

Rights-Based and Faith-Based? Approaches to Aid in Pakistan

Since the 1990s, the rights-based approach (RBA) has become a well-established concept in the humanitarian field. Faith-based organizations have increasingly embraced the concept, though not without contestation. Human rights and religion are often seen as incompatible by both secular proponents of rights and by religious actors who question the need for a secular rights framework. Are rights-based and faith-based approaches compatible? How are 'global' RBA norms operationalized in 'local' contexts characterized by great normative diversity? Based on a study in Pakistan, this policy brief examines the intersection of rights and faith, and the implications for humanitarian action.

Brief Points

- In Pakistan, rights-based approaches (RBA) to humanitarian action are translated as humanitarian standards, as citizen rights, and as Islamic principles.
- Framing rights with reference to Islam and engaging with religious actors is common among humanitarian actors.
- Humanitarian actors engage with religion through *instrumental engagement*, which uses religion to achieve project objectives or broader humanitarian standards, and *substantive engagement*, which involves engaging with religious concepts to find an overlapping consensus of values within different normative traditions.
- It is important to consider the role of religion and religious actors, and to examine how NGOs are engaging with them (or not).

RBA in Humanitarian Action

Over the last thirty years, rights-based approaches (RBA) have become part of mainstream approaches to both development and humanitarian aid. Anchored in the notion of universal human rights, RBAs represent a radical, ideological shift in the philosophy of aid, from a view of aid as acts of benevolence and charity, to aid as the entitlements of individuals. Although RBA has lost its initial buzz, the concept has remained surprisingly resilient and continues to inform humanitarian practice.

While considerable scholarly attention has been paid to the meaning and practice of RBAs, surprisingly little attention has been given to how RBAs intersect with other normative traditions, including religious ones. Religious NGOs have adopted RBAs in their humanitarian work, yet only scant attention has been given to how the relationship between rights and faith plays out in the context of aid.

A Case Study from Pakistan

Our project ‘Aid in Crisis? Rights-Based Approaches and Humanitarian Outcomes’ sought to examine the use of rights-based approaches to humanitarian assistance. Drawing on a case study from Pakistan, we have examined how RBAs are operationalized by humanitarian actors in the field. We have studied how Norwegian Church Aid (NCA) and its Pakistani partner organizations implement RBAs in a Muslim majority context. Pakistan is characterized by great normative diversity of international human rights, national law, Islamic law, and customary practices that shape different actors’ perceptions of rights, social justice, and aid.

Over the last decade, Pakistan has been the site of a complex humanitarian crisis resulting from the 2005 earthquake, devastating floods and internal conflict. This has led to the involvement of a large and ideologically diverse humanitarian sector, with various normative approaches, including RBA. This makes Pakistan a pertinent case for examining the interface of different normative traditions in humanitarian discourse and practice.

Rights and Faith in Humanitarian Action

Religion and humanitarianism have a long and ambiguous relationship. Whilst the religious

roots of many contemporary humanitarian organizations are found in Christian movements, modern humanitarianism has developed largely as a secular discourse and practice. The spread of modernization and secularization has largely relegated religion to the private sphere. Yet, religion has not disappeared from public life, and its influence is increasingly recognized by humanitarian studies scholars and aid professionals.

Translating RBA in Pakistan

NCA has been promoting RBA in Pakistan since 2007, as one of the early promoters of this approach in the country. NCA’s implementing partners, interviewed for this study, describe their approach as ‘rights-based’. Yet, what they understand RBAs to be and how they put RBAs into practice differs. We find that human rights are drawn upon and referred to selectively as the NGOs operationalize RBA in their humanitarian work. We find the meaning of ‘rights’ to be translated in three broad ways: as humanitarian standards, citizen rights, and Islamic principles.

RBAs as humanitarian standards

Translating RBAs as humanitarian standards places ‘rights’ within the existing international regime of humanitarian standards and codes of conduct, which sets minimum, universal standards of aid to which disaster-affected people are entitled. Making direct reference to human rights, however, was mainly possible in relation to rights that are considered ‘uncontroversial’, such as the right to water, shelter and education. While RBAs as humanitarian standards are critiqued for an overly technical understanding of rights and for not challenging underlying, structural inequalities, the aid workers we interviewed in Pakistan underlined how technical humanitarian standards and detailed codes of conduct enabled a framing of humanitarian assistance as rights or entitlements. We find that operationalization of RBAs as humanitarian standards tends to occur in the first phase of an emergency, but also that rights are considered secondary to humanitarian needs. As one humanitarian worker explained:

‘We have to save lives. We cannot think about rights. That comes in the later phase.’

RBA as citizen rights

Translating RBAs as citizen rights involves placing rights within the national legal framework. When the humanitarian crisis is recurrent and protracted – as is often the case in Pakistan – the distinctions between humanitarian assistance and development aid become less clear. In these situations, RBAs were commonly conceptualized as citizen rights by the organizations we studied. These organizations focus on empowering people to claim rights from the state, while at the same time enhancing the capacity of the state at the local level to respond to citizen demands. Aid recipients are conceptualized as rights-holders who can claim rights from a duty-bearer.

We found that organizations that view RBAs in a citizen rights framework understate the direct link to human rights. In part, this downplaying of human rights can be explained by ‘human rights’ being an unfamiliar concept to many in Pakistan. When making sense of and translating human rights in a local context, the reference to the Universal Declaration of Human Rights, as a codified system of international law, is seen as having limited value. One NCA staff member said:

‘RBA means nothing in itself; it needs to be anchored in our national law.’

This understanding is shared by many of the rights-based organizations who anchor their approach to RBA in national rights provided in the constitution of Pakistan.

RBA as Islamic principles

Translating RBA as Islamic principles involves searching for overlaps between human rights and the rights given in Islam. Given that religion – and Islam, in particular – is of great importance in Pakistan among aid beneficiaries and NGO staff, Islam presents a significant normative framework that NGOs can mobilize to claim legitimacy as humanitarian actors.

Many organizations working in the humanitarian field in Pakistan relate to Islamic notions of social justice, including ideas about rights and duties. There are a number of human rights where the same values are found both in the international human rights doctrine and within the Islamic tradition. Access to clean drinking water, for example, is not only viewed



Pakistan's Sindh province after extreme monsoon rainfall, 2010. Photo: DFID / Russell Watkins

as a fundamental need within the teachings of Islam, it is conceived of as a human right. There is also overlap between global human rights and Islamic principles regarding the right to shelter and education. When there is no immediate conflict between different understandings of rights, global norms can readily be translated to make sense in a local context. For other rights, where there is less overlap between the underlying norms, a reinterpretation of rights and religion might be required.

These three frameworks for translating human rights are not mutually exclusive; in fact, most organizations combine them according to the context in which they are working. Although the organizations studied translate RBA in different ways, they all engage religion and religious actors in their work.

Modes of Engaging with Religion

In this study, aid organizations employ two distinct modes of engaging with religion: *instrumental* and *substantive*. The instrumental use of religion by aid organizations is well-established in the literature on religion and development. This trend is confirmed in our study, as we encountered many NGOs using religion instrumentally to achieve project objectives, or broader humanitarian and human rights aims.

We find that fewer organizations engage with religion in a substantive way – that is, engaging

with religious concepts to search for an overlapping consensus among values from different normative traditions. When no overlap can be found, challenges arise. As such, engaging with religion substantively might involve both (re) interpretation of rights and (re)interpretation of religion.

Instrumental engagement

At the local level, religious leaders often serve as gatekeepers to communities, exercising considerable influence on their community's beliefs and behaviors. To gain access and support in the local community, many organizations employ a strategy of engaging local religious leaders, using the local mosques to make announcements about their presence and activities. Some organizations engage with religious leaders and scholars to gain endorsements for their programming, which may also include promoting human rights.

Some organizations describe religious leaders as partners and have made working with religious actors a regular part of their activities. By operating through local religious leaders and mosques, organizations claim legitimacy for their activities and approaches by association with religious authority. To do so, they refer to Islamic principles and involve religious leaders, as long as there is no conflict in the underlying values. We find that most of the NGOs studied take a pragmatic approach, whereby they engage

with religion instrumentally when and where it is seen as contributing to the attainment of programmatic objectives.

Substantive engagement

Some NGOs in this study engage religious leaders in active dialogue about the substance of rights, discussing Islamic principles and familiarizing religious leaders with international human rights concepts and RBAs to aid. This approach involves searching for commonalities between human rights and Islamic principles. In the simplest form, many organizations refer to Islamic principles when framing their messages. As described above, some organizations refer to Islamic texts when promoting the right to water, protection, and education. However, in cases where the values and norms of specific human rights conflict with Islamic norms and values, religion cannot be engaged instrumentally. In these instances, engaging with religion would require a dialogue about the substance of rights, and, potentially, the substance of religion.

Several respondents underlined how advocating women's rights and gender equality in a context where gender-traditional ideologies are dominant can be challenging. Working with religious leaders and drawing on religious principles where they align with women's rights and gender equality ideals is one strategy utilized by the NGOs in this study. Where interpretations of

Islam do not align with mainstream notions of gender equality, the organizations work to sensitize religious leaders about women's rights and engage in dialogue to influence a gradual change of attitudes. This work involves negotiating and (re)interpreting the meaning of gender equality within a religious framework – illustrating substantive engagement with rights and religion.

Negotiating Rights and Faith

While human rights and religion are often seen as incompatible by secular advocates of human rights and by religious actors, in the context of Pakistan most advocates of RBAs do engage with religion and religious actors when they implement RBAs on the ground. We have found that how the NGOs perceive the relationship between rights and religion shapes the way they translate rights and how they engage with religion.

On the one side, we find (secularly-oriented) organizations that have a view of religion and human rights as incompatible. Critical of involving religion in rights work, these organizations proved to be wary of compromising the universal values of the international human rights framework, expressing concern about endorsing particularistic world views and practices by collaborating with religious actors. These organizations mainly engage with religion instrumentally when and where it is seen to further their program priorities.

On the other side, we find NCA and the Pakistani organizations that have a view of religion and human rights as compatible. These organizations seemed to be more open to religious interpretations of human rights, and to view the search for common values as important, engaging substantively with religious concepts.

The significance of religion – and Islam in particular – to people in Pakistan means that most humanitarian organizations operating in the country engage with religion in some way. But the ways religion is engaged with differ. While all the NGOs use religion instrumentally when it serves their programmatic priorities, organizations that view human rights and religion as compatible also engage with religion in a substantive way. Organizations that consider religion and human rights to be compatible have a broader repertoire available to them in their work translating the meaning of rights in contexts of diverse, competing normative traditions.

Policy Recommendations

This policy brief finds that religion plays a more significant role within the humanitarian arena than is usually acknowledged in studies of humanitarian action. Our study brings out the need to not view religion as a factor that can easily be separated from other factors, but to recognize that religion forms an integral part of the lifeworld of many aid recipients, and that local faith communities, religious leaders, and faith-based organizations can play important roles in relief and recovery work in communities affected by humanitarian crisis.

While this is based on a case study of Pakistan, arguably a place where religion holds great influence, the analysis and conceptualizations presented here lend value to other studies of the translation and operationalization of RBAs in contexts with competing normative traditions, including religious ones.

This policy brief sheds light on the ambiguous relationship between rights and faith in humanitarian action, and offers the following recommendations for policy makers and practitioners operating in contexts where religion plays a role:

- **Recognize diversity and change within religious traditions.** Islam in Pakistan, like all religious traditions, is internally highly diverse. Thus, making broad claims about the compatibility or incompatibility of Islam and RBAs is of little value.
- **Avoid essentializing perspectives.** Religious ethics and related practices can both impede and support the promotion of rights. For actors promoting a human rights-based approach to humanitarian action, it is important to be cognizant about the different ways this plays out in practice, in specific contexts.
- **Include religion in analysis.** Religion is often part of the lifeworlds of recipients of aid, and plays into the power dynamics on the humanitarian arena. This makes it pertinent to understand the ways in which religion is engaged by different actors: by international and national humanitarian actors working to advance RBAs; and by local religious actors as players within the humanitarian arena.
- **Conduct further research.** In order to get a more complete understanding of the relationships between rights and faith in humanitarian action, there is a need for further research on how the religious actors themselves perceive these interactions. Importantly, we need more research considering the perspectives and experiences of those at the receiving end of the chain, the rights-holders. ■

Note

This policy brief is based on fieldwork conducted in Pakistan in the period 2017–2018. The data for this study was gathered in collaboration with Muhammed Ismael Khan at the Pak Institute for Peace Studies (PIPS).

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THE PROJECT

Aid in Crisis? Rights-Based Approaches and Humanitarian Outcomes aims to describe understand and explain how rights-based approaches (RBA) to humanitarian action shape humanitarian assistance and contribute to humanitarian outcomes at different levels, in different conflict and disaster zones. The project is funded by the Research Council of Norway.

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