



**Ontario Humanist Society**

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Supporting Humanist Communities

Ontario Humanist Society Ethical Action Committee

## **TOWARDS AN INCLUSIVE INTERPRETATION OF CREED**

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On Creed, Freedom of Religion and Human Rights

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## Towards an inclusive interpretation of 'creed'<sup>1</sup>

It is the position of the Ontario Humanist Society (OHS) that the Ontario Human Rights Commission (OHRC) should move towards a more inclusive interpretation of the term 'creed.' The Cambridge University Press dictionary defines creed as "a set of beliefs which expresses a particular opinion and influences the way you live". It is a definition that makes no reference to religion at the same time that it refers to 'a set of beliefs' suggesting a substantial belief system akin to the beliefs of a religion. We see it as a starting point for reconsidering the interpretation of creed as expressed in the "Policy on creed and the accommodation of religious observances," published on the OHRC website:

1. Creed does *not* include secular, moral or ethical beliefs or political convictions.<sup>[4]</sup> This policy does not extend to religions that incite hatred or violence against other individuals or groups,<sup>[5]</sup> or to practices and observances that purport to have a religious basis but which contravene international human rights standards or criminal law.<sup>[6]</sup>

In brief, the Ontario Humanist Society represents Humanist societies and communities in Ontario. We are also affiliated with Humanist Canada at the national level and the International Humanist and Ethical Union (IHEU), the world union of Humanist organization, representing over 100 Humanist and Ethical associations across the globe. IHEU has status with the United Nations Economic and Social Council reflecting the Humanist commitment to "a world in which human rights are respected and everyone is able to live a life of dignity" (IHEU website).

We define ourselves as a 'community of choice,'<sup>2</sup> constituted on the basis of philosophical, moral and ethical beliefs. As a community of choice, we have experienced real consequences of our exclusion from recognition as a creed on the basis that we not define ourselves as a religion nor do we espouse a "professed system and confession of faith, including both beliefs and observances or worship" (OHRC Policy on Creed ...).

A more inclusive definition of creed encompassing communities of choice constituted on the basis of philosophical, moral or ethical beliefs would broaden the scope of the term to afford such communities the same protections as religious groups. It goes without saying that the interpretation of creed would retain the requirement that a necessary aspect of creed is that the moral and philosophical beliefs and practices of the community of choice are "sincerely held and/or observed" in practice (Ibid). The existence of religious beliefs and practices are both necessary and sufficient to the meaning of creed, if the beliefs and practices are sincerely held and/or observed. And further to the OHRC interpretation, 'Creed' would be "defined subjectively" with personal philosophical, moral or ethical observances protected "even if they are not essential elements of the creed provided they are sincerely held" (Ibid).

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<sup>1</sup> This paper reflects the perspectives of the Ontario Humanist Society and its members as well as members of local Humanist group across Ontario and the international Humanist community. The drafting of the paper was a collaborative effort of the members of the Ethical Action Committee of the Ontario Humanist Society.

<sup>2</sup> See explanation of 'ethical communities of choice,' Section 1, page 2.

In order to fully clarify our position, we have provided commentary relative to three defining aspects of our proposal for a more inclusive interpretation of 'creed':

1. Conceptualizing the Humanist creed;
2. The case for revising the interpretation of creed; and
3. The abrogation of rights in practice as an outcome of exceptions in the OHRC's interpretation of creed.

## **1. Conceptualizing a Humanist 'creed'**

### **a. Ethical communities of choice**

Feminist philosopher, Hilda Lindemann Nelson conceptualizes the process of moral self-definition as a potential evolving from communities of choice structured by interdependence and an ethics of care (Nelson 1995, 1999). Both personal and community empowerment arise from relations of power structured by interdependence and care as opposed to the dominance and subordination that structure many modern associations including some religions (McCabe, 2004).

Humanist societies in general can be construed as ethical communities of choice constituted on the basis of shared values and ideals where individual difference in experience is understood to be a source of wisdom, insight and expertise. The empowerment ensuing from such a community invigorates its members to think critically and to act ethically.

### **b. Modern Humanist beliefs, guiding principles and practice**

#### ***Universal Declaration of Human Rights (1948)***

A foundational "creed" of Humanists, locally and internationally that guides our beliefs, our actions, and our understanding of our responsibility to others as Humanists, is the *Universal Declaration of Human Rights (UDHR)*, an instrument which encompasses Universal Human Rights. On 10 December 1948, the United Nations General Assembly adopted the Universal Declaration of Human Rights, which has become a universal standard for defending and promoting human rights. The declaration, accepted by all member states of the United Nations, is based on belief "in the dignity and worth of the human person" and requires all states, groups and individuals to observe and promote respect for rights and freedoms. We note that the document itself, which Eleanor Roosevelt called the "Magna Carta of Mankind" and Pope John Paul II called the "Conscience of Mankind" was, to a great extent, the work of Canadian, John Peters Humphrey and that the values and universal tolerance and aspirations contained in the document reflect a long tradition of Humanist practice in Canadian society.

The UDHR, and the subsequent Human Rights instruments and treaties that it generated, such as the Convention on the Rights of the Child, are core Humanist documents. They enshrine the values of tolerance, reciprocity, equality, and human dignity – all firm principles of Humanism, while stating these principles in a completely non-religious environment, which still protects freedom of thought, conscious, and religion or belief.

### ***The Amsterdam Declaration, 2002(1952)***

Humanists also rely on the International Humanist and Ethical Union's (IHEU) statement of the fundamental principles of Modern Humanism passed at the first World Humanist Conference in 1952 (Appendix One). The Declaration was updated on the 50<sup>th</sup> anniversary in 2002.

Humanists support and use these documents as a 'living' creed and foundational philosophies of belief. All prospective members of the IHEU must agree to accept these statements. The Ontario Humanist Society is a registered member of IHEU, and we have agreed as a body to accept and support these documents.

We refer to them and to the subsequent Human Rights instruments that they generated, to define, refine, and support our principles such as the OHS Statement on LGBTQ rights, which was issued this year in response to current issues in Ontario society (Appendix Two) and the OHS Ten Principles (Appendix Three).

### ***Principles in practice***

As to how Humanists live their creed and practice their principles, examples abound. We prize reason and critical thinking, which we support through educational outreach.

**Educational Outreach.** A common practice of Humanist groups is to organize monthly public educational programs on a range of topical and significant social, environmental and scholarly considerations. For example, recently our affiliate, the Humanist Association of Toronto (HAT) featured OHS member and Veteran Matthew Bin speaking on a Humanist Approach to international Canadian Peacekeeping initiatives.

OHS board member, Mary Beaty recently discussed the *UDHR* as a foundational creed of Humanist belief on *Being Human*, a Vision TV program produced by Humanist Canada (HC). Ms Beaty has also acted as the American Humanist Association's (AHA) NGO National Representative for the Department of Public Information at the United Nations, actively supporting the UDHR as founding principles of the AHA. Dr. Gail McCabe, OHS President and Mary Beaty presented the UDHR as a foundational creed of Humanist philosophy to the World Religions Class at Durham College in 2010.

**Chaplaincy Services.** In 2008, Dr. McCabe volunteered as the first Humanist Chaplain at the University of Toronto serving students, faculty and staff on campus. She was appointed to the Campus Chaplains Association (CCA) on the recommendation of Humanist Canada. She was joined by Mary Beaty in 2010 and together they have established the University of Toronto Humanist Chaplaincy at the Multifaith Centre. Their aim is to broaden the scope of service of the CCA to include ethics as well as spirituality. This initiative has created a change in focus at the MFC, as our documents now refer to 'faith and ethics' at the University.

Humanists have been establishing Humanist Chaplaincies in universities in Canada and the United States with a view to strengthening ethical communities and practices within the Humanist creed and to provide compassionate care and social support services to Humanist students, staff and faculty. The movement to create Humanist Chaplaincies is thriving in the United States with established Chaplaincies at American, Harvard, Rutgers, and Columbia Universities.

**Humanist Ceremonies.** Humanist Officiants routinely refer to the UDHR and the Convention on Children Rights (CCR) as part of their work as clergy. For instance, we have incorporated Article 16 of the UDHR as part of the Marriage Ceremony:

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.

And we use Article 7 of the CCR in our Celebration of Naming:

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Our Officiants are also involved in community awareness of ethical practices and care in the spectrum of human life. At our recent Officiant AGM & Conference, a panel discussion was held to orient Officiants to the need for compassionate care services for our Humanist constituents as well as opportunities for training. Another key concern is the situation of seniors requiring social support to maintain independent living in their own homes. Our aim is to develop a toolkit for our affiliated groups to establish friendly visiting programs.

## **2. The case for revising the interpretation of 'creed'**

### **a. Exceptions and exclusion**

In our opinion there is a logical fallacy in the statement that "[c]reed does *not* include secular, moral or ethical beliefs." And since the OHRC interpretation of creed is deemed to mean "religious creed" or "religion," it is exclusionary on the basis of religion. This circumstance seems to run counter to the aims of the Human Rights Code of Ontario. While there may be an argument to be made for excluding the term secular, one can hardly account for the exclusion of moral or ethical beliefs since religion is only one of the arbiters of morality and ethics. Human rights as enshrined in civil laws, treaties and other instruments are examples of moral and ethical principles.

### **b. The gap in accommodations for ethical communities of choice**

The logical fallacy may be explained as a typographical error through the inclusion of a comma between secular and moral. Perhaps, the OHRC meant to say "secular moral or ethical beliefs." And it is clear from a later paragraph that the OHRC considers that atheists and agnostics are accommodated in some alternate stipulations of the Human Rights Code.

It is the OHRC's position that every person has the right to be free from discriminatory or harassing behaviour that is based on religion or which arises because the person who is the target of the behaviour does not share the same faith. This principle extends to situations where the person who is the target of such behaviour has no religious beliefs whatsoever, including atheists and agnostics who may, in these circumstances, benefit from the protection set out in the Code.<sup>[3]</sup>

That said a rigorous search of the Code did not provide much in the way of protection for atheists and agnostics that we could find. Beyond that, the paragraph seems to be specific to individuals as opposed to established communities of choice.

We found no redress for communities of choice in the interpretation of creed despite our lived experience with the Humanist creed described in Section 1 of this paper. But we have experienced the abrogation of our community rights in practice as well as in theory. On that account, we urge the OHRC to reinterpret the term 'creed' to include Humanist and Ethical communities of choice whether styled as societies, communities or associations.

### **3. The abrogation of rights in practice: an outcome of exclusion**

The members of Humanist associations have experienced the abrogation of our human rights, which we have experienced as diminished opportunities in some cases and exclusion from opportunities in other cases. These go to the differential recognition of religious denominations as social institutions requiring protection under the Ontario Code of Human Rights while Humanist associations as ethical communities of choice do not qualify for protection under the Ontario Code of Human Rights. In the area of human rights, we see this differential recognition as discriminatory and unfair – a contradiction to the stated objectives of the OHRC. These practices limit our ability to reach our full potential as Humanists following our creed as well as to our right to self-definition as Humanists.

Here, we provide a list of those limiting circumstances:

- i. **Requisite recognition by the Province of Ontario to solemnize Humanist marriages.** In order to be recognized by the Province, Humanist associations must apply and meet the requirements of a religion as opposed to an ethical Humanist community. The application must be framed as if we were a quasi-religion. And upon recognition, we have been licensed as clergy rather than Humanist Officiants. Our ability to meet these standards was lengthy and tenuous and experienced as discriminatory.
- ii. **Recognition of our communities and associations by the charitable directorate.** In seeking charitable status, the applications of our Humanist communities and associations have been successful solely on the basis of educational purposes. This differs from religious groups that are granted charitable status on the basis of serving the good of their congregations or the general public. Likewise, Humanist communities and associations have an interest in the good of our community as well. Humanist communities are not afforded the tax-free status on property held by our communities that is afforded religious groups.
- iii. Our Humanist Officiants are not afforded the tax benefits of religious clergy
- iv. Appointments as chaplains for prisons, army, and hospitals that require recognition by the Multifaith Counsel of Ontario have not been forthcoming.

We have made efforts to secure these accommodations with limited success. HAT took up the issue of charitable status in the courts and was successful in gaining status on the basis of serving the good of the community. However, successes are experienced as privileges bestowed on a case-by-case basis rather than as a common practice on the basis of creed.

**Conclusion: Towards a more inclusive interpretation of 'creed'**

The word "creed" is derived from the Latin word "credo," which means "I believe." Currently, the OHRC has made a narrow interpretation of the term such that the Ontario Humanist Society and other Humanist and Ethical communities are excluded. But why should this be so? The exclusion of organized groups with an established institutional history of supporting deeply held ethical beliefs and principles seems to contradict the very raison d'être of the OHRC as well as the intentions of the Ontario Human Rights Code

The experience of reading the OHRC's interpretation of the term 'creed' has caused some distress within our Humanist community. This was best articulated by a member of the OHS Ethical Committee who noted with respect to the statement on atheists and agnostics that "the rights of the non-religious should not be relegated to a footnote." And, indeed, it was difficult to find specific accommodations for atheists and agnostics in a Code that purports to protect individuals who subjectively define their belief systems.

That same member of the OHS Ethical Committee offered up an alternative definition of the OHRC passage that this paper began with:

Creed includes **any** beliefs **which expound moral or ethical standards**. **It does not include** political convictions. This policy **also** does not extend to religions **or groups** that incite hatred or violence against other individuals or groups,<sup>[5]</sup> or to practices and observances that purport to have a religious basis but which contravene international human rights standards or criminal law.

In his mind, it is in part, a matter of what you don't say rather than what you do say. And his definition does seem to redress our issues. The absence of protection for collective rights for Humanist communities as well as other ethical groups who define themselves within an ethical creed that is not religious in nature is of great significance to the Ontario Humanist Society.

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## APPENDIX ONE

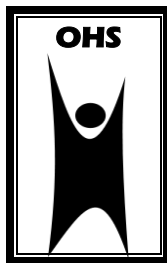
### **Amsterdam Declaration 2002**

Humanism is the outcome of a long tradition of free thought that has inspired many of the world's great thinkers and creative artists and gave rise to science itself. The fundamentals of modern Humanism are as follows:

1. ***Humanism is ethical.*** It affirms the worth, dignity and autonomy of the individual and the right of every human being to the greatest possible freedom compatible with the rights of others. Humanists have a duty of care to all of humanity including future generations. Humanists believe that morality is an intrinsic part of human nature based on understanding and a concern for others, needing no external sanction.
2. ***Humanism is rational.*** It seeks to use science creatively, not destructively. Humanists believe that the solutions to the world's problems lie in human thought and action rather than divine intervention. Humanism advocates the application of the methods of science and free inquiry to the problems of human welfare. But Humanists also believe that the application of science and technology must be tempered by human values. Science gives us the means but human values must propose the ends.
3. ***Humanism supports democracy and human rights.*** Humanism aims at the fullest possible development of every human being. It holds that democracy and human development are matters of right. The principles of democracy and human rights can be applied to many human relationships and are not restricted to methods of government.
4. ***Humanism insists that personal liberty must be combined with social responsibility.*** Humanism ventures to build a world on the idea of the free person responsible to society, and recognises our dependence on and responsibility for the natural world. Humanism is undogmatic, imposing no creed upon its adherents. It is thus committed to education free from indoctrination.
5. ***Humanism is a response to the widespread demand for an alternative to dogmatic religion.*** The world's major religions claim to be based on revelations fixed for all time, and many seek to impose their world-views on all of humanity. Humanism recognises that reliable knowledge of the world and ourselves arises through a continuing process of observation, evaluation and revision.
6. ***Humanism values artistic creativity and imagination*** and recognises the transforming power of art. Humanism affirms the importance of literature, music, and the visual and performing arts for personal development and fulfilment.
7. ***Humanism is a lifeway aiming at the maximum possible fulfilment through the cultivation of ethical and creative living*** and offers an ethical and rational means of addressing the challenges of our times. Humanism can be a way of life for everyone everywhere.

Our primary task is to make human beings aware in the simplest terms of what Humanism can mean to them and what it commits them to. By utilising free inquiry, the power of science and creative imagination for the furtherance of peace and in the service of compassion, we have confidence that we have the means to solve the problems that confront us all. We call upon all who share this conviction to associate themselves with us in this endeavour.

IHEU Congress 2002.



## ONTARIO HUMANIST SOCIETY

### TEN GUIDING PRINCIPLES OF HUMANISM

1. Humanism aims at the full development of every human being.
2. Humanists uphold the broadest application of democratic principles in all human relationships.
3. Humanists advocate the use of scientific methods, both as a guide to distinguish fact from fiction and to help develop beneficial and creative uses of science and technology.
4. Humanists affirm the dignity of every person and the right of the individual to maximum possible freedom compatible with the rights of others.
5. Humanists call for the continued improvement of society so that no one may be deprived of the basic necessities of life, and for institutions and conditions to provide every person with opportunities for developing their full potential.
6. Humanists support the development and extension of fundamental human freedoms, as expressed in the United Nations Universal Declaration of Human Rights and supplemented by UN International Covenants comprising the United Nations Bill of Human Rights.
7. Humanists advocate peaceful resolution of conflicts between individuals, groups, and nations.
8. The humanist ethic encourages development of the positive potentialities in human nature, and approves conduct based on a sense of responsibility to oneself and to all other persons.
9. Humanists affirm that individual and social problems can only be resolved by means of human reason, intelligent effort, critical thinking joined with compassion and a spirit of empathy for all living beings.
10. Humanists affirm that human beings are completely a part of nature, and that our survival is dependent upon a healthy planet that provides us and all other forms of life with a sustainable environment.

## APPENDIX THREE



### ONTARIO HUMANIST SOCIETY **Gay Rights (LGBTQ) STATEMENT**

The Ontario Humanist Society (OHS), a member of the International Humanist and Ethical Union (IHEU), supports and endorses the International Humanist and Ethical Union (IHEU) resolution on Gay Rights (LGBTQ), passed in Toronto in 1994, stating:

1. The IHEU affirms that one of its main aims is to secure justice and fairness in society and to eliminate discrimination and intolerance.
2. That this extends to all people regardless of their beliefs, sex, sexual orientation, or race.

Gail McCabe, President  
Ontario Humanist Society  
January 13, 2011