

The limits of moral arguments for rights from culture and religion

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I wanted to talk today about the limits of moral arguments. I don't wish to speak entirely abstractly. My problem is practical. It strikes me that we are traveling down potentially dangerous political paths in relation to the way we treat indigenous cultures. I say 'dangerous' because I am concerned about how we structure our societies, and the kinds of societies we are creating for the future, and whether, potentially, we are compromising values that have been the foundation stones of contemporary liberal societies, such as freedom of expression, freedom of information, and the separation of church and state.

My research concerns how we live with religious groups in a multicultural society. Let me characterize the issue loosely – and I acknowledge and regret this is a caricature of the situation. Liberals in countries such as England, the United States and Australia, as well as many other countries throughout Europe, are concerned about the migrant groups within their midst. At the moment they are concerned about those migrant groups who are Muslims, and the perceived intolerance, and potential violence, these groups display in matters of religion. As societies, we are concerned about the values these people hold, such as their attitudes towards women, and whether showing too much tolerance for difference also involves too much tolerance for the denial of rights that all women should enjoy, and the permissibility of practices such as female circumcision and of what is now called genital mutilation. In Australia in the last couple of years we experienced a shocking display of intolerance in the form of a riot at a beach, in which Australian youths, draped in the flag as a mark of their patriotism, fought with people of Middle Eastern appearance. The pretext for this riot was the way, it was claimed, that the youths treated women on the beach. This concern might be dismissed as a 'moral panic'. I am using this term in the sociological sense of a false or exaggerated perception that the cultural behavior of migrants poses a threat to society and to our values. At the same time, however, the issue of multiculturalism raises numerous issues about equity, and the response a liberal society should make to different religious groups.

I do not speak of issues here about Muslims in particular, but about the issues that arise between conflicts of values within multicultural societies, and the claims of religious groups for special treatment before the law. There are issues faced in health care and hospitals, for instance, over whether Jehovah's Witnesses should be able to deny life-saving blood transfusions to their children. There are questions in Australia about whether the legal system has been failing to protect Aboriginal women and children from domestic violence and rape because it has been overly sensitive of cultural differences, and as a consequence has been allowing the gross abuse of power in Aboriginal societies. What I intend to do here is to trace one particular issue – rights in relation to the sacred – particularly in relation to sacred symbols. There is a similarity between moral claims by indigenous people about the protection of their culture, and the claims of religious groups for the protection of their religions. I want to show how moral claims for the protection of

culture involve the protection of religion. I also wish to raise questions about the limits of moral claims for the protection of culture.

The limits of moral arguments

A moral argument has something like a syllogistic form. For a conclusion that we should do something to be valid, the premises of the argument must include at least one value statement. This value statement is 'the limit' of the moral argument. It must be accepted for the argument to proceed. Some people who are concerned that ethics must have foundations think that this value statement must be self-evident or self justified, and require no further argument for it to count as a limit. However, even if we think there are no universal moral foundations, we may often come up with fundamental values that we respect, and feel others ought to respect. Human rights, for example, have this kind of moral authority.

Valid argument also requires that the terms we use be consistent – otherwise one ends up equivocating between terms. The conclusion will be false, or beyond the limits of the original premise. What I want to look at in this paper is an equivocation between the concepts of religion and culture. I will argue that 'cultural' rights may end up protecting religion.

Why does this matter? I think the reason why this matters is that political issues often arise within the context of policy debates about **who** has rights.

Let me give two examples of issues about who has rights. I was told a story the other day that when the Druids first claimed Stonehenge as a sacred space, they were considered to be merely a group of cranks. It was explained to me that they were not a proper religion. But why say that a group of people claiming to be a religion are not one because they do not have a tradition, or there has been a radical break in that tradition. According to the British museum website, 'Modern Druids have no direct connection to the Druids of the Iron Age...In particular, there is no link between the Iron Age Druids and the people who built and worshipped at Stonehenge, Wiltshire. This ancient monument was part of a religion that ended before the Iron Age began.' (The British Museum, 'The Druids', http://www.britishmuseum.org/explore/highlights/article_index/d/the_druids.aspx, viewed, Saturday 17 May). According to this information, then, it is not merely a matter of 'a break' in tradition, but also that Stonehenge was not a Druid sacred site. It was a sacred site within a different culture.

A similar argument has been used to undermine the authority of the Acoma tribe's claims that images found at from an archeological site known as Pottery Mound in New Mexico could not be used for a mural to be painted at the University of New Mexico. The tribe claimed the murals involved depictions of cultural icons and images that were found within a sacred chamber, and that the reproduction of the designs in the mural interfered with their religion. The Acoma tribe claimed that all images they produced were sacred, and hence protected under the Native American Graves Protection and Repatriation Act. However, it was pointed out that no one knew which tribe had painted the murals, and

that the painters of the Pottery Mound murals were a mixture of Aztec and a local ancient Indian groups who practiced human sacrifice. It was argued that the Acoma tribe, having no known link to the site, could not claim control over the images on the basis that they were sacred to it. However, the university decided not to proceed with the mural. (Julia Duin, 'Tribes veto Southwest mural', The Washington Times, 18 February, 2003, <http://www.nathpo.org/News/NAGPRA/News-NAGPRA29.htm>, viewed 16 May.)

Let us look more closely at these arguments. Both these cases involved undermining the religious claim on the basis that the groups are not culturally connected with what they were claiming is sacred. But what difference would it make to the claims of these two groups if it **were** found that they were culturally connected with these symbols and sites? Would we then accept the claims that Stonehenge rightfully belonged to the Druids, and that the Acoma have a right to control the use of the symbols from Pottery Mound? And if we did, why would culture make this difference to us?

Not only is there contest concerning who has rights that may be undermined on the basis of the culture to which groups belong, there is controversy about **the extent** of the rights they should have. The religions of indigenous groups are given special protection. The painter of the University of Mexico mural, Tom Baker, pointed out that the manner in which the University had responded to the Acoma tribe's claim, which involved canceling the commission, was very different to a controversy involving a painting of the Virgin of Guadalupe. The Virgin of Guadalupe depicts an appearance of the Virgin Mary in Mexico in the 16th century, and the image is revered by contemporary Catholics. This religious group objected to a painting depicting her in a bikini exhibited at the state-funded Museum of New Mexico in Santa Fe, which refused to remove the painting. (Julia Duin, 'Tribes veto Southwest mural', The Washington Times, 18 February, 2003, <http://www.nathpo.org/News/NAGPRA/News-NAGPRA29.htm>, viewed 16 May.)

The difference between how we treat indigenous religion and other religion is marked. It is now widely accepted within museums in Australia, New Zealand, Canada, the United States of America and other post-colonial countries that the way indigenous people want their religious artefacts to be displayed (and indeed whether they may be displayed) must be negotiated between the museum and the traditional custodians. Moreover, funding bodies for the arts in these countries have introduced policies suggesting that non-indigenous artists wishing to make representations about indigenous culture and religion must negotiate with indigenous groups about how culture and religion may be portrayed. While museums and funding bodies may accept indigenous claims about how their religious arts may be represented and displayed, no similar concessions are made to other religious groups. So the issue is of more than theoretical interest. We can expect, or should expect, consistency in relation to these issues in museum and arts funding policy. If the argument for indigenous controls over the display of indigenous sacred artefacts is sound, then we might also think the same arguments can be used by non-indigenous religious groups, or have strong reasons for the exception.

Freedom of religion is generally thought of as a negative liberty, while the right to culture is increasingly thought of as a positive liberty. Yet it seems to me that at the heart of this

problem is a form of equivocation about the relationship between culture and religion. In the next section, I intend to discuss the rights of religion, and rights of culture in greater detail. I will show how proposed protections for culture offer protections for religion far stronger than those recognized under freedom of religion.

Rights of religion and of culture

Religious rights

Article 18 *International Covenant on Civil and Political Rights* states: ‘Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change religion or belief, and freedom, either alone or in community with others and in public or in private, to manifest his religion or belief in practice, worship and observance.’ Historically, many European nation states managed seemingly incompatible differences between religious views, and the violence associated with these differences, by adopting a policy of toleration. The basic tenant of toleration was a commitment to freedom of conscience (King, 1976: 77). The justifications for it varied, from a commitment to personal liberty following Locke, to a quasi-Hobbesian belief that the role of the state was to keep the peace rather than to defend religious dogma. As a policy, religious toleration has been understood as providing a ‘negative freedom’: freedom from interference in religious beliefs or worship (Murphy, 1997: 370). On one interpretation, all that freedom of religion requires is freedom from persecution. Anne Phillips discusses this as a ‘hands off’ toleration, that ‘relegates differences to the private sphere’ and ‘leaves the presumptions of the host culture untouched, and all the adjustment is then one-way’ (Phillips in Mendus and Horton (eds.) 1999: 128). Yet a stronger requirement suggested for freedom of religion is that a liberal society should make allowances for religious groups. For instance, Paul Bou-Habib has argued that allowances may be made to enable the member of a religious group to participate in religious observance, and to maintain their integrity in meeting religious duties (2006).

An even stronger claim is that tolerance in a religious pluralism requires more than mere exemptions to laws, but respect for religious beliefs. As Peter Jones puts it, “‘respect for beliefs’” is a principle that is especially relevant to a plural society in which different groups of people hold fundamentally different beliefs. The principle holds that, in such a society, not only should people be allowed to conduct their lives in accordance with their most deeply held beliefs, they should also not have to endure attacks upon those beliefs’ (1990: 421). Jones (1990) spelt out the connection between blasphemy and the politics of recognition in terms of a relationship between a person’s group identity and that groups’ beliefs. He suggested that, on this view, a respect for persons involves a respect for their beliefs, as a disrespect of their beliefs may seem like a disrespect of their identity. A principle of respect for the beliefs of others is at odds with the liberal principle of freedom of expression. It is not entirely clear why beliefs should be respected in this way. Critics of multiculturalism and identity politics, such as Brian Barry (2001), have ridiculed the idea that there could ever be enforced respect for another’s ideas. However, Jones, who is sympathetic to the idea that we should treat people’s religious symbols with respect, ultimately concludes that we should leave the presumption in favor of freedom of expression, but morally condemn those who abuse their freedom.

Cultural rights

Article 27 of the *International Covenant on Civil and Political Rights* states: “In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in the community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language”. I take this to be an article, like freedom of religion, that is a negative liberty protecting individuals from the active suppression of their ethnic, religious or linguistic group. Such cultural groups may have been subject to active suppression under colonization, people have lost land, lost the means of economic activity, been educated in an alien language, and are often living in the most appalling poverty. Even if such cultural vandalism had not occurred under colonization, it would be difficult for such groups to maintain their culture under existing economic and political conditions. Liberal societies, as has often been said, are hostile ground for indigenous minorities. Liberalism may also be considered destructive of cultural group identities within the broader societies. By outlawing certain activities, such as polygamy, liberalism may be considered a hostile environment to those religious groups. The value of community has been suggested as a reason for acknowledging minority groups’ rights that would effectively provide exemptions from certain kinds of liberties, so that people may live according to their chosen lifestyles (Green in Kymlicka (ed.), 1995).

Bhikhu Parekh has written about the difficulties that indigenous communities face maintaining their cultures within the context of globalization and capitalism. Western culture’s interactions with other cultures, he points out, ‘occur under grossly unequal conditions, and those at the receiving end often find it difficult to make autonomous choices. Unable to arrest the disintegration of their traditional cultures which have hitherto given meaning to their lives and held them together as communities, they experience a veritable moral panic and become vulnerable to pedlars of a fundamentalist return to an allegedly pristine past. Uncritical and wholesale assimilation of western culture is not the answer for them, because inherited cultures cannot be discarded like old clothes or new one assimilated without appropriate indigenization...The only course of action open to such societies is to undertake the momentous task of creatively reinterpreting their culture...’ (Bhikhu Parek, *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Cambridge MA: Harvard University Press, 2002, pp. 164-5.) It is not a matter of merely suppressing cultures, liberal states may provide contexts in which they disintegrate through economic forces and disinterest. Intellectual property laws have defined their cultural resources to be freely available to every one as folk creations, hence depriving these groups of the means to capitalize on their remaining cultural resources. In response, the United Nations and the World Intellectual Property Organisation have moved to provide mechanisms that will enable indigenous cultures to preserve and maintain their cultures. Such mechanisms will provide these communities with the means of adapting to contemporary economic systems, and redress some of the imbalance in the groups’ economic capacity within society.

In 2003, the United Nations adopted a Convention for Safeguarding of Intangible Cultural Heritage ‘aimed at ensuring the viability of traditional cultural heritage,

including the identification, documentation, research, preservation, protection, promotion, enhancement, transmission, particularly through formal and non-formal education, as well as the revitalization of the various aspects of heritage.’ (Article 2, section 3. See Michael F. Brown, ‘Heritage Trouble: Recent Work on the Protection of Intangible Cultural Heritage’, *International Journal of Cultural Property*, vol. 12, 2005, pp. 40-61 for a critical discussion of this convention.) This calls for the creation of documentation and inventories of intangible cultural heritage in each territory. Another international response is the WIPO draft protocols for the protection of traditional cultural expression. The objectives of these protocols are to recognize the value of cultural communities, promote respect, meet the actual needs of communities, prevent the misappropriation of traditional cultural expression, empower communities, support customary practices and community cooperation, contribute to safeguarding traditional cultures, encourage community innovation and creativity, promote intellectual and artistic freedom, research and cultural exchange on equitable terms, contribute to cultural diversity, promote community development and legitimate trading activities, preclude unauthorized intellectual property rights, and to enhance certainty, transparency and mutual confidence.

Our responses to the rights of freedom of religion and the rights to culture are thus quite different. Freedom of religion, as a negative right, protects individuals against persecution on the basis of belief, and gives them the freedom to change their religion according to their conscience. However, we are not concerned with the protection or maintenance of religions. If a religion were to go out of existence because no one believed in it anymore, we would not care. Indeed, if there was one religion that was true, we would think it acceptable if everyone followed it. Less diversity would be better than living one’s life incorrectly or falsely. However, the international response to indigenous and minority groups is quite different. We would consider it a loss if a culture went out of existence, and consider cultural diversity itself valuable. While it would be unacceptable to religions for a state to promote a religion, or to seek to maintain it if it were threatened, it is considered a matter of justice that we support minority groups, and in particular indigenous groups, to maintain their culture.

Not only is there a major difference between how we treat religions and indigenous societies, what is sacred within indigenous cultures is provided with particularly strong protection. For example, Article 3 of the draft protocols for the Protection of Traditional Cultural Expression states that in respect of traditional cultural expressions of particular cultural or spiritual significance to a community there will be mechanisms to prevent the ‘reproduction, publication, adaptation, broadcasting, public performance, communication to the public’ of traditional cultural expression other than words signs names and symbols, and prevents any ‘distortion, mutilation or other modification of, or derogatory action in relation to’ the expression. I take it that this would cover stories and songs and rituals. In respect to signs, names and symbols, the article suggests that there be prohibitions on any use that disparages, offends, or falsely suggests a connection with the community concerned. Moreover, Article 3 states that any use would require ‘free, prior and informed consent’ by the community.

In contrast, law reform commissions in countries like Britain and Australia have vigorously argued that offense is not a sufficient reason to restrict freedom of expression, and for that reason among others, have recommended dismantling laws against blasphemy. One of the problems identified with the idea of 'offense' is its subjectivity – we cannot be sure of what will be offensive to people who are particularly sensitive. Moreover, it has been argued that law that protects one religion, as blasphemy did, was unjust to other religions, and that the laws against blasphemy were prime examples of states protecting specific religions. No-one has ever suggested that we require the permission of a religious group to use its symbols, or to pillory them, or to mock them. The difference here is startling. So, as Britain removes blasphemy from its statutes, and moves away from the protection of one religious group, international law is moving in precisely the opposite direction in relation to indigenous religions and suggesting that particularly strong laws protecting symbols of spiritual significance. In protecting culture, we offer protections for religion that appear to be far stronger than any rights that are recognized under freedom of religion, or even the rights that are accorded a state religion, such as the Church of England.

We might ask how this came about. If there is such a major difference between the rights of freedom of religion and the right to live in one's culture, how can I suggest that religious rights are provided for under cultural rights is somehow a result of an equivocation. It strikes me that this is part of our anthropological heritage. In the next section, I wish to discuss the connection between religion and community in Durkheim, and its contemporary political consequence.

Durkheim on religion and culture

Before Durkheim, in the works of Taylor, Mueller and Frazer, religion, was considered as a property of the individual, as the individual's reaction to nature, or a series of delusions. Even William James did not break with this tradition. For William James, the sacred and its experience is variable, dependent on the individual, and has its authority from the psychological experience of the individual. His focus is on religious feelings and impulses as related by individuals. He ignores the "institutional branch of religion" completely focusing on 'that which lives itself out within the private breast' (Varieties p335). Alternatively, for Durkheim the sacred is specific and independent of the individual, based in communal action and ritual, evoking emotional responses of belonging and awe in the believer. He specifically criticises James for neglecting institutions and churches. The sacred is neither about feelings of brotherhood or a matter of voluntary association. It is a social imperative that affirms society and binds the individual to it. Against James, Durkheim argues that religion is not about belief in god(s) but in the distinction between the sacred and the profane. This was a very powerful analytic move on Durkheim's part and substantially shaped the sociology and anthropology of religion.

Durkheim's approach was itself shaped by William Robertson Smith, *Lectures on the Religion of the Semites* (1889) which argues that the sacrificial meal between god and men produces a sacral community which Durkheim read in 1912; and Fustel Coulanges',

The Ancient City (1901) in which he argued that the religion of Ancient Rome reflects the social structure of Roman society (Pickering, 1984: 47).

For Durkheim, a religion is not a set of 'truths' which hold good because they work for the individual (James' pragmatist position). Rather religious beliefs provide the basis for social action and are based on the truth of society. What does religion function to do? It creates a social bond; it remakes social commitments through the 'effervescence'; it produces individuals who are versed in sacrifice and asceticism, which result in altruism and social service; and in bringing the group together around collective ritual it maintains the collective memory of the group thereby producing continuity over generations (Wach, 1944). As Durkheim puts it in the *Elementary Forms of the Religious Life*: religion is the "way societies become conscious of themselves and their history". "The gods are no other than collective forces personified and hypostasised in material form. Ultimately, it is the society that is worshipped by the believers; the superiority of the gods over men is that of the group over its members. The early gods were the substantive objects which served as symbols to the collectivity and for this reason became representations of it" (EFRL: 160).

From its earliest reception the duality of the sacred and profane in *Elementary Forms* has been seriously questioned. Even pupils loyal to Durkheim such as Marcel Granet found in his empirical work on religion in China that the dualism was not marked. (Granet, M. (1975 orig 1922) *The Religion of the Chinese People*. tr M. Freedman. Oxford: Basil Blackwell.) Evans-Pritchard, in his studies of the Azande rejected it flatly, arguing that the two categories intermingled and were inseparable and did not negate each other (Evans-Pritchard, E. (1937) *Witchcraft, Oracles and Magic Among the Azande*. Oxford: Clarendon Press). Most damaging though has been the work of Stanner, based as it is on fieldwork with Australian Aboriginals (Stanner, W. (1967) 'Reflections on Durkheim and Aboriginal Religion', in M. Freedman (ed) *Social Organization: Essays presented to Raymond Firth*. London, Frank Cass). Remember that the basis of Durkheim's distinction between the sacred and profane is that religious thought reflects social organization. Durkheim asserts that no individual can be a member of two moieties, and that this radical separation is reflected in the religious thought and the basis of the distinction between the sacred and the profane. Stanner's fieldwork shows that in fact members of different moieties do intermingle and that the moieties are not radically distinct. Groups can and do intermix while still preserving their identities and hence neither their social organization, and their conceptual thinking does not reflect the dualism that Durkheim ascribes to them. What these objections show is that the distinction between sacred and profane that Durkheim develops does not explain all the features of societies that recognise something like a realm of the sacred, and that the concept of the sacred does not necessarily have the features that Durkheim suggests.

While Durkheim's theory of totemism has been rejected, it has profoundly affected the way in which we think about indigenous cultures. In particular, we describe them as wholistic, without a separation of religion and the state, or religion and law. For instance, in Yolgnu clans, the source of law is religion, and the source of the authority of the most senior men of the clan (the first born son of the first born son) is their age and religious

knowledge. A man who 'knows everything', or *worrungu*, has a full knowledge of all myth, ritual, and the symbolism in which these are embedded. (Nancy M. Williams, *Two Laws: Managing Disputes in a Contemporary Aboriginal Community*, 1987, p. 46) We cannot we protect a culture such as this without recognizing the laws that structure society, the authority structure of that society, and the religion that is the basis of both the authority and the law. Because of this, we have trouble distinguishing between religion and law, or religion and custom in indigenous communities. This inability to make these distinctions have profound influences on how we imagine the relationship between religion and culture in both law and political philosophy.

Equivocations in culture and religion

This equivocation between religion and culture that I have identified in relation to anthropology is also common within political philosophy. For instance, in discussing how culture shapes and structures our moral lives, Parekh writes: 'Many traditional cultures see nature as a spiritual whole and consider human attitude to it to be a matter of moral concern; most moderns take a 'disenchanted' view of nature and place it outside of morality. In some cultures food is seen as God's gift or a means of sustaining the God-given body, and what one eats, how and with whom are moral matters; in others they have no moral significance. Many Protestant cultures stress the internal dimension of morality and treat it as separate and autonomous aspect of life; others such as the Chinese, the Hindus and several African societies embed it in a system of rituals and social conventions, and some of them do not even have a separate word for it.' (Bhiku Parekh, *Rethinking Multiculturalism: Cultural Diversity and Political Theory*, Cambridge: Harvard University Press, 2000, p. 144) Note there is a slip in terms from culture to religion. First he argues that morality is culturally embedded – and that one needs to change culture to change morality. Then, when providing examples of such cultural embeddings he provides religious examples. Religion is now operating synonymously with culture, or identifies a different culture.

Despite this particular slip between terms, Parekh does want to distinguish between culture and religion. Parekh uses the term 'culture' to refer to the system of beliefs and practices that structure and regulate individual and collective lives. The beliefs in question are beliefs about the meaning and significance of human life. Culture is a historically created system of meaning and significance – 'It is a way of understanding and organizing human life'. (143) The way a 'culture' is organized depends on the way life is understood, so a particular cultural 'understanding' has a practical dimension. Religion 'shapes a culture's systems of beliefs and practices' and 'culture influences how a religion is interpreted, its rituals conducted, the place assigned to it in the life of society.' (147) We can make an abstract distinction between culture and religion, for culture influences how religion is interpreted, which accounts for 'the great differences between Indonesian, Indian, Iranian and Algerian forms of Islam or the Chinese, Egyptian and American forms of Christianity' (147). But this abstraction and distinction is enabled by the fact that he is discussing world religions that allow comparison between cultural manifestations. No similar abstraction is possible in relation to Aboriginal

cultures and religions, possibly because anthropologists do not appear to make comparative studies of this kind.

Two of our reasons for thinking the limits of moral arguments are important are practical. In public debate, one of the commonest forms of argument is the slippery-slope argument, and may also be called an argument from absurdity (*reduction ad absurdum*). The slippery slope argument suggests that if we make a decision in favour of one thing, we are logically committed to other judgments that we would wish to reject. This is a kind of argument to take seriously in legal situations, where one is considering what the law should look like. It is concerned with principled decision making. A political, rather than logical, form of the slippery slope argument is concerned with the empirical demands that may be made if people are allowed 'to get a foot in the door'. It may be a concern about the practical difficulties of decision making, of what demands that will be made in the future. Generally, when one is talking about freedom of expression, one is talking about this kind of concern. It is not necessarily that liberals think people have a right to offend others, but that banning certain kinds of speech will lead to banning other kinds of speech. (Joel Feinberg, *The Moral Limits of the Criminal Law* vol. 2, *Offense to Others*, New York, Oxford University Press, p. 93.)

The limit I wish to discuss concerns more than a practical concern of this kind. I want to point to an ambiguity in the laws we make about culture, not to argue that we should be wary of the legal powers we give religious groups (which we should be) but because we appear, unintentionally, to be headed in this direction. This concerns a problem of equivocation. If we cannot distinguish between religion and culture, then liberal societies must commit themselves to protecting religious groups. Moreover, once we have protected one religious group, we need to be able to make a distinction between them, and other religious groups if we are to avoid applying such judgments universally in law. One way in which we might do this is to distinguish between those religions that have different cultural forms, the world religions, and religions that are identified with a particular culture. However, such a distinction would not be satisfactory in the sense that what all religious groups have been asking for is that the value of their symbols be respected. In all these cases, we are told that the protection of art, of symbols, and of stories and rituals, is necessary simply because they are sacred.