

## **The Loyal Opposition: A Commonwealth Contribution to Governance**

Sherrie Steiner, Assistant Professor of Sociology  
Anthropology and Sociology Department  
Indiana University Purdue University Fort Wayne  
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**SLIDE 1:** Thank you for the invitation to be here today. I have just come from the International Studies Association meetings where I used the concept of loyal opposition in a panel addressing religion at the United Nations to explain why their guidelines for engagement with Faith Based Organizations are too narrow.

**SLIDE 2:** I referred to the series of summits of which these meetings are a part to illustrate how the narrowness of those guidelines inhibit dialogue with people such as yourselves who seek a new avenue for engagement with states via shadow summits. It is important to note that the summit process has always had participants who *do* fit within the UN guidelines for engagement and are registered with ECOSOC such as Religions for Peace, World Faiths Development Dialogue, World Vision and Bread for the World, to name a few. But we have also had participants who do *not* fit within the UN guidelines for engagement with FBOs and this broader involvement has influenced the content of

the program. I am not necessarily suggesting that the UN change its guidelines for engagement because they exist for good reason. I am seeking to explain how ‘the power of rules and the rule of power’ in the UN system has ‘organized out’ certain voices that has created a blind spot so big that even highly educated, cosmopolitan-minded professionals have yet to be formally recognized for dialogue despite ‘knocking on the door’ at their own expense for over a decade.

**SLIDE 3:** I have watched as other shadow summits, many of whom are newly emergent, have obtained official recognition by the G20 (See Figure 1). The following comments are intended to offer some insight into why official recognition has not yet been forthcoming, and to offer a governance framework for highlighting how the global community might benefit from creating new avenues for dialogue with groups such as this.

**SLIDE 4:** At the UN, to be considered for official engagement, faith-based actors have to be legally registered entities in a UN member state, have no criminal record and not be on any country’s ‘terror list’

(UNFPA 2008). More than 300 FBOs have successfully registered, so sheer necessity dictates that the UN System be selective (Haynes 2014). UN agencies are encouraged to only engage with faith partners that have already partnered (or are vouched for by prior partners), that affirm human rights, that get involved in development issues, that reflect cultural diversity, balance gender representation and use open and accountable governance structures (Karam 2016:367). These guidelines have encouraged formation of a loose network of peers on religion and development for implementation of the *2030 Agenda* (UN 2015). This is itself historically unprecedented and something well worth celebrating as an advance (Karam 2016: 374).

**SLIDE 5:** But there are also UN guidelines for disengagement. UN actors are encouraged to ‘vigilantly monitor’ equitable social inclusion and are cautioned against ‘over-moralizing’ the Development Agenda and partnerships (Karam 2016:374-375). “What needs to be avoided,” says the Senior Culture Advisor to UNFPA, “is the prioritization of moral agency over actual service provision” (Karam 2016:376). UN

personnel are advised to avoid NGOs cloaked in the garb of religion that have a questionable track record of management and delivery, that do not share common ground with UN values (UNDP 2014b:3), and to recognize that religious institutions are themselves vulnerable to changes in authority and legitimacy (Karam 2010). To reduce the “risk to UNDP reputation” that might come with engaging in delicate dialogue with FBOs, personnel are to avoid FBOs and religious leaders who discriminate against members of other faiths or those they consider irreligious, who engage in stigma and discrimination, who exploit vulnerable groups, who support gender inequality, who have a closed governance structure, or who connect with violent extremist groups (UNDP 2014b: 9-10).

**SLIDE 6:** British scholar Jeffrey Haynes, has identified an engagement bias of religion in the UN system. Between 58% and 75% of the FBOs registered with ECOSOC are north-based and Christian (Haynes 2014:2). Muslim engagement in the UN refugee system (UNHCR) is significantly underrepresented despite religion being an important

dimension of the current forced migration of more than 65 million people (Marshall, et al. 2016). The orientation taken toward religion by the UN is commonly critiqued for favoring “particular social forms of religion, not to mention religious traditions” (Weiner 2010:295).

Engaging with religion through a governing body-based lens has the unintended consequence of rendering people groups invisible and contributing to discrimination against religious minorities, in particular.

If UN partnership with religion requires that FBOs take a cooperative stance, how will state actors ever hear challenges to practices of state intimidation, discrimination and violence towards people on account of their religion or belief? The ‘guidelines for engagement’ effectively insulate state actors from accountability for state practices of religious intolerance, and inadvertently promotes silence around the state’s responsibility to protect people from persecution by non-state actors on account of their religion or belief.

**SLIDE 7:** The governance bias associated with the UN guidelines for engagement with religion creates governance blind spots particularly as

it pertains to religious minorities which may not have the infrastructural capacity or normative framework to fit within their guidelines. Case studies document that when it comes to freedom of religion, abuse often targets religious minorities, only some of whom are listed here (Evans, et al. 2014). Victims and perpetrators can quickly alternate in regions where religious persecution is pervasive and widespread (Grim and Finke 2011; Pew Research Center 2012a). Religious discrimination is ubiquitous (Pew Research Center 2016). Since 1990, discrimination against religious minorities of every major sect, in every world region, has increased (Fox 2018). The UN has created the UN Special Rapporteur as an avenue for redress, but Rapporteurs are unpaid, part-time appointments who, though supported by the Office of the High Commissioner for Human Rights, have to find the time to undertake the role as best they can within their existing workloads. As Ghana-Hercock from the *All Parliamentary Panel* has pointed out, “It seems that the sum total of focused international institutional means to promote and protect the freedom of religion or belief...through the United Nations Charter mechanisms, comes down to a solitary, unpaid, part-

time appointment. This hardly seems an appropriate response in the light of the evidence of so many serious violations of the declaration.”

(Ghanea-Hercock 2014:32) The resourcing of avenues for redress clearly does not match the scale of the problem (Evans, et al. 2014), the inadequacy of which may be a contributing factor influencing religious extremism. Brian Grim and Roger Finke (2011) have documented an empirical correlation between high levels of governmental restrictions on freedom of religion or belief and levels of communal violence and social unrest. When states restrict or passively allow citizens to practice ongoing hostility toward particular religious minorities, “states make continuation of violence, discrimination and social ostracism possible” (Meral 2014:27). But how can UN agencies be effective if they are under-informed about the diverse religious landscapes where they work?

**SLIDE 8:** States have governance responsibilities to address all violence including that which is generated by non-state actors that is not related to bids for statehood. In many places of the world today, such as the inner cities of Chicago, LA, and Winnipeg, much of the violence is

generated by criminal elements involving gangs, gun runners and human trafficking networks; religious diplomacy changes when working with criminal elements uninterested in achieving institutional legitimacy.

Violence becomes concentrated in local communities at the neighborhood level with minimal state intervention. As violence becomes ubiquitous, communities lose hope. It is the FBOs that attend to matters of the *heart* that mediate between neighbors and warring factions. They practice forgiveness, interrupting the violence by replacing hate with love. But the very skills they employ to disarm hearts, offer an exit strategy, and transform agents of destruction into agents of hope—are the very identifiers for UN disengagement. Many of the faith based groups that are engaging with the everyday violence plaguing local communities are either invisible to, or misunderstood by, UN member states.

**SLIDE 9:** The shifting patterns of violence are very relevant to Latin America. Between the 1960s and the 1980s, the Catholic Church was a major public actor engaging with violence in political terms due to a



period of repressive governments and violent civil conflict. The emphasis on liberation theology heavily contributed to faith communities taking a human rights approach to public engagement. But once elected governments replaced authoritarian regimes in the 1980s, everyday violence took on more of a social character than a political one. As a consequence, faith based actors adapted their approaches. As we prepare for the meetings in Argentina, I thought it fitting to draw upon the work by Alexander Wilde and colleagues to identify misunderstood FBOs that resonate enough with the spirit of the UN as to make good governance partners. Protestants, Evangelicals, Pentecostals, Charismatic Catholics bear witness to the suffering in violent communities, offering pastoral support that recognizes and defends human dignity, but not necessarily human rights. They are present among the poor, engaging with the everyday violence in slums, working with gangs to provide exit strategies for people who want to begin anew. Many of the lay leaders come from within the community, have a criminal past themselves, and they have forged new pathways by disarming their own hearts to create communities of peace. Rather than

seeking revenge and retribution, they practice forgiveness to stay the hand of vengeance and heal broken neighborhoods. FBOs help people replace wounded attachments that breed a micro-politics of recrimination and rancor with a means of scripting a new identity that is capable of meaningful employment and community integration (pp. 466-467).

**SLIDE 10:** Partnering with such FBOs may very well be too risky for UN states, but creating informal avenues like this where dialogue can occur so that their work is better understood may be an important governance strategy as the nature of violence changes. So, I suggest the loyal opposition as a governance framework familiar to the Commonwealth of Nations for exploration to open new avenues for dialogue with groups such as we have here today. The term *loyal opposition* comes from the British political system, and refers to a protection that was developed to shield the party out of power from being accused of treason (Johnson 1997:487-510). When applied more broadly as a cultural practice across different sectors of society, the *loyal*

*opposition* is a democratic practice of making space for dissent by identifying ways to knit outsiders into democracy's fabric. The loyal opposition uses a governance approach that values voice options over exit options in contexts where contestation does not automatically trigger exclusion. Challenges occur from the *inside* to safeguard a regulatory statute or scheme before it is enacted (Bulman-Pozen and Gerken 2009:1260).

**SLIDE 11:** Applying the loyal opposition to the field of religion would challenge the current tone of religion at the UN and foreground a set of underappreciated dynamics. Incorporating dissent is like placing a safety lock of intriguing possibilities on the trigger of distrust associated with religious contestation. Religious organizations possess their own resources and organized community bases from which to launch critique. They may have more community leverage than the typical dissenter in a fully centralized political organization. Counterintuitively, the creation of new avenues for dialogue within the UN system that safeguard the loyalty of critical religious voices is proposed as a strategy

for exposing and combating intolerant attitudes that attach themselves to religion or belief.

**SLIDE 12:** My comments are intended as a needed corrective in an ongoing debate about religion at the UN. The intention here is to offer a new perspective on what the Commonwealth of Nations might contribute to global governance in helping to frame why the shadow summits are valuable to the UN system. A governance system that is attentive, and committed, to safeguarding a loyal opposition would facilitate religious dissent as dialogue rather than protest. As Alexander Wilde has documented from studies of the changing face of violence in Latin America, many faith leaders oppose human rights but they emphasize human dignity; they may have a criminal past, but they engage with the social violence in everyday life through pastoral presence. They proselytize, not to steal followers from other religions, but to provide criminals an exit out of the violence. A current touchstone of exclusion in the rules of engagement with religion at the UN is conflict. Valuing a loyal opposition would tolerate a more substantial

degree of contestation and recognize the contribution made by groups that have taken the initiative to transform violent ridden areas into productive communities.

There will always be some form of dissent that will appropriately be viewed as disloyal, but many religious minorities are excluded simply for wanting to use the levers of local power to convert a dissenting vision into reality. The religious-political nexus is surely complex. The thick wall of separation promoted by secularization has protected democracy's outliers through sovereignty, but it has also insulated nation states from knowing its neighbors. Could it be time for that to change? Thank you.

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