre for Law and Justice, where they trained local lawyers to ensure that Christian values would be worked into the country's new constitution. The African Centre teamed up with the locally based Evangelical Fellowship of Zimbabwe to advocate for constitutional language which affirmed the nation as a Christian state. The ultimate result of this effort was a constitution that continues to keep homosexuality illegal.³⁴

Human Life International (HLI), a radical Catholic group that pursues its mission by advocating "in the public square for a clear understanding of authentic, basic, fundamental human rights granted to all people by God,"³⁵ regularly holds conferences, distributes literature and sets up relationships with African religious leaders. This organization, which is staunchly against abortion, stem-cell research, euthanasia and contraception, has had a hand drafting the constitution in both Zambia and Kenya. It also has a major influence over politics in the Congo and the Democratic Republic of the Congo, where it has ensured that any attempts to decriminalize abortion are unsuccessful.³⁶ Ironically, these far-right Christian groups often employ rhetoric that abortion and homosexuality are "anti-African" ideas from the West that

³³ *Supra* note 11.

³⁴ Nathalie Baptiste & Foreign Policy In Focus, "It's Not Just Uganda: Behind the Christian Right's Onslaught in Africa", *The Nation* (4 April 2014), online: <<https://www.thenation.com/article/its-not-just-uganda-behind-christian-rights-onslaught-africa/>>.

³⁵ "Our Mission", online: *Human Life International* <<https://www.hli.org/about-us/our-mission/>>.

³⁶ Alex Pearlman, "How the US Christian right influences abortion policy in Africa", *Public Radio International* (23 August 2012), online: <<https://www.pri.org/stories/2012-08-23/how-us-christian-right-influences-abortion-policy-africa>>.

will destroy their traditional cultures.³⁷ 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.³⁸

These examples show how FBOs can work to promote an agenda that ultimately does not align with international human rights standards and may even negate work that has been done to advance them. In the Congo, for example, there are over 1,100 women raped per day.³⁹ I learned on the first day of my internship that a girl or woman is raped every 30 minutes in Kenya.⁴⁰ This prevalence of sexual violence, much of which often leads to unwanted pregnancy, is common in many countries in sub-Saharan Africa. Experts at the World Health Organization (WHO) say that access to safe and legal abortion will drastically reduce the number of unwanted pregnancies and maternal mortality.⁴¹ From a public health perspective, research shows that access to safe abortion can have huge benefits for human rights.⁴² However, FBOs may favour their own religious views over data-driven and science-based evidence, which ultimately poses a challenge to many human rights objectives.

Exclusion or Abuse of Certain Groups

Another issue with FBOs is their potential to be selective with the populations they serve. Faith-based organizations working on sexual health in sub-Saharan Africa have been shown to sometimes discriminate against certain populations.⁴³ In countries with high rates of HIV/AIDS, some conservative Christian FBOs promote abstinence-only projects, and only promote condoms to high-risk populations such as men who have

³⁷ *Supra* note 36.

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ “160 Girls Project” at 00h:00m:23s, online (video): 160 Girls Project <
<https://160girls.org/videos/>>.

⁴¹ *Supra* note 36.

⁴² Marge Berer, “Abortion Law and Policy Around the World: In Search of Decriminalization” (2017) 19:1 Health and Human Rights Journal 13(NCBI).

⁴³ Jon O’Brien, “Can faith and freedom co-exist? When faith-based health providers and women’s needs clash” (2017) 25:1 Gender & Development at 38 (Taylor & Francis Online).

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.⁴⁴ Some FBOs may even refuse service to these groups altogether.⁴⁵ 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.⁴⁶

Beyond sex workers and people from the LGBTQ+ community, there are other groups that may face abuse by FBOs. In Ghana, people deemed to be witches by their communities are sent to faith-based “witch camps” run by FBOs for protection and in some cases, rehabilitation.⁴⁷ Women may wind up staying separated from their communities in these witch camps for close to 40 years with no access to education and poor food security.⁴⁸ In the same country, there exist “prayer and healing” camps, primarily for people with mental health issues that have been deemed by their communities to be cursed or possessed by demons. There have been reports from these camps of inhumane practices including forced fasting and extremely unhygienic conditions. The UN expert on torture observed children in shackles and other detainees chained to the floor at one of these camps, and several international advocacy groups have raised serious concerns about their existence.⁴⁹

These are just a few examples of how FBOs use their ideological agendas to further marginalize certain groups within sub-Saharan Africa that are already subject to extreme prejudice and mistreatment. In these cases, FBOs use their religious beliefs to justify work that causes further suffering to certain populations, in contrast with the goal of the international human rights framework.

⁴⁴ *Ibid* at 46.

⁴⁵ *Ibid*.

⁴⁶ *Supra* note 17 at 55.

⁴⁷ *Supra* note 7.

⁴⁸ Sara Pierre, “Human Rights Violations and Accusations of Witchcraft in Ghana” (2018) 6:1 International Human Rights Internship Program Working Paper Series at 14.

⁴⁹ Shantha Rau Barriga, “The (In)human Dimension of Ghana’s Prayer Camps” (10 October 2014), online: *Human Rights Watch* <<https://www.hrw.org/news/2014/10/10/inhuman-dimension-ghanas-prayer-camps>>.

Limits on Service

Along with placing limits on who the organization will help, FBOs may have certain parameters around the kinds of services they will offer according to their religious beliefs. This is particularly critical when it comes to FBOs that provide health services in sub-Saharan Africa. While there are many FBOs that do recognize the benefits of family planning (e.g. United Methodist Church, Islamic Relief, the Christian Health Associations of Africa, World Vision), there are still plenty of conservative religious groups that will not support this technique that has been proven to improve maternal and child health goals.⁵⁰ Some faith traditions, particularly evangelical Christians, consider intra-uterine devices (IUDs) and emergency contraception to be a form of abortion and refuse to educate communities about them despite the assurance of the medical community of their safety.⁵¹ There are also FBOs that will not provide family planning to unmarried couples or assist at facilities that provide access to abortion.⁵² FBOs continue this behaviour despite a major unmet need for contraception in the world, which if corrected is estimated to prevent 21 million unplanned births, 26 million abortions, nearly 80,000 maternal deaths and one million infant deaths.⁵³

Human rights, particularly as they relate to health, were challenged by religious groups in Nigeria in the early 2000s as well. At the time, Nigeria remained one of only seven countries in the world where polio was still endemic. Despite global health and poverty reduction discourses that recognize immunization as one of the most affordable and effective means of reducing child mortality, Nigeria's Muslim community developed a conspiracy theory that polio vaccines were deliberately contaminated with anti-fertility agents and the HIV virus as part of a plot by Western governments to eliminate Muslims.⁵⁴ Many leaders of Muslim FBOs actively worked against the vaccine being brought into the country.⁵⁵ The controversy ultimately lasted 16 months, during

⁵⁰ *Supra* note 43 at 42.

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ *Ibid.*

⁵⁴ Maryam Yahya, "Polio Vaccines – 'No Thank you!' Barriers to Polio Eradication in Northern Nigeria" (2007) 106:423 *African Affairs* at 186.

⁵⁵ James Olumide Olufowote, "Identity Constructions and Inter-Organizational Collaboration: Islamic Faith-Basesd Organizations and the Polio Vaccination Stoppage in Northern Nigeria" (2016) 64:5 *Communication Quarterly* at 518.

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.⁵⁶

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.⁵⁷ 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.⁵⁸ 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 if they suggest that secularity should supersede religion.⁵⁹

The reality is that sub-Saharan Africa relies on non-profits and other aid organizations for the health, dignity, and human rights of their people to be upheld and protected. When they are serving communities that have already recognized religious institutions as providers of care and protectors of rights, organizations that are an extension of these institutions should be welcomed. Beyond the fact that many FBOs offer comparable services to their secular counterparts, they also have some advantages when it comes to advancing human rights. The

⁵⁶ *Supra* note 54.

⁵⁷ *Supra* note 7.

⁵⁸ *Ibid.*

⁵⁹ *Supra* note 3.

following section outlines the various advantages that FBOs can have over secular organizations providing aid and advancing human rights.

Resources

One of the greatest advantages that FBOs have over their secular counterparts is their ability to garner resources, both monetary and human. First of all, FBOs have been shown to be much better at soliciting donations than their secular counterparts. In 2013, the four international development organizations with the largest amount of private support were all FBOs: Food for the Poor with \$891.4 million, World Vision with \$826.9 million, Feed the Children with \$613.7 million, and Compassion International with \$596.1 million.⁶⁰ Private donations for FBOs are typically collected from congregations of the various faith traditions during worship service, often for an international relief effort tied to that place of worship or tradition.⁶¹ This is a particularly effective means of raising money because research shows that donors want to give their money to organizations that align with deeply held personal values such as their religious beliefs. Private donors also prefer organizations that will result in them being more favourably perceived within their social group and many religious institutions create strong and deep social networks.⁶²

Another advantage that FBOs have over their secular counterparts is the human resources they can attract. Cheaper travel and increased opportunities have led to more international volunteers participating in volunteering projects around the world. In 2006, 8,000 of the 43,000 Americans engaged in long-term international volunteering were affiliated with specific FBOs like Habitat for Humanity, Catholic Relief Services, and the Presbyterian Hunger Program. This number does not include missionaries whose primary goal is to spread the religion of the sending agency while also carrying out economic or social development initiatives, nor does it include religiously motivated volunteers. For volunteers that spent all or almost all of their time

⁶⁰ *Supra* note 10 at 8.

⁶¹ *Ibid.*

⁶² Richard Pulido, "What Secular Nonprofits Can Learn from Religious Donors" (2018) 10:1-2 *Journal of Multidisciplinary Research* at 129, 131.

from 2007 to 2012 volunteering abroad, 45.4% were with FBOs.⁶³

Access to international volunteers gives FBOs the ability to employ low-cost labour that helps minimize costs so as to better fund services. Between their monetary and human resources, FBOs are capable of doing a lot of meaningful, high-quality work in sub-Saharan Africa.

Potential Influence on Staff Mental Health

Compassion fatigue, burnout, and depression are all common among people working in any kind of caregiving capacity. People working in health, development, or other human-rights related fields in sub-Saharan Africa are especially vulnerable to mental health issues. A report conducted by the Antares Foundation in 2013 found that 30% of aid workers had experienced PTSD.⁶⁴ While both international and national aid workers have been shown to suffer negative effects on their mental health, conditions like PTSD, depression and anxiety are higher in workers who are a native of the country in which they are working.⁶⁵

Many studies have demonstrated that religion and spirituality can have a positive impact on a person's ability to cope with stress and burnout, especially in professions which require work of a highly emotional or sensitive nature. Religion has been found to be a useful tool for stress management and improved mental health of physicians,⁶⁶ nurses,⁶⁷ and aid workers.⁶⁸ Research across the world has shown evidence of religion as a useful tool for coping with highly stressful or upsetting situations.

⁶³ *Supra* note 10 at 8.

⁶⁴ Kaine Pieri and Caroline Brenière, "Rising mental health issues among humanitarian workers", *France 24* (14 May 2018), online: <https://www.france24.com/en/20180513-mental-health-struggles-humanitarian-sector-ngos-ptsd-msf-unchr-oxfam>.

⁶⁵ Hannah Strohmeler et al, "Factors associated with common mental health problems of humanitarian workers in South Sudan" (2018) 13:10 *PLoS One* at 9.

⁶⁶ Elena Salmoirago-Blotcher et al, "An exploration of the role of religion/spirituality in the promotion of physicians' wellbeing in Emergency Medicine" (2016) 3 *Preventive Medicine Reports* (NCBI).

⁶⁷ Pauline Bakibinga et al, "The role of religion in the work lives and coping strategies of Ugandan nurses" (2014) 53:5 *Journal of Religion and Health* (JSTOR).

⁶⁸ *Supra* note 65.

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.⁶⁹

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 Africa, there has not yet been an empirical study conducted on whether the staff at FBOs actually suffer less burnout and other mental health related issues than those who do not work at FBOs. This is a gap in the research that would be useful to fill to better understand FBOs and the work that they do.

⁶⁹ *Supra* note 67 at 1343.

Connections with Local Communities

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.⁷⁰ 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.⁷¹ 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.”⁷²

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.⁷³ As the UNHCR declared in its *Partnership Note On Faith-Based Organizations, Local Faith Communities and Faith Leaders* 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.”⁷⁴

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

⁷⁰ *Supra* note 10 at 5.

⁷¹ *Ibid.*

⁷² *Ibid.*

⁷³ Bernard Appiah, “Handle with (faith-based) case” (2013) 185:5 Canadian Medical Association Journal at 1 (CMAJ).

⁷⁴ United Nations High Commissioner for Refugees, “On Faith-Based Organizations, Local Faith Communities and Faith Leaders” (2014) at 8, online (pdf): UNHCR < <https://www.unhcr.org/539ef28b9.pdf> >.

United Nations including the United Nations Environment Program (UNEP),⁷⁵ the United Nations Development Program (UNDP),⁷⁶ and the United Nations High Commission on Refugees (UNHCR)⁷⁷ 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.⁷⁸ 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.⁷⁹ Furthermore, five years ago, the UN began hosting an *Annual Symposium on the Role of Religion and Faith Based Organizations in International Affairs* 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.

⁷⁵ United Nations Environment Programme, "Engaging with Faith-Based Organizations" (2018), online (pdf): UNEP <<https://wedocs.unep.org/bitstream/handle/20.500.11822/25989/UNEP%20Strategy%20Engaging%20FBOs.pdf?sequence=1&isAllowed=y>>.

⁷⁶ United Nations Development Programme, "UNDP Guidelines on Engaging with Faith-Based Organizations and Religious Leaders" (2014) at 10-11, online (pdf): UNDP <https://www.undp.org/content/dam/undp/documents/partners/2014_UNDP_Guidelines-on-Engaging-with-FBOs-and-Religious-Leaders_EN.pdf>.

⁷⁷ Supra note 74.

⁷⁸ The World Bank, "Faith Based and Religious Organizations", online: *The World Bank* <<https://www.worldbank.org/en/about/partners/brief/faith-based-organizations>>.

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.

The Role of International Bodies

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 *High Commissioner's Dialogue on Protection Challenges* 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.⁸⁰ 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."⁸¹ 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.

⁸⁰ *Supra* note 74 at 6.

⁸¹ *Supra* note 74 at 14.

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.⁸² 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.⁸³ 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.

The Role of States

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.”⁸⁴ He notes that in some areas, certain

⁸² *Supra* note 76 at 11.

⁸³ *Supra* note 75.

⁸⁴ Adem Kassie Abebe, “Religion and human rights – partnership with a dose of pragmatism” (18 December 2014), online: *Open Global Rights* <

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 research presented in this paper shows that in places like sub-Saharan Africa especially, religion plays such a crucial role in the daily life and general well-being of the population that it simply cannot be ignored. Abebe therefore calls for a “selective and limited use of religion in the human rights movement.”⁸⁵

For Abebe, the most effective way to do so is through solid domestic laws that protect human rights. For example, in the constitution of both Tunisia and Somalia, Islam is recognized as the state religion and acknowledged as playing a potential role in shaping laws and state action.⁸⁶ However, despite the fact that the constitution explicitly recognizes religion’s importance in the country’s social and legal affairs, religious leaders do not have any authority to invalidate laws based on real or perceived incompatibilities with Islam. The constitutions were designed with mechanisms to enforce the human rights guarantees as set out in them while also explicitly acknowledging religion’s important role to their population.

Many FBOs work closely with states in delivering services to populations and may rely on them for funding. Omobolaji Ololade Olarinmoye suggests that states should design clear criteria for partnership with FBOs, making it known that FBOs will not receive funding unless their practices respect all human rights regulations as set out in the local and international laws.⁸⁷ States may also play a role in staff recruitment for FBOs with which they intend to engage to ensure that they are staffed by people who will perform their duties with a mind to the country’s human rights standards. Another one of Olarinmoye’s suggestions is that states clearly identify evaluation mechanisms for follow-up with FBOs that are found to be violating human rights in the course of their work.⁸⁸ This is in line with my previous suggestion regarding international bodies, and the need for clear evaluation

<https://www.openglobalrights.org/religion-and-human-rights-partnership-with-dose-of-pragmatism/>>.

⁸⁵ *Ibid.*

⁸⁶ *Ibid.*

⁸⁷ Omobolaji Ololade Olarinmoye, “Faith-Based Organizations and Development: Prospects and Constraints” (2012) 29:1 Transformation: An International Journal of Holistic Mission Studies at 10.

⁸⁸ *Supra* note 87 at 10.

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.

The Role of FBOs

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.

FBOs seem to have a negative impact on human rights when they choose to follow their religious beliefs over scientific truths. In the example discussed of Christian FBOs refusing to endorse abortion or Islamic FBOs participating in the rejection of the polio vaccine, it is clear that there is no deference being paid to science. This could be because many FBOs are currently quite distanced from the world of scientific research. Finding ways to bring FBOs into the world of scientific research could be an effective way for them to engage with the scientific community. There should be an emphasis on adopting a view of religion that more closely resembles a “dialogue position,” in which science and religion can be in a “graceful duet” instead of working against each other.⁸⁹

Chisara N. Asomugha et al. propose the idea of identifying faith leaders who are also trained health professionals and researchers to help bridge the gap between the science community and FBOs.⁹⁰ A faith-based health research network could be developed in which FBOs would play a larger role in scientific research by developing an increased capacity for

⁸⁹ Helen De Cruz, “Religion and Science” (2019), online: *The Stanford Encyclopedia of Philosophy* < <https://plato.stanford.edu/cgi-bin/encyclopedia/archinfo.cgi?entry=religion-science> >.

⁹⁰ Chisara N. Asomugha et al, “Faith-Based Organizations, Science, and the Pursuit of Health” (2011) 22:1 *Journal of Health Care for the Poor and Underserved* at 2-3.

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.⁹¹ Applying historical criticism to religious texts, readers ask questions like who wrote the text, when was it written, what else was happening in the world, and what was the authorial intent in that time and place.⁹² By applying this approach, FBOs can ensure that they are applying scripture in a way that is appropriate to the context they are currently working in. There are many instructions in the Bible and the Quran that no longer make sense to follow in any part of the modern world, including passages which condone extreme violence, rape, and slavery.⁹³ FBOs ought to take an approach to interpreting religious scripture which focuses on their religions’ commandments to help others without judgment, take care of the poor and the sick, and offer hospitality and love.

The 2012 UNHCR Dialogue on Faith and Protection finished with the creation of an affirmation for faith leaders to use

⁹¹ “Historical criticism” in *Encyclopaedia Britannica* (Encyclopaedia Britannica, 2014), online: < <https://www.britannica.com/art/historical-criticism-literary-criticism>>.

⁹² “What is Historical Criticism?”, online” Queer Grace < <http://queergrace.com/historical-criticism/>>.

⁹³ Jeremy Myers, “11 Bible Verses That Turn Christians Into Atheists” (27 April 2016), online (blog): Patheos < <https://www.patheos.com/blogs/unfundamentalistchristians/2016/04/11-bible-verses-that-turn-christians-into-atheists/>>.

in their work with displaced persons. These sixteen affirmations, which all begin with “I,” set out basic rules for how faith leaders should interact with refugees. For example, the first affirmation reads: “I will welcome the stranger. My faith teaches that compassion, mercy, love and hospitality are for everyone: the native born and the foreign born, the member of my community and the newcomer.”⁹⁴ These affirmations, which read much like a prayer, make reference to the ways in which all major religions ultimately incorporate equal treatment and human rights for every human being into their mandates. FBOs should incorporate similar affirmations that draw from both religious sources and international human rights standards into their mandates and training.

Conclusion

The topic of religion is one that can be polarizing when it relates to human rights, especially in the West where statistics show that people are becoming increasingly secular. There are many examples of FBOs in sub-Saharan Africa that have actively worked against initiatives that advance human rights because they did not accord with their specific religious beliefs. FBOs that prevent human rights for certain groups are not acceptable. Nevertheless, it is worth noting that the examples in this paper of FBOs violating international human rights represent only a small number of the overall number of FBOs, most of which are doing essential human rights work in their communities. It should also be considered that secular non-profits are not immune from corruption, mismanagement, or promoting a particular agenda either. Take for example the completely secular USAid, which operates around the world with a mission to promote and demonstrate “democratic values abroad, and advance a free, peaceful, and prosperous world” through international development and disaster assistance.⁹⁵ This organization has been accused many times of being a form of neo-imperialism that uses humanitarian aid organizations as tools of diplomacy and intelligence. USAid even went so far as to administer a fake hepatitis B vaccination program in Pakistan to help locate Osama

⁹⁴ *Supra* note 74 at 18.

⁹⁵ “Mission, Vision and Values”, online: USAid < <https://www.usaid.gov/who-we-are/mission-vision-values>>.

bin Laden.⁹⁶ While this is obviously an extreme example of an NGO with an ulterior motive, it can be argued that even secular non-profits are involved in some form of conversion by their attempts to educate locals to think more like people in the West so that they can handle complex issues affecting them and their communities.⁹⁷

FBOs have as much potential to either help or harm their target communities as any other kind of NGO. As this paper outlined, they can have a negative impact when they are too focused on promoting a religious agenda, denying service to certain groups, or refusing to offer particular kinds of services. On the other hand, FBOs have many positive advantages over secular organizations. They usually have a connection to religious institutions and communities that allow them to garner significant resources for their projects and programs. Their incorporation of religion into their work may motivate staff to be more committed and thus offer higher-quality services. Perhaps most importantly, FBOs often have a significant connection to their communities that makes the populations they are serving trust them more than they would a similar organization that was not religious. For these reasons, it is clear that FBOs can and should play a role in advancing human rights in sub-Saharan Africa.

FBOs that provide humanitarian aid, development assistance, and do other work designed to protect and promote human rights in sub-Saharan Africa must do so while respecting the key tenets of humanitarian assistance: humanity, neutrality, impartiality and independence.⁹⁸ As the UN continues to develop strategies for working with these essential providers of assistance and aid, it should also work to create some kind of monitoring mechanism to halt FBOs who may be actively working against human rights. Individual states must also protect human rights through their laws. FBOs themselves should operate in a manner that defers to science where appropriate and applies a historical-critical approach to religious scripture. These steps will ensure that FBOs effectively advance the global human rights agenda.

⁹⁶ "How the CIA's Fake Vaccination Campaign Endangers Us All", *Scientific American* (1 May 2013), online: <https://www.scientificamerican.com/article/how-cia-fake-vaccination-campaign-endangers-us-all/>.

⁹⁷ *Supra* note 10 at 12.

⁹⁸ *Supra* note 12.

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