

FoRB and Neutrality of the State

As argued in the article FoRB and Power, there should be a healthy distance between those ruling the nation, and religion or belief systems. This way, the state can function without direct interference of religious leaders, and religion or beliefs can organise internal matters as they see fit, this within the limits of the law.

Freedom of thought, conscience and religion as FoRB is officially referred to in the Universal Declaration of Human Rights, protects citizens against overbearing by the state. According to this provision in the Universal Declaration of Human Rights, rulers cannot dictate the opinions and convictions of their citizens. Likewise, religious leaders cannot dictate the decisions of the state. Although this may sound logically to a Western audience, this separation of church and state only became more common-place in the late 18th century.

From this separation of religion and state follows the principle that rulers, although they might have a personal preference for any religion or belief, should be neutral in religious matters as they govern.

Some interpret the neutrality of the state as a total absence of religion, or any religiously motivated debate in the ruling of the nation. As a state, and also a government, is constituted of people, all with their own religious or belief imprint, it is impossible not to have deeply held (moral) convictions based on these religions or beliefs somehow impacting any political debate. Whether overtly religiously motivated positions make sense for others who don't share your religion or belief is another matter but irrelevant for a discussion about the neutrality of the state.

Neutrality of the state does not mean that religion should be totally absent in politics but that the state should treat all religions and beliefs equally, regardless whether they are well established and part of the culture or whether they are new and 'foreign' to the country.

As all people adhere to some overarching view of the origin and meaning of life, religious or non-religious, there is no absolute neutrality of any political position or state government. Neutrality of the state demands that authorities treat all belief systems equally. It should create a space where all religions or beliefs can function provided they respect the just laws of the land.

All human rights are universal and inalienable; indivisible; interdependent and interrelated. That's a nice – and important – phrase that's found in many human rights resolutions, but it means that no human right is absolute or can be claimed in isolation. At the same time, the full implementation of one human right might limit the realisation of another. It is this embedded tension between the various human rights, that is sometimes confusing the debate on individual rights. It is often stated that my rights end where they start infringing upon the rights of others. Usually, there is a general consensus in society about the limitations of rights, but when conflicts arise, one should be able to call on the independent judiciary for an opinion or ruling. It is good to realise, though, that the final verdict will most likely reflect the spirit of our times. Formally, one human right is not more important than the other. However, society may feel differently and as a result, non-discrimination, women's rights, children's rights, or animal rights may be deemed more important than e.g. Freedom of Religion or Belief. Due to trends in many Western European societies, this will often inadvertently foster a secular agenda and, as such, encroach upon the neutrality of the state. Under freedom of thought, conscience and religion, both religious and secular opinions are equally protected at the same level. The neutrality of the state calls on those in power to take that into account and rule accordingly.