

**INTERSECTIONALITY IN HUMAN RIGHTS:
AN INTRODUCTION TO
FREEDOM OF RELIGION OR BELIEF
AND GENDER EQUALITY**

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**INTERSECTIONALITY:
IDENTITIES &
RIGHTS**

- Intersectional approach better represents the lived realities of people's different identities
- Intersectional identity layers like gender, religion, ethnicity, race, social class, age, disability, nationality/legal status (migration), belonging to a minority/majority group, etc.
- Intersectionality with other rights: education, access to justice, health care, freedom of speech, FoRB, etc.
- Challenges are often intersectional in nature, so it only makes sense that the solutions also take an intersectional approach



**FREEDOM OF
RELIGION OR
BELIEF (FORB)**

- Article 18 in the Universal Declaration of Human Rights (UDHR) & the International Covenant on Civil and Political Rights (ICCPR)
Freedom of thought, conscience, religion or belief
- Pillars of FoRB
To have / not to have
To change / leave
To manifest / practice
- Forum internum vs. forum externum (inner vs. outer freedom)



FORB VIOLATIONS

- FoRB violations occur when one is targeted based on one's religious or belief identity
- Individuals and/or communities can be targeted for
 - having the "wrong" religion or belief (external pressures)*
 - practicing or interpreting their religion or belief in a "wrong" way (internal pressure)*



GENDER EQUALITY

- Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)
Aims for equal rights, freedoms and opportunities regardless of one's gender
Exposes unequal possibilities for men and women to enjoy fundamental rights
Identifies underlying structural issues, gender stereotypes, social norms and values that undermine gender equality
- However, often lack of reference to FoRB and religious identities
- Gender equality should not only be seen as a thematic right, but also a lense through which we see all other rights – including FoRB

**MISCONCEPTIONS
ABOUT FoRB AND
GENDER EQUALITY**

- Human rights are a Western/European concept only
- FoRB and religion are the same
- FoRB only protects freedom from religion
- FoRB only protects conservative and/or patriarchal religions
- FoRB is an obstacle to gender equality (faith vs. freedom)
- Confusion around practices *violating* FoRB and practices *protected* by FoRB



**NORMATIVE
INTERSECTION OF
FORB & GENDER
EQUALITY**

- Limitations of FoRB (§3 of art. 18 in ICCPR)
Only forum externum (outer freedom); freedom to manifest/practice
Requirement: Prescribed by law & necessary to protect public safety, order, health, morals, or the fundamental rights and freedoms of others
- Civil and political rights of women (including FoRB) constitutes as «fundamental rights and freedoms of others»
- Hence, FoRB can never be used to justify suppressing the freedom of others
- Vienna 1993: all human rights are indivisible, interdependent and interrelated



**WHY IS GENDER
EQUALITY
SIGNIFICANT FOR
FORB?**

- Better and more nuanced understanding of FoRB violations
- Better informed solutions for countering FoRB violations
- Recognizing women's roles and agency in promoting FoRB or countering FoRB promotion



GENDERED FoRB VIOLATIONS

- FoRB violations are always gendered
Hidden vs. visible
- How are violations carried out? What is targeted and attacked?
Person's role and value in society, often based on pre-determined gender roles
Community honor bearers vs. principles of human rights
- Who is carrying out the FoRB violations?
Different agents of persecution (state/militia, family, society/community, religious community)
Do we have a model for analyzing persecution that addresses all levels of persecution?
- Women are not a homogenous group



**GENDERED FoRB
VIOLATIONS: MAIN
DIFFERENCES**

- Most common FoRB violations for men involve imprisonment, physical violence, torture, death (focused and visible)
- Most common FoRB violations for women include sexual violence, abduction, forced conversions and forced marriage, social control, discriminatory personal status laws, as well as discrimination within their own religious or belief communities (complex and hidden)
- FoRB violations targeting women are: low risk, blend in with general cultural and social patterns, very effective due to the ripple effect



**WHAT
UNDERMINES
WOMEN'S FORB?**

- Patriarchal values, attitudes, systems and traditions
- Cultural, social and religious traditions and norms
- Religious nationalism
- Harmful religious fundamentalism
- Internal discrimination within minority groups
- Religious laws



**WHY IS FoRB
SIGNIFICANT FOR
GENDER
EQUALITY?**

- Majority of world's population identify with a religion or belief
- Religion or belief thus plays an important role in women's identities, social fabric and everyday life
- Majority of world's population also lives in contexts where the freedom to have, practice and change one's religion is limited
- FoRB provide tools for a human rights-based approach when religion is weaponized against gender equality

**FORB CAN BE A
TOOL IN ACHIEVING
GENDER EQUALITY
BY:**

- Addressing *both* the negative and positive role religion can play in achieving gender equality
- Acknowledging role of religious actors for gender equality, both as gatekeepers and as champions for change
- Encourage dialogue and cooperation between advocates of FoRB and gender equality; although tension exists, they are fighting for the rights of the same group of people
- Increasing understanding of and respect for the different strategies that women choose to navigate tensions between their right to equality and their right to FoRB

"Exit strategy" is not a one-size-fits-all solution

Women's agency vs. only being victims of violations

FURTHER READING

<https://www.stefanus.no/english>

<https://www.forb-learning.org/index.html>