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When Freedoms Collide

PROFESSOR HELEN ALVARÉ



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ABOUT MAXIM INSTITUTE

New Zealand is a richly textured country. It has a great and colourful history and a thriving culture. Its people have inherited a vast and dynamic landscape. They know how to live and play well.

Yet, New Zealand faces serious challenges. How we respond today shapes the future our children inherit tomorrow.

Maxim Institute is an independent research and public policy think tank. We are committed to the people, land, history and culture of New Zealand.

Our mission is to investigate the ideas shaping New Zealand, engage our nation's leaders, and enrich our democracy.

As a think tank, Maxim Institute engages in the following core activities:

- producing research and informed analysis of contemporary issues;
- developing and promoting sound public policy;
- communicating our research findings and policy initiatives to the decision-makers and leaders of today;
- training and mentoring tomorrow's leaders for all areas of community, political and business life; and
- equipping New Zealanders to become better informed and more effective agents of change in their community.

THE ANNUAL SIR JOHN GRAHAM LECTURE

Sir John Graham is a New Zealand hero. He has spent his life training, inspiring and mentoring young New Zealanders in education and sport, having had a celebrated and distinguished career in both fields. He has been Headmaster of Auckland Grammar School, Captain of the All Blacks and President of the New Zealand Rugby Football Union.



John is a dedicated leader in our nation and his passion for New Zealand has endowed this country with a brilliant legacy. Appropriately, he was recognised for his services to education and the community with a CBE in 1994, and was further honoured when he was knighted in the Queen's Birthday Honours List in 2011. John Graham's commitment to service and to this country has enriched all New Zealanders.

PROFESSOR HELEN ALVARÉ

Helen Alvaré is a Professor of Law at George Mason University School of Law, where she is also the faculty advisor to the law school's *Civil Rights Law Journal*. Beyond the University, she is the chair of the Task Force on Conscience Protection of the Witherspoon Institute, a consultant for the Pontifical Council of the Laity, and cooperates with the Permanent Observer Mission of the Holy See to the United Nations as a speaker and a delegate to various United Nations conferences.



In addition to her publications in law reviews and other academic journals, Professor Alvaré is an ABC news consultant and publishes regularly at *thepublicdiscourse.com*, and in news outlets including the *New York Times*, the *Washington Post*, the *Huffington Post*, the *Weekly Standard*, and the *Washington Examiner*. She also speaks at academic and professional conferences in the United States, Europe, Latin America and Australia.

Annual Sir John Graham Lecture
Auckland, 31 July 2014
Professor Helen Alvaré

Greetings, and thank you so very much. It is an honour to be asked to come so far to address you. I am grateful to the organisers, and to all of you for coming, and for the conversation we will have shortly.

I have really enjoyed reading and thinking about New Zealand's law and culture before coming here—in addition of course to what I learned years ago as the mother of a rugby playing son who knows enough to bow down before the country that does rugby right! Our countries and cultures differ significantly, but at the level of human experience, there's a lot we can talk about when it comes to the role of conscience protection in a free, diverse, and democratic society—which both of us enjoy. On our shrinking globe, we face similar dilemmas respecting freedom of conscience, whether we're talking about rights respecting life and death, sex, religious garb, education, or military conscription. On this last matter, for example, both of our countries have reflected. In the U.S., the inquiry was two-fold.¹ Do philosophical objections to fighting count as much as religious objections? We answered yes. And to what activities might conscientious objection apply? That is, how far removed from

fighting can they be? Can they include manufacturing tanks? Here in New Zealand, you have a different history.²

You are likely familiar with the story of some New Zealanders' conscientious objection to participating in earlier 20th century wars for a variety of reasons ranging from the political, to the religious or philosophical. This was recently dramatised here in the TV programme titled after the excruciating punishment to which some of those soldiers were subjected: "Field Punishment Number 1."³ In New Zealand, appeals to conscience in connection with World Wars I and II were regularly rejected; objectors were sometimes imprisoned, and some were subjected to what can only be called torture. Dramatic interests were asserted on both sides: on the one side, interests in avoiding participating in harming or killing other human beings; on the other side, interests in demanding that citizens defend some human beings against the aggression of others. What is the framework for evaluating such competing claims? That is what I will attempt to address tonight.

At the beginning of my legal career, I worked in a law firm handling such cases for a diverse set of clients, then I worked on the issue for a church; and now I teach on these matters at a secular, state university, with a very varied population of students from many nations and many, many religions or no professed belief. The faculty is similarly diverse. I hope that my ongoing fascination with the question, and my experience talking about it at the level of reason before both friendly and not-so-friendly audiences, is helpfully put at your service today.

I would start by saying that there appears to be general agreement that cultures like ours favour respect for conscience; in fact, it's a mark of pride we share that we do not "squash" the human spirit. But there's also no doubt that the conversation immediately gets more fraught when it turns to practices versus beliefs—especially if the practice is unfamiliar to most people—or when the conversation turns to protecting conscientious objection in the context of a popular or stridently defended law, or a law advertised as righting a historic wrong. And there's always the background worrying over unleashing "chaos" if a lot of conscience protection is allowed in a big, diverse society.

There's more here than one presentation can presume to tackle. So here's what I will focus upon this evening: providing a framework for you to think about these cases when they hit the headlines, and showing you how this framework could address a particular and current case, specifically, requiring a doctor to facilitate euthanasia.

I will do this in three parts:

1. I want to suggest the reasons why there is a notable increase in conflicts between conscientious and other asserted goods or rights today. Starting here helps us think calmly about the situation. It eases the fear that plain old dislike of religion or particular religions is a factor operating alone, as that's an ugly thought. Of course, sometimes, distaste for religion plays a role, but it turns out that there are many factors—some quite mundane elements of “modern times”—acting to pressure conscience. Making a list helps us to think of ways to ease tensions by working on a variety of projects that are less complicated than measuring “exactly how much room is there in a free society for freedom of conscience,” which is not an easy task when approached all by itself.
2. I will suggest why I believe that freedom of conscience remains an individual and a social good today. Some of these reasons have been part of the public and the academic conversations for centuries, but some of them are recently formulated and understood.
3. Finally, I will suggest how the principles I have proposed might inform our deliberations about “how much” freedom of conscience to countenance in the particular case of the End of Life Choices Bill here in New Zealand.

1. REASONS FOR THE NOTABLE INCREASE IN CONFLICTS BETWEEN CONSCIENCE AND OTHER ASSERTED GOODS OR RIGHTS

There are at least four reasons I want to suggest:

a. Increasing legal regulation

We are increasingly legally regulated societies nowadays. There have been geometric increases in the volume of regulation over the last several decades in both of our nations,⁴ and those regulations are affecting more areas of life. Areas of life once governed by private choices, including conscientious beliefs, which includes religious beliefs. Some religious beliefs in particular led people to found charitable or educational institutions which are also now subject to more regulation.

Add to this the fact of increasingly diverse societies where people of many, many religious beliefs—and spiritual beliefs, as well as people who subscribe to neither—rub shoulders more often in their personal and their work lives. There are simply bound to be more differences of opinion about what behaviour is required or even permitted. This can give rise to a generalised anxiety about preserving peace, even before any clashes arise. In fact when our U.S. Supreme Court spelled out the situation in these terms in 1990,⁵ it mentioned the word “anarchy” to describe the potential for making allowances for all differences in conscientious commitments in the context of a pervasively regulated society. Increases in regulation in New Zealand in recent years, combined with greater diversity in religious populations, and the rising segment of people who do not affiliate⁶ with a particular religion suggest a similar dynamic here.

Add to this fact of more regulation the fact that more modern regulation often has the character of requiring cooperation with a particular act or practice; we are not talking simply about laws allowing other people to do things that a conscientious actor disagrees with, but laws forcing action against a person’s conscience. Being forced to act feels and is a lot more intrusive.

Add to this the fact that more of the regulation touches matters fraught with significance because of their very nature: religion, sexual morality, the family, the education of children, life and death, the social status of women, and the status of groups subject to marginalisation or discrimination over time.

And to this, add the fact that many regulations are adopting moral views or positions which are one or two years old, or less than a few decades old, and contradict conscientious and religious commitments not only previously shared by most citizens and governing authorities for hundreds of years, but held by many religious citizens for thousands of years.⁷ It feels to many citizens therefore, that the law turned upside down and then abruptly started knocking on their doors with quite particular demands. Further, these citizens of conscience are told that it is they who are “forcing or imposing” their values upon others, when they feel sharply that the truth is the other way around.

Add to this that because of the more privileged educational and often financial positions of those in both public and private positions of authority, more socioeconomically typical citizens feel that the regulations being brought to bear upon their lives don’t incorporate their values.⁸

All of these reflections are part of the “stew” of “increasing-government-regulation meets-a-diverse-citizenry.”

A rather textbook-perfect example of a clash meeting the description above happened recently in the U.S., where the owners of a big chain of crafts stores—a closely-held family business called Hobby Lobby—claimed that they could not cooperate with a federal requirement to provide for their employees and their daughters, health insurance that provided free drugs and devices that the federal government admitted could destroy developing human embryos. (Things like certain IUDs and so-called “morning after” contraception). The law contradicted decades of U.S. law that had given pretty generous exemptions to conscientious objectors to abortion.⁹ It contradicted popular will, especially among less privileged citizens.¹⁰ It involved forced cooperation with an activity deeply opposed by the objectors, and of course it involved the weighty matter of life and death. The federal government further fueled controversy by arguing to our highest court that it was up to the government to decide what behaviour violates a person’s conscience; that person or group of people could not make that decision for themselves.¹¹

Our Supreme Court granted victory to the business owners.¹² It was particularly firm on the conclusion that religious actors get to decide for themselves what violates their conscience, within reason. But it was not particularly strong on the matter of shielding conscientious objectors from some forms of remote cooperation even with abortion, and left open the door to the possibility that

the government might have a compelling interest in getting abortifacient drugs and devices to some women through their employer-provided health insurance.

b. Modern human rights consciousness

A second reason for a notable increase in conflicts between conscience and other asserted goods or rights, is tied to some important aspects of the modern human rights consciousness. There are three aspects I would highlight here:

First is the more modern focus upon “equality” as a crucial aspect of human rights. Of course this has ancient origins, but it is also more pronounced today, because we seem to have woken up—not perfectly, but better than we had in the past I think—to the human rights claims of past and sometimes ongoing victims of unjust discrimination. When, therefore, particular groups assert that equality or justice requires this or that outcome or rule, any opposition to that suggested rule—even opposition based on conscience—is easily construed negatively as denying human rights.

The second is the increasing practice of identifying a person’s sexual inclinations and expressions with that person’s whole identity. This is done by sexual identity interest groups, and even increasingly by lawmakers. To suggest that any form of consensual sexual expression should not get state support—as many people of conscience hold—ends up being labeled as opposition to some person’s very identity and personhood. Conscientious objectors have not understood this; they think that they are communicating about what actions or behaviours the state ought to endorse or not, not making judgments about other people’s personhood.

A third aspect of the modern human rights consciousness is the tendency to seek identical outcomes for men and women. In particular, to claim that “success” for both, for example means not only identical workplace rules and status, but also the guarantee of child-free sexual relationships. This fuels, for example the present furor in the United States over the Hobby Lobby decision. The federal government’s case specifically tied the birth control and abortion insurance-coverage mandate, causally, to the possibility for women to achieve economic and social equality with men.¹³

c. Notable traits of the “modern woman or man”

Turning to a third reason for a notable increase in conflicts between conscience and other asserted goods or rights, I would point to notable traits of the “modern woman or man” as observed by sociologists, philosophers or anthropologists.

One trait of course is our tendency to identify human progress with technological sophistication, including technological domination over nature, even control over human life and death. By definition, whatever stands in the way of this obstructs progress. Conscientious objection then, to everything from embryonic stem cell research to new reproductive technologies, to assisted suicide, to new weapons, to genetically engineered people or crops, can, from this perspective, appear retrograde, or even morally suspect.

Another modern trait—as noted by more than a few commentators—is modern individualism. This cuts two ways. It could result in the celebration of the woman or man who follows their own lights, i.e. it could result in more conscience protection. But it is often used instead as the premise for limiting or abolishing what some individuals consider their conscience rights, for example: burqa-wearing (is opposed in the name of women’s individual freedom), objections to facilitating assisted suicide (are opposed in the name of the freedom of the individual who wishes to die) or home-schooling (is opposed in the name of the freedom of the individual child to be exposed to a wider society in school).

Materialism is another modern trait. The celebration of economic gain and social status—as distinguished from gaining “riches” if you will, in family life or social service—the celebration of physical beauty as distinguished from personal relationships or virtue, and so on. This trait is a huge factor in the U.S. in the struggle over whether religious actors can be forced to facilitate paying for contraceptives and early abortifacients—because the “yes” argument is grounded largely on the claimed relationship between these drugs or devices, and women’s financial success at work. It is a huge factor in the assisted suicide debate as well, here and in several other countries.

Another modern trait is the decline in religious affiliation and attendance. (Though I would add here that lengthier investigations by pollsters¹⁴ have raised a good point: in the past, interviewees felt less free to acknowledge atheism than they feel now. The downward percentages professing religious affiliation, therefore,

may not be so steep; there may have been more self-described atheists in the past than the records reflect—they just didn't want to say it out loud).

Still, fewer religious adherents mean that there is less sympathy for demands to protect religious citizens from generally applicable laws. Not only are religious values less widely shared, but nonreligious citizens simply have less understanding of the fabric of religious lives and the place of particular acts or refusals within them. Religious acts, in this context, are more likely to be seen as discrete and odd choices rather than part of the fabric of a life which is integrated and ordered according to a religious world view.

d. The growth of certain beliefs about religion and religious people

A fourth reason for a notable increase in conflicts between conscience—particularly religious conscience—and other asserted goods or rights, is the growth of certain beliefs about religion and religious people.

These beliefs are the following:

That religion and religious believers are irrational. That they rely upon ancient texts and ideas which have been overtaken by science and technology.

That religion's claims to know truth, to know objective reality are just darn annoying. There is a modern sensibility that only two things are certain: change and the inability to judge people or situations completely and fairly.

That religious actors are hypocrites. Here, people claim that after crafting demanding standards, religious people violate them again and again. Think clergy sex abuse. Think luxury spending on church property. Think coercive conversions of native populations. Who wants to give folks like these what seem like special rights?

And finally there is the related notion in some cases that religious folks are prone to violence, to terrorism even, because their beliefs are of the "ultimate" (God-said-so) variety. This notion gives rise to the conclusion that safety requires a tight rein on religious tendencies.

This summary of the reasons for the current clash lets you think about mitigating it in ways you hadn't previously considered. These ways are essentially practical, and

they occur prior to engaging the big question: “how much room should a society allow for freedom of conscience?” You could for example, ease some of it by re-thinking our modern commitments to materialism or individualism, or to equating progress with technology. One might want to curb the regulatory state, or to learn more about the worldviews of people with particular conscience commitments. Or one might want to demand that people seeking conscientious objector status prove their sincerity, or produce reasoned evidence that their continued freedom does not harm others, and won’t unleash some kind of chaos.

But I think societies should also consider the possibility that freedom of conscience is a substantive good in itself, at both the individual and the social level. There exists a lot of emerging evidence that this is the case. So it’s to this question I now turn.

2. WHY FREEDOM OF CONSCIENCE REMAINS AN INDIVIDUAL AND A SOCIAL GOOD TODAY

My first set of considerations specifically addresses some of the above misgivings about people of conscience and their beliefs. My second set considers some quite recently and some perennially expressed goods of allowing in society and by law, room for freedom of conscience.

a. Respecting some people's real misgivings about people of conscience and their sets of beliefs.

i. *The fear of chaos or anarchy, for example, if conscience rights are permitted*

This fear is probably not well founded in your national situation or mine. Our legal and also informal (e.g. media, civil society, etc.) processes for hearing out the various interests involved in any conflict, and for coming to judgment about the social interests at stake, are simply too developed. The government and various interest groups, are provided ample opportunities to make the case that their interests are important, even overriding, to the point that conscience must stand down in certain circumstances.

Further, in both our nations, we have demonstrated the capacity to make complex regulations in so many arenas, tailored to the needs and goods of different people and whether in the financial, or the environmental, or the educational arenas. We have done the same in the past respecting myriad and even sensitive areas where law and conscience interact, and we are not experiencing alarming social effects. These areas include, at least: conscientious objection to military service; use of otherwise illegal substances in religious worship; protecting the seal of confession; hiring and firing ministerial personnel in religious institutions,¹⁵ and so forth. This is not to say that there never arises a genuinely complex conflict between the state or society and a conscientious actor; it is only to say that we have shown ourselves capable of managing complexity in many areas of regulation.

In the U.S. we have seen so many cries of the "sky will fall" if religious freedom is protected. Referring back to the Hobby Lobby case I mentioned above, groups angry at the Supreme Court's decision complained that women all

over America would suffer dire social and economic consequences because they could no longer afford birth control. They neglected to admit that all poor women and even women many times the poverty level had been receiving free or subsidised birth control from the government for decades, or that about 90% of companies were already giving women birth control insurance before the new federal rule, or that 99% of sexually active women had already bought and used birth control in the past.¹⁶ When a new religious freedom bill was proposed in Arizona, one interest group invented the possibility that Muslim taxi drivers would refuse service to Hindus, or Christians, or all women.¹⁷ There were no actual cases cited and the whole claim was outed as a scare tactic. If these kinds of claims continue to be the standard response to claims of conscience, they will soon begin to seem unserious, or just politically motivated, even if there are more solid objections to conscience rights in particular instances.

ii. What about the fear that deep conscientious convictions, particularly religion, are irrational?

This is a very large and complex topic on which I can only say a few things:

First, many religions, Christianity most notably, regard the interplay of reason with faith to be an essential aspect of the practice of the faith.¹⁸ If you take the time to read not only this theology, but also various public statements on matters where religion and public policy intersect, you will see that Christian sources use mostly arguments from reason. They also usually give evidence of the invaluable kind of “knowledge” that comes from up-close caring for vulnerable people in their innumerable institutions—for the poor, the immigrant, the sick, etc. This “data” is not only not irrational, but irreplaceable, as the most vulnerable citizens rarely have the opportunity to organise and make their case directly.¹⁹

Even respecting those religions making less of a public, doctrinal commitment specifically to the use of reason, even these often specifically consult reason when crafting their public square arguments. They use current data and scholarship regularly, whether in their press releases or their legislative testimony.

Here I hasten to add that I find often, that the groups most strenuously raising the spectre of irrationality among conscientious actors, are themselves

regularly operating from an ideological—versus a rational or empirical—platform. They will make conclusory statements about the essence of freedom or equality or dignity—statements which are highly contested—and then cite highly questionable, or no data. This was a huge feature of the debate in the United States over forcing religious actors to insure for contraception and abortion.²⁰ It is often a feature of assisted suicide debates as well.²¹

Furthermore, groups calling any comprehensive world view “irrational” usually try to label their own perspective “purely secular” or “rational” but then they usually refuse to engage even the possibility that their “secularism” is itself a comprehensive world view—whether materialist, or scientist, or individualist, but indeed comprehensive—in a manner quite comparable to the worldviews held by conscientious objectors.

It would be better if all contributors to a debate would rather acknowledge that:

- they have presumptions about human nature, human interrelationships, and the meaning of the world, among others;
- that they need to state what these are;
- and that they need to use data when available—good data, not biased—and also summon experiential evidence that can be understood by others.

Ordinary listeners can then evaluate these arguments so much better and more fairly than generalised allegations about who is or is not generally “rational.”

b. Arguments that making room for freedom of conscience is a personal and social good

Now I want to turn to some arguments that making room for freedom of conscience is a personal and a social good, noting in particular some of the most recent thinking and evidence on the subject.

i. *Human happiness, freedom and meaning*

The first argument is quite old, but still resonates. It is the reminder that human happiness and freedom depend upon people’s being able to search for meaning, and then to order their lives in accordance with it when they find it. There is even recent neurological evidence of this,²² not to mention the overwhelming evidence of global history. It is easily seen even in the

same national surveys demonstrating lower attendance at weekly religious services; they have findings often similar to the 1989 and 2011 studies of belief in New Zealand²³: that half of those who profess no religion believe in at least one of the following: God, life after death, soul, devil, hell, heaven, sin or reincarnation; that only 26% say they neither follow a religion nor consider themselves a spiritual person in the sacred or supernatural sense.

Further, do we really want to hobble adults' tendency to evaluate things and then to decide about right and wrong, and to order their lives accordingly? Is this not a basic human task/function for attaining identity and maturity? A precondition for a well-functioning society?

ii. It is “unreasonable” to close off ultimate questions

A second argument states that it can be considered objectively “unreasonable” in light of world history, and in light of the world as we find it—mysterious, beautiful, terrifying, but perhaps most importantly, not made by or ordered by us, as we were not self-made—to impede or to close off ultimate questions, or close off living in conformity with the answers. Questions like the meaning of my own life, of every relationship, and about the meaning of life in community.

There is also the fact that if we do not leave people free to pursue these questions, to judge, and to order their lives in integrity, who or what will supply their system of meaning? The majority view—which has been proved wrong not a few times? The predilections of the rich and powerful? The government in power? Are we satisfied in particular to cede to government control even natural, pre-governmental phenomena like the family, or worshipping communities? Isn't there an important sense in which protecting individuals' ability to interact with and to dialogue with the infinite is a crucial protection against tyranny? Failures to allow this dialogue are not unknown to us in history, with more than a few troubling (or worse) outcomes.

iii. Religious freedom and other social goods

A third argument for accommodating conscience is emerging from rather new literature on the relationship between religious freedom and other social goods.

Led by scholars like Daniel Philpott, Brian Grim, Roger Finke, Tim and Rebecca Shah and others, this research demonstrates in many cases, not just correlation, but causation, between religious freedom and social peace, women's freedom, freedom of the press, and economic prosperity.²⁴ There are also demonstrated empirical relationships between religious practice on the part of individuals and groups and increased volunteerism, family stability, and the establishing of social institutions reaching out to the poorest and most oppressed members of the population.²⁵

iv. The track records of communities of conscience

A fourth argument for conscience accommodation is the pretty impressive track record the communities of conscience have amassed in certain human rights arenas.

Even conscience or religious movements that don't command a large number of adherents at a particular point of time—respecting, for example, pacifism, death penalty opposition, anti-slavery and civil rights movements, disability-rights, chastity or opposition to discrimination against LGBT persons—can exert corrective influences on important debates, or go on to command majority support, and ultimately help propel whole societies forward on the matter of human rights.

3. THE END OF LIFE CHOICES BILL

At this point I want to conclude by focusing on the debate over the level of conscience protection in the End of Life Choices Bill. The debate is essentially this: does the Bill provide enough protection for conscience when it requires objecting doctors to refer a patient to someone they know will carry out euthanasia, rather than allowing them simply to say they can't help, without making any other referral? What can I offer on this considering the principles I set out above?

I would apply the following principles discussed above:

I would probably start with the fact that this is literally a life and death matter. And that the state would be demanding that a citizen cooperate in killing. That is very onerous.

There is also the fact that the state would be demanding cooperation with an action held quite recently—and for a very long historical period—to be a crime against human rights. Now this crime would be a “right” and objectors would be coerced to cooperate. That’s breathtaking change in short order.

I would also want to take a very close look at the relevant empirical evidence in an environment of legal euthanasia. The experience in the Netherlands, for example, would simply have to be brought to bear on the question, given its relatively long experience with euthanasia. It indicates that it does not long remain a matter of “assisting” those with uncontrolled pain. Instead, they are finding more non-voluntary euthanasia, increased usage on the disabled, the aged, the lonely, and the bereaved, as well as among the psychiatrically distressed. There is also a marked presence of family pressure.²⁶ An honest assessment of these facts and figures would have to come into the New Zealand conversation.

I would also want to make sure to take the pulse of the ordinary and not just the more privileged populace. The more privileged, however, get to make the laws, report on them, and dramatise the situation in the media. I don't know for sure the situation in New Zealand, but in the United States and elsewhere, euthanasia is more supported by the privileged.²⁷

One might also want to take into consideration broader factors. These include the track records of communities of conscience objecting to euthanasia. In the U.S. these are the same communities caring for the sick, the imprisoned, the disabled and the dying, and giving them a dignified remainder-of-life.

The euthanasia debate also intersects the argument about the substance of progress. Is it technological, individualistic, and material control over human life? The practice of forcing cooperation in the killing of a person takes one side of this debate; siding with the conscientious objector here represents a critical reception of this notion. It might even represent commitment to a very different and maybe appealing idea of human progress—that it lies instead in improving human solidarity, especially with the lonely, the sick, the aged, and the disabled.

Finally, you might consider the question of conscientious objection to cooperating in euthanasia in the context of the largest considerations I proposed regarding conscience protection. Maybe you like the idea that the free man or woman ought to be allowed to have and to live in accordance with an opinion about ultimate questions so long as this does not harm the common good or provoke anarchy. Maybe you cherish a particular boundary against the domination of the state or other powers that be. These are some of the factors that might be at play in your mind.

A few final remarks

Citizens who desire conscience protection will likely gain a better hearing or even success if we better communicate who we are and how we aspire to live overall. We should also communicate what positive values we share with citizens overall. We need to articulate how we seek to honour our own consciences while also avoiding chaos in society.

Of course, this would require media and governmental organisations and other venues to be open to these kinds of communications. This is by no means the norm at the moment.

Communities of conscience need to demonstrate integrity in their affairs. They also need—like their ideological foes—to be willing to offer evidence that their preferred position or behaviour contributes to human flourishing. But of course this requires public and legislative debates genuinely open to reason, which is not by any means the norm.

And with that, I am sure I have gone on quite long enough! I hope I have given you a framework you can fruitfully use. And I thank you for your very kind attention.

ENDNOTES

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