

FOI ET LIBERTÉ  
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# FIDES ET LIBERTAS



## 2018-2019

LIVING WITH OUR DEEPEST DIFFERENCES:  
INSIGHTS FROM THE 8TH WORLD CONGRESS  
ON RELIGIOUS FREEDOM

**International Religious Liberty Association**

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We believe that religious liberty is a God-given right.

We believe that legislation and other governmental acts which unite church and state are contrary to the best interest of both institutions and are potentially prejudicial to human rights, and we hold that religious liberty is best exercised where separation is maintained between church and state.

We believe that government is divinely ordained to support and protect citizens in their enjoyment of natural rights, and to rule in civil affairs; and that in so doing, government warrants respectful obedience and willing support.

We believe in the natural and inalienable right of freedom of conscience—to have or not have a religion; to adopt the religion or belief of one's choice; to change religious belief according to conscience; to manifest one's religion individually or in community with others in worship, observance, practice, promulgation, and teaching—subject only to respect for the equivalent rights of others.

We believe that religious liberty also includes the freedom to establish and operate appropriate charitable or educational institutions, to solicit or receive voluntary financial contributions, to observe days of rest and celebrate holidays in accordance with the precepts of one's religion, and to maintain communication with fellow believers at national and international levels.

We believe that religious liberty and the elimination of intolerance and discrimination based on religion or belief are essential in order to promote understanding, peace, and friendship among peoples. We believe that citizens should use lawful and honorable means to prevent the reduction of religious liberty.

We believe that the spirit of true religious liberty is epitomized in the Golden Rule: *Do unto others as you would have others do unto you.*

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## STATEMENT OF PURPOSES

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The purposes of the International Religious Liberty Association are universal and nonsectarian. They include:

1. Dissemination of the principles of religious liberty throughout the world;
2. Defense and safeguarding of the civil right for all people to worship, to adopt a religion or belief of their choice, and to manifest their religious convictions in observance, promulgation, and teaching, subject only to the respect for the equivalent rights of others;
3. Support for religious organizations to operate freely in every country through the establishment of charitable or educational institutions;
4. Organization of local, national, and regional chapters, in addition to holding seminars, symposiums, conferences, and congresses around the world.

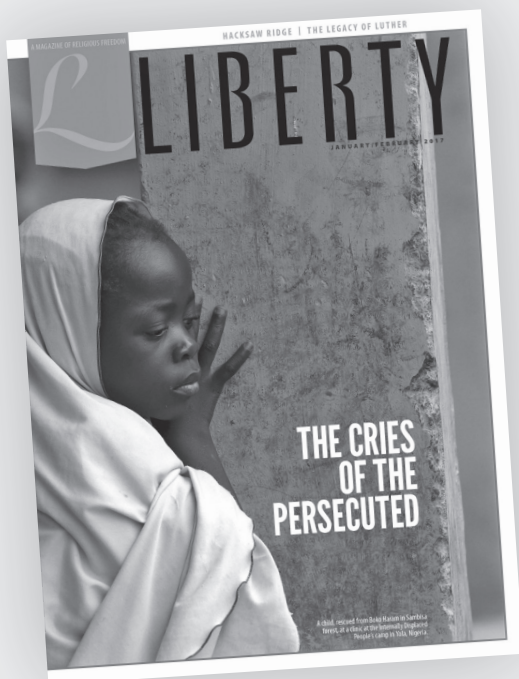
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The mission of the International Religious Liberty Association is to defend, protect, and promote religious liberty for all people everywhere.

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## DEDICATION

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We dedicate this volume of *Fides et Libertas* to 10 extraordinary individuals, who together represent a diverse range of disciplines and experiences. Among them are scholars, public officials, legal advocates, religious leaders, and members of the diplomatic community. They have lived and worked around the globe—from Canada to Colombia, Spain to the United States, Morocco to France, and in the Philippines. Yet, despite their vastly different fields of expertise and spheres of influence, they are linked together by a unique bond: their unwavering commitment to promote and nurture the freedom of religion or belief for all people, regardless of who they are or where they live.

On August 24, 2017—the final day of the IRLA 8th World Congress—Ambassador John Nay, President of the IRLA, and Dr. Ganoune Diop, Secretary General of the IRLA, took time to honor these individuals. Each one, in their own field of expertise and influence, has made exceptional and continuing contributions to the advancement of this fundamental freedom around the world.

## AWARD OF DISTINCTION

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**Ambassador Robert Seiple**, former United States Ambassador at Large for International Religious Freedom and former President of the International Religious Liberty Association



## AWARD OF HONOR

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**Rev. Liberato Bautista, PhD**, Assistant General Secretary for United Nations Ministry of the United Methodist General Board of Church and Society

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**Knox Thames, JD**, Special Advisor for Religious Minorities in the Near East and South/Central Asia at the United States Department of State



## A WORD FROM THE EDITORS ABOUT THIS SPECIAL EDITION OF *FIDES ET LIBERTAS*

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“Now, more than ever, we need a holistic understanding of religious freedom.” These words from Ganoune Diop, Secretary General of the International Religious Liberty Association, summed up one of the key objectives of a unique international gathering of religious freedom advocates held August 22 to 24, 2017, in Hollywood, Florida, United States.

The IRLA’s 8th World Congress on Religious Freedom brought together more than 550 scholars, public officials, religious leaders, and advocates from 65 countries. The event aimed to take a multidisciplinary look at the relationship between religious freedom and the challenge of nurturing peaceful coexistence in today’s religiously and politically fractured global landscape.

Over the three days of the Congress, more than 30 speakers, representing a range of academic and religious perspectives, explored religious freedom as more than just a constitutional or legal principle. They each brought their unique experience and expertise to the question of religious freedom and peaceful coexistence, examining it as a concept intimately linked with other fundamental human rights and with a whole range of economic, social, political, and cultural realities.

With this special edition of *Fides et Libertas*, we hope to convey to the reader a sense of what it was like to attend this landmark event. The articles contained herein are, by and large, taken from transcripts of proceedings. Thus, they reflect the fact that these were originally short, spoken presentations, given before a group of religious liberty advocates and experts from around the globe. Our hope, as you read these articles, is that you will glimpse a vibrant mosaic of ideas representing a range of perspectives that together provide unique insights into interrelatedness of religious freedom and peaceful coexistence.



# FOREWORD FROM THE INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION PRESIDENT: LIVING WITH OUR DEEPEST DIFFERENCES

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JOHN R. NAY<sup>1</sup>

No one knows how many religions there are in the world. One estimate I have read suggested that there might be about 4,200 religions and belief systems worldwide.

What we do know is that those religions and belief systems have widely differing views about God, about the origin of the world, about what happens to us when we die, and so on. As long as this world lasts, some people will come to one set of conclusions about the relationship between God and humanity, while others will have other religious convictions.

Whether one believes in God or not, human dignity and freedom require that people have the inherent moral right to choose their religion. They also need to have the legal and social right to do so. That right was recognized in Article 18 of the Universal Declaration of Human Rights, which states:

We each have the right to freedom of thought, conscience, and religion; this right includes freedom to change our religion or belief, and freedom, either alone or in community with others and in public or private, to manifest our religion or belief in teaching, practice, worship and observance.

Sadly, over the course of millennia, most people have not enjoyed that right. Too many of us humans have been arrogant enough to think that only we, only our religion, has “the truth” and have acted as if we have “the whole truth.” And way too often, such an attitude leads to efforts to force others to believe the same way.

The end result, of course, has been conflict as people refuse to accept the dicta of others. I don’t need to waste time listing the far-too-numerous religious wars and conflicts. And tragically, religiously related persecu-

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<sup>1</sup> This is an edited transcript of Ambassador John R. Nay’s introductory remarks made during the opening session of the 8th World Congress on Religious Freedom. Ambassador Nay has served as president of the International Religious Liberty Association since October 2016. Formerly a career member of the United States Senior Foreign Service, he has lived and worked in many different countries, and in 2009 was unanimously confirmed by the U.S. Senate as the U.S. Ambassador to the Republic of Suriname. During his time in Suriname (September 2009–September 2012), Ambassador Nay particularly emphasized the importance of human rights and freedom of the press.



tions and killings continue to this day. This has happened in my lifetime on every populated continent, and sadly, it continues to happen in far too many places, even to the point of an apparent effort to wipe out entire villages, cities, and people groups that follow different religions.

We face a major challenge as we work for both religious freedom and peaceful coexistence.

There is reason for optimism, however. Real progress has been made in this field – these fields. I wrote separately about how at times it seems as if we take three steps forward but then two steps back. That can be discouraging at times, but it still means there has been net progress.

I am both blessed and lucky to have had the chance to see a lot of the world. Having lived and worked in eight countries on four continents, as well as spending shorter periods in many other countries and seen how every culture, and every person has their own unique characteristics, I am convinced that there are many more similarities that unite people around the world than differences that divide us—unless we let them divide us.

Whether we are speaking of Christians or Muslims, Jews or Buddhists or Hindus or Baha'is—or among Christians (the Baptists or Catholics or Orthodox or Lutherans or Adventists) or among Muslims (the Sunnis or Shiites or Ismailis or Ahmadis or Sufis) or among any of the streams of thought within Judaism, Hinduism, and Buddhism—it is clear that most people of these groups desire the same fundamental things for their lives, their families, and their people.

All of the major faiths also have clear commands about how to treat others.

Judaism and Christianity both accept the command to “love your neighbor as yourself” (found first in Leviticus 19:18, and then nine more times in the Christian Bible).

In Islam, the Sunnah includes the statement “love for your brother what you love for yourself.”

The Baha'i say: And if your eyes be turned toward justice, choose for your neighbor that which you choose for yourself.

A Hindu sadhu friend of mine told me that according to the Maha Upanishad:

The world is a family.

One is a relative, the other stranger, say the small minded.

The entire world is a family, live the magnanimous.

Buddhism teaches, “Hurt not others with that which pains yourself,”





and Zoroastrianism and Confucianism say the same.

Even in Stoicism, practicing kindness toward others is part of what can be translated as disciplined self-improvement.

When I was in Suriname in northern South America, I was impressed how members of the various religions there got along very well in one of the most religiously diverse societies I have ever seen.

I remember one Friday evening when I was in a mosque in Suriname, listening to a lecture on Islam. Afterward, as I spoke with a local imam about his view of Islam and how he was concerned about how it was misunderstood—both by non-Muslims and also by an excitable minority of youth within the community who have used religious extremism as an excuse to violence—I thought about how this man also is my “neighbor” within that text’s meaning.

We face serious obstacles in helping to advance the cause of religious freedom and promoting the hope of peaceful coexistence. But such challenges, such obstacles, can make us stronger.

There are animosities enough and suspicions enough. We can do better, and we can work together to help others see that respect for human dignity and religious freedom will help promote peaceful coexistence. That is a goal to be cherished.

As we spend these coming days together, I look forward to learning more from all of you about how best we can tackle the obstacles we face and build on those obstacles to strengthen ourselves and the cause of freedom.

Whatever your religion or if you have no religion, if you seek to actively work on behalf of others, you will contribute to both freedom of religion and a hope for peaceful coexistence.



# INTRODUCTION FROM THE SECRETARY GENERAL: THE PIVOTAL POSITION OF FREEDOM OF RELIGION OR BELIEF FOR PEACEFUL COEXISTENCE

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GANOUNE DIOP<sup>1</sup>

## IRLA'S HOLISTIC UNDERSTANDING AND COMMITMENT TO PROMOTE RELIGIOUS FREEDOM

On behalf of the IRLA president, and in my own name, we are deeply grateful for your presence at this 8th IRLA World Congress. You come from various horizons, from every continent except maybe Antarctica. From wherever you come, we welcome you and have worked for months to make this gathering a memorable one.

Overall, the IRLA worldwide team works to contribute to develop a global culture of acceptance of freedom of religion or belief for all.

The major emphasis of the following reflection at the beginning of our Congress is to highlight IRLA's unique contributions, perspectives, and rationale for promoting this fundamental freedom of religious liberty.

Our aim is to provide critical insights into religious freedom. In fact, our understanding of freedom of religion or belief is informed by a theo-anthropological worldview in conversation with the Judeo-Christian Scriptures and with a wide range of other religious and philosophical traditions. This conversation is grounded on the premise of the universality of the principle of freedom of religion or belief, which in our view is inseparable from what it means to be human.

Freedom is constitutive to human nature. To deprive human beings of such a universal prerogative is to irreparably injure their humanity. Unless and until the right to decide according to the dictates of one's conscience is restored and allowed to function unhindered, IRLA is committed to such a restoration. This is the root cause of our mobilization to promote religious freedom for all and freedom of conscience for every person.

Consequently, we not only organize events and invite experts to bring their perspectives on religious freedom, such as at this 8th IRLA World Congress, but we are intentional about taking an active part in global

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<sup>1</sup> Ganoune Diop, PhD, is Secretary General of the International Religious Liberty Association and director of Public Affairs and Religious Liberty for the Seventh-day Adventist Church's world headquarters. He also serves as Secretary of the Conference of Secretaries of Christian World Communions. This is an edited transcript of his plenary session presentation at the 8th IRLA World Congress on Religious Freedom.



conversations in order to contribute to a worldwide culture integrating freedom of religion or belief as a core, shared human value.

Specifically, we aim at encouraging a holistic understanding of religious freedom. There is more to religious freedom than meets the eye. Freedom of religion or belief is a compound freedom at the intersection of several other human rights.

As all human rights are interrelated, interdependent, and indivisible, so are all fundamental freedoms. However, the precondition for the flourishing of any freedom is freedom of conscience and then freedom of religion or belief. As such, while we do not subscribe to a hierarchization of freedoms, nonetheless we believe that freedom of religion or belief is pivotal among other freedoms.

The need for advocacy and promotion of rights starts with freedom of conscience: the inner voice that deserves expression.

## **THE IMPORTANCE OF HUMAN CONSCIENCE: A UNIQUE INPUT**

First, we understand religious freedom to be the expression of the most intimate and sacred inner human property, human conscience.

A person loses his or her most distinctive characteristic when the conscience is silenced, and thus violated. To stifle someone's conscience is in fact an act of aggression. It injures a person's core self and damages self-esteem, creating traumas that dislocate his or her inner equilibrium.

Violence in the form of forcing an individual to go against his or her conscience negates the humanity of that person. Though not recognized as such, it is indeed a crime.

Nelson Mandela eloquently stated, "To deny any person their human rights is to challenge their very humanity." So, to deny any person or any institution their religious freedom is to deny their humanity or institutional existence.

Slavery is so despicable because of the suppression of the conscience of the enslaved person. Furthermore, without a functioning and active conscience, the sense of right and wrong escapes human responsibility.

Our focus is to clearly articulate in various forums the unique contributions of the IRLA global team regarding a holistic understanding and practical approach to religious freedom in ways that are relevant to the needs of our world today.

Fundamentally, one of our most significant contributions is a holistic understanding of religious freedom, which we offer to the international



community.

Religious freedom—freedom of religion or belief—is one of the tangible expressions of human dignity.

It is the fundamental freedom, which undergirds all the other freedoms.

It is connected to the most intimate freedom: freedom of conscience.

It is central to all other freedoms. In itself it is a compound freedom.

To promote religious freedom and be part of a global conversation is a multifaceted endeavor. It involves not only legal or legislative matters but also requires competence in other domains—social sciences, economy, administration psychology, and philosophy, to name but a few—without neglecting the competence needed in religious and theological studies.

To illustrate this point, organization of labor in society is incontrovertibly connected to ideologies. Historical ideologies that inform and sustain the organization of labor in society have had an inescapable bearing on the notion of “freedom of the individual.”

The quest for the emancipation of the individual from the debilitating constraints of inequity and inequality is still a perennial endeavor. This is so because, so far, none of the dominant economic models attempted throughout history have succeeded in making this world a peaceful place for all.

Liberalism has not produced the expected and anticipated enchantment. Socialist humanism brought about untold suffering and death, confiscation of religious property, deportation, and Gulag for millions. Evolutionary humanism in the hands of Hitler created the Holocaust, with concentration camps and the massacre of millions of Jews, other ethnic minorities, and people with disabilities. Liberal humanism seems to support crony capitalism, creating a new feudalism and serfdom whereby workers, including knowledge workers, find themselves caught in a quagmire of dependence and fear of losing their jobs and income.

The human family is searching for something that can enchant again and bring needed hope in uncertain times.

The unique platform of the IRLA World Congress offers a space for the building of a consensus regarding the importance of all human beings, the preciousness of human life, the mystery of human life, and the incontrovertible human dignity of every person. This is based on the unique importance of human conscience, the inner sacred space that characterizes every human being, binding our very existence and relations with others on ethical and moral principles and values, without which people are



instrumentalized and downgraded to being objects to use and abuse.

Within this framework, religious freedom and freedom of religion or belief can function as a sign, an ever-present reminder of the need to relate to every person with respect. We should approach with courteous circumspection before the mystery of every person whose inner world is rich in beauty and hidden treasures but also traumas and possible hurts that make people dysfunction. Every human story is complex. No one should be prosecutor, jury, and judge, distributing sentences against others based on the fact that they are different or do not fit our system of references and preferences. Acceptance of other people's right to exist in the dignity of difference requires a pause in each person, a relinquishing of the self-appointed indecency to judge others without knowing their story and hearing it from them, on their own terms.

Religious freedom, when believed and embraced, is part of a benevolent disposition toward every person one meets. It becomes an integral part of a lifestyle characterized by a humble attitude before the mystery of the Other, every person one encounters.

A foundational perspective about religious freedom is the fact that each human being one meets is in a unique, mysterious connection with the Creator. This relationship is sacred and intimate, at various stages of realization, irreducible to any categorization. It should never be desecrated by disruptive intrusions. This unique space, irreplaceable and irreproducible, should therefore not be violated.

Judging, criticizing, putting people into boxes, cataloguing individuals, and disrespecting the sanctity of others are part of the global, private, and personal destruction of the most valuable treasure in life: human beings—children, youth, adults, elderly people, all members of the human family.

What arrogance can justify the self-righteous attitude that elevates oneself above others to confine them in boxes, restrict their whole being to negativity, or discriminate and criminalize those who are part of the human family?

In essence this is sacrilegious, in the etymological sense, of intruding into someone else's conscience, monitoring its contents, legislating its norms, and coercing its choices.

The IRLA has chosen a humbler posture of advocating for freedom of thought, conscience, choice, expression, and existence. Whenever these freedoms are secured, then responsibilities in solidarity with the whole human family become genuine expressions of deep care for one another in the dignity of our differences for the love of our humanity.



We hope that during the 8th IRLA World Congress, the worst of religions, as well as the worst of secular philosophies and cultural practices, will be overcome. And further, we hope that the various contributions of people from many different backgrounds and persuasions will help forge a path where intersects the best of our various religious and philosophical traditions.



## RESOLUTION OF THE IRLA 8TH WORLD CONGRESS ON RELIGIOUS FREEDOM

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*On August 24, 2017—the final day of the 8th World Congress on Religious Freedom—attendees approved the following resolution by consensus.*

The International Religious Liberty Association (IRLA) in its 8th World Congress on August 24, 2017, expresses thanks and appreciation to the people of Ft. Lauderdale–Hollywood, Florida, for their hospitality in welcoming us to the United States.

This Congress—the first to be held in North America—has been our most internationally diverse yet, with some 550 attendees and guests coming from 65 countries and six continents.

We have received messages from the Honorable Ahmed Shaheed, United Nations Special Rapporteur for Freedom of Religion and Belief; Ambassador Robert A. Seiple, the first United States Ambassador-at-Large for International Religious Freedom; United States Ambassador John R. Nay, President of the IRLA; and, Knox Thames, Special Advisor for Religious Minorities in the Near East and South/Central Asia at the United States Department of State.

We have welcomed government officials from Colombia, Cuba, Jamaica, the Philippines, Russia, Ukraine, and Zambia.

Among the faith leaders who have addressed our Congress are the Rev. César García, General Secretary of the Mennonite World Conference; Dr. Ted N. C. Wilson, President of the General Conference of Seventh-day Adventists; Dr. Elizabeta Kitanovi, Executive Secretary of the Conference of European Churches; and Rev. Dr. Thomas Schirrmacher, chairman of the Theological Commission of the World Evangelical Alliance.

Our attendees, guests, and presenters have spanned the spectrum of belief and nonbelief—Baptists, Jews, Roman Catholics, Seventh-day Adventists, Mennonites, Methodists, Mormons, Muslims, Orthodox, Agnostics, and others.

This World Congress has brought together experts and delegates to discuss the contribution that freedom of religion or belief can make to sustainable, peaceful coexistence. Presenters discussed the relationship between religious freedom and societal stability, including protection of other human rights and economic development.

World Congress participants recognized that threats to freedom of religion or belief are serious and continue to increase. According to Brian J.

Grim, over 78 percent of the world's population lives in countries with high or very high restrictions on freedom of religion or belief, and the number has grown over the last five years.

The causes of these increased constraints were noted as coming from several sources. As religion has receded as a relevant factor in the day-to-day lives of an increasing number of people, communicating its importance and the related significance of freedom of religion or belief has become more difficult.

Too often, religious freedom is portrayed as being in conflict with other rights and interests. This has created an environment where freedom of religion or belief is devalued and made subordinate to other interests.

Congress participants recognized that concerns such as in the areas of safety, security, or other competing rights or interests are often invoked in a way that unduly limits freedom of religion and belief. Too often these interests can be used as a pretext to discriminate against disfavored religious groups or individuals. It was agreed that greater focus needs to be paid to balancing these needs and avoiding stereotypes regarding any religion.

Concern was also expressed that religion has often been coopted for destructive purposes. This instrumentalization of religion tends to undermine the legitimacy of—and support for—freedom of religion and belief. Congress participants discussed methods by which to reduce incidents of such misuse of religion.

Consequently, through this Resolution, the 8th IRLA World Congress:

1. Calls upon the nations of the world to actively promote the principles of freedom of religion or belief, as elaborated in Article 18 of the Universal Declaration of Human Rights and in the body of related international and regional human rights instruments, through their constitutions and laws and through practical implementation of these globally shared ideals.
2. Calls upon the people of the world to reacquaint themselves with the foundational human rights documents and first principles in order to emphasize the importance of freedom of religion or belief within the broader constellation of rights.
3. Encourages clergy, educators, and others—in addition to legal experts—to emphasize and teach that freedom of religion or belief is both an important legal right and a crucial societal value, which is to be protected in all aspects of civic life.
4. Requests that the IRLA continue to identify concrete ways for individuals and its local chapters to engage in religious freedom advocacy, ensuring that such advocacy is sensitive to both context and situation.



5. Encourages national and international actors to avoid stereotyping of any groups or individuals based on prejudices, preconceptions, or assumptions.
6. Recognizes that while violence is sometimes perpetrated in the name of religion, such actions should be countered by punishing those directly responsible. Violence should not be used as an excuse to oppress wider religious communities with which the perpetrators assert ties; blaming an entire community for the actions of a few strengthens and emboldens those who perpetuate violence in the name of religion.
7. Encourages religious and other leaders to recognize the danger of religion being hijacked and misused for nonreligious goals, and encourages religious leaders and believers to take steps to prevent this from happening in their own communities.
8. Authorizes the broad distribution of this resolution to international institutions, to religious and civil society organizations, and to supporters of freedom of religion or belief worldwide.

Adopted by consensus of those attending the eighth world congress of the International Religious Liberty Association in Hollywood, Florida, on August 24, 2017.

# FIDES ET LIBERTAS



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## PART I

### THE INTERRELATEDNESS OF RELIGIOUS FREEDOM AND PEACE

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# UNDERSTANDING THE RELIGIOUS FREEDOM LANDSCAPE

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BRIAN J. GRIM<sup>1</sup>

Two events have colored the way I look at religious freedom today. One took place in November 1989. I was walking through a wall, and this wall was in Berlin. The fall of the Berlin Wall—something no one expected—signaled the collapse of global communism. People had assumed that communist regimes would last as long as we would live. But the fall of the Berlin Wall showed that governments such as these, and their restrictive powers, can and do fall.

The other event that colored how I think about religious freedom happened on September 11, 2001. At the time, I was working in the Middle East in a city where some 20,000 people from Afghanistan were also working. The events of 9/11 made it clear that it is not only governments that can affect the situation for religious freedom, but also groups in society.

I would like to share with you some statistics about the state of religious freedom around the world and then end with some hopeful news.<sup>2</sup> Restrictions on religious freedom, as I have mentioned, can come from two main sources: the actions of governments and from groups in society. A study I have been leading for more than a decade has found that today, about 40 percent of the world's countries have high or very high restrictions on religious freedom coming from governments or from groups in society. Yet, because several of these countries are very populous, 78.5 percent of the world's population—or 5.9 billion people—live in countries with high or very high restrictions. That is a marked increase over the course of the study that was done at the Pew Research Center.

## CONCERNING TRENDS

In 2009, when I began the study at Pew, only 4.8 billion people lived

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<sup>1</sup> Brian J. Grim, PhD, is President of the Religious Freedom & Business Foundation. He was previously Director of Cross-National Data and Senior Researcher in religion and world affairs at the Pew Research Center's Religion & Public Life Project. He is an affiliated scholar at Boston University's Institute on Culture, Religion & World Affairs and Georgetown University's Religious Freedom Project. This is an edited transcript of one of his plenary session presentations at the 8th World Congress on Religious Freedom.

<sup>2</sup> Statistics were current as of August 2017, when this speech was delivered at the 8th World Congress on Religious Freedom.



in countries with high restrictions. Today nearly 6 billion people live in such countries, which is a 1.1 billion increase in the number of people living in countries with high restrictions. So, the situation and challenges for religious freedom are being felt keenly by more people around the world. This research is a careful look at multiple reports and sources of information, some coming from the United States government, the United Nations, and independent watchdogs such as Human Rights Watch. We count up and categorize each government restriction on religion and each social hostility involving religion, and then add them up into indexes so that we can monitor the state of religious freedom in the world.

So, what do I mean when I say a “government restriction on religion” and a “social hostility involving religion”? One example is Pakistan’s laws against blasphemy, which is saying something or doing something that is critical of God or the divine. In Pakistan, this is a capital offense punishable by jail and even death. This is a clear example of a government restriction.

On the other hand, several politicians in Pakistan were recently assassinated because they wanted to change these laws about blasphemy. At the same time, there have also been ongoing popular demonstrations in support of blasphemy laws. We consider both of these to be examples of social hostilities involving religion. These two forms of hostility to religion—government and social—are often connected, one leading to the other.

Another example is in France, where the burka has been banned. That is clearly a government restriction on religious freedom. At the same time, a spate of religion-related terrorist attacks in France would be considered social hostilities involving religion.

We find another example in India, where numerous states have laws protecting the sacredness of cows, and you cannot sell or eat beef. These laws are government restrictions, but when people in society kill others who are raising or eating cows, those actions are social hostilities involving religion.

High government restrictions on religious freedom occur in about 25 percent of the countries around the globe, and those countries comprise about 60 percent of the world’s population. Such restrictions, including a recent campaign to remove crosses from the tops of churches in a number of Chinese provinces, have been on the rise. Whereas 118 countries reported government action against people of faith in 2007, today 157 countries report government harassment or intimidation. That is an increase of 39 countries over the course of the study. Government use of physical force has also shown a marked increase. For instance, even in



France during the refugee crisis at Calais, the French government bulldozed several impromptu churches and mosques to the ground.

Government interference with worship has also been on the rise around the world. For instance, the recent ban on Jehovah's Witnesses in Russia was preceded by security forces entering places of worship and intimidating church members during their services.

Government regulation of religious symbols occurs even right here in the United States. A young woman, a Muslim, was recently pulled over for a traffic violation in the state of California. The officers saw that she had outstanding violations, so they took her into custody. The policemen made her remove her hijab, or head covering, and threw her into a cell with other men. These actions were later found by the United States Department of Justice to be a violation of her rights.

Social restrictions on religious freedom are high in about a quarter of the world's countries, but because several of these countries are populous, about 54 percent of people live with high social hostilities involving religion. For instance, in an increasing number of countries, people are assaulted for offending the majority faith. One example is Myanmar, or Burma, where Buddhists have advanced an ongoing campaign against Rohingya Muslims and others.

Social hostility also encompasses coercive enforcement of religious norms. For instance, in India five of its 28 states have anti-conversion laws, which are meant to stop people from being paid to change their religion. In practice, however, these laws often incite violence, and people use the anti-conversion laws to accuse neighbors and others. Enforcement of these religious laws has also been on the rise.

Reports of women being harassed over religious dress are also showing a significant increase. For instance, one of the leading newscasters in Iran, who is a strong proponent of wearing the veil, went on a picnic with her family and was photographed without her veil in a private park. This aroused tremendous social backlash, including on social media, against her.

Mob violence related to religion also happens in the United States. Recently in Charlottesville, Virginia, white supremacists and others were chanting anti-Semitic slogans while marching in the streets of the city. Many of these individuals have not only a white nationalistic perspective, but a very strong religious outlook as well, with crosses being one of their main symbols.

Religion-related terror and the brutal tactics of ISIS are also occur-



ring in a large number of countries, and this violence has been increasing for more than a decade.

## REASONS FOR HOPE

Now for some good news. Some 83 percent of countries have adopted at least some initiatives to reduce religious restrictions or hostilities, and 56 percent of countries are pursuing interfaith initiatives. One of those was led by former United Nations Secretary-General Ban Ki-moon, who set up a platform called Business for Peace within the United Nations Global Compact (UNGC). Another example of an interfaith initiative is the Global Business & Interfaith Peace Awards, which are presented every other year by the Religious Freedom & Business Foundation (RFBF) in cooperation with the UNGC.

An inaugural presentation of these awards, held on the eve of the 2016 Summer Paralympics following the Summer Olympics in Rio de Janeiro, Brazil, honored the leaders of 12 businesses for promoting religious freedom, interfaith understanding, or peace. The honorees included Jonathan Berezovsky, from Brazil, who economically empowers and integrates immigrants into society; Aziz Abu Sarah and Scott Cooper, of MEJDI Tours, who encourage peace and cultural understanding through dual-narrative tours; Frank Fredericks, who led a joint effort to spread awareness for a worldwide diversity campaign; renowned philanthropist Kathy Ireland, who continuously supports initiatives to advance and defend religious freedom worldwide; Y. W. Junardy, who hosts mass weddings that allow thousands of Indonesian families to gain legal status in their country; Don Larson, who is working to reverse the trend of broken families and hopeless poverty in Mozambique; Fouad Makhzoumi, who is empowering Lebanese youth to establish businesses and receive vocational training; Bruce McEver, co-founder of The Foundation for Religious Literacy, who facilitates religious tolerance and understanding in business; Baroness Nicholson, who is helping displaced Iraqi women to cope with the atrocities of war; Abdo Ibrahim El Tassi, who gives immigrants in Canada a jump start through training and interest-free loans; Tayyibah Taylor, who was a tireless voice for Muslim women across the world; and Brittany Underwood, who empowers mothers in Uganda to provide for their families.

Thirty-eight percent of countries today have implemented initiatives to combat religious discrimination. In 2008, a young Muslim woman



who wore a hijab was not hired by the clothing retailer Abercrombie & Fitch in the United States. Her case was taken up by the Equal Employment Opportunities Commission, which took the company to court. This court case eventually made its way to the Supreme Court, and in 2015, Abercrombie & Fitch was found guilty of religious discrimination because its decision not to hire was based on the woman's religious attire. This is one example of an initiative to combat religious discrimination through empowering a government agency to pursue these cases.

Twenty percent of countries are pursuing educational and training initiatives to promote interfaith understanding and religious freedom. One that was newly released in 2018 is from the international consulting firm Ernst & Young (EY). They developed a course called Religious Literacy for Organizations, which they are promoting worldwide to help companies learn how to better handle religious issues positively for business success within the workplace.

Finally, 15 percent of countries have had land or property initiatives trying to restore original ownership of properties that were confiscated either through past wars or conflicts. For instance, in Palermo in Sicily, a Jewish synagogue that was taken over many decades ago was recently returned to the Jewish community. The Catholic archbishop who was behind that initiative was given an award by the Israeli government.

## THE FREEDOM AND PEACE CONNECTION

Religious freedom is highly correlated with other positive outcomes in society. For instance, where you have religious freedom, you have more community resources in action to combat poverty, because religious groups and actors are often involved in poverty reduction efforts. Second, religious freedom results in better lives for women. Where you have religious freedom, you have more options for women to participate and you tend to have a much more open society, so religious freedom is highly correlated with the United Nations Sustainable Development Goal 5: Achieve gender equality and empower all women and girls. And most importantly, research clearly shows that high levels of religious freedom are also correlated with United Nations Sustainable Development Goal 16, which pursues peaceful and just societies.

More research on religious freedom and its connection to positive outcomes for society is at my foundation's website, [religiousfreedomand-business.org/research](http://religiousfreedomand-business.org/research).



# RELIGIOUS FREEDOM AS AN INCENTIVE FOR PEACE: A UNITED STATES GOVERNMENT PERSPECTIVE

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KNOX THAMES<sup>1</sup>

I want to emphasize, first, that religious freedom is at the heart of the liberties cherished by the American people. Second, that persecuted people around the world have no greater friend and ally than the United States. And third, that the protection and promotion of international religious freedom has been and continues to be a foreign policy priority of this country.

Religious freedom is not only a human right that belongs to every individual without exception, but its presence is one of the essential conditions for permanent peace, security, and stability. According to our own internal research, countries that respect and protect religious freedom and other fundamental freedoms appear less likely to experience the development of violent extremism and terrorism. This is because perceptions of injustice or perceived threats to identity—including religious identity—are among the known drivers of terrorist recruitment and radicalization to violence. Recent scholarship from the State University of New York has demonstrated how the denial of religious freedom increases the likelihood of violence. This research concluded that the best way to combat violent religious extremism is not by restricting religious practices, but rather by safeguarding their legitimate manifestations.

At its core, religious freedom is about freedom of conscience as well as the ability of individuals to hold the belief of their choice, to change faiths, or to hold no faith at all. It includes the ability of individuals to worship alone or in community with others, to educate children, and to share the faith through teaching and other communication. It is a capacious right, one that is strongly linked with other fundamental freedoms such as peaceful assembly and expression. It truly is a universal value, a fundamental building block to the democracies around the world. The United States views it as critically important that all persons be treated equally, regardless of their faith. No one should be forced into conversion or silence or be killed because of beliefs. This commitment is a founda-

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<sup>1</sup> Knox Thames, JD, is Special Advisor for Religious Minorities in the Near East and South/Central Asia at the U.S. Department of State. This is an edited transcript of his plenary session presentation at the 8th World Congress on Religious Freedom.





tional tenant of the United States, established in its constitution domestically and mandated in statutes regarding international engagements.

Yet the world is an increasingly hostile place for religious freedom and religious diversity.

Government repression endures, with actions targeting Christians and members of other religious minority groups, including jailing pastors and the targeting of Baha'is for mistreatment in Iran, prosecuting members of minority groups for blasphemy in Pakistan and Egypt, discriminatory actions against Ahmadis in Pakistan and Algeria, and enforcing limitations on the right to freedom of religion in Saudi Arabia. In Sudan, the government has arrested clergy and church members, denied permits for the construction of new churches, and closed or demolished existing churches. For more than 10 years, the Eritrean government has kept the Orthodox patriarch under house arrest. We also see Uzbekistan, Turkmenistan, and Tajikistan maintain incredibly tight controls on the free practice of religion of all, and I have met with impacted Adventist communities there.

But it is not only governments that persecute. We see persistent attacks on Christians and members of other religious minority groups coming from a variety of non-state actors. Examples of Christian populations being targeted by non-state actors include threatened villages in the Bekaa Valley of Lebanon, in Sinai and the Egyptian heartland—Cairo, Alexandria, Tanta, and Minya—and ISIS's atrocities across Iraq and Syria.

Members of other communities have also suffered greatly at the hands of violent extremists: ISIS attacks on Yezidis, Sunnis, Shia, Turkmen, Shabak, and Kakai in Iraq; sexual slavery and abuse of Yezidis and Turkmen; and the disappearance of the Sabaeen Mandeans from Iraq. ISIS targets Shia Muslims just for being Shia, and it strikes out at any Sunnis brave enough to denounce its hateful ideology—including religious leaders.

The Pew Forum on Religion and Public Life reports that almost 80 percent of the global population lives in countries with high or very high levels of religion-based government restrictions and/or societal hostilities, greatly impacting the enjoyment of freedom of religion or belief. Consequently, three out of every four citizens on Earth live in countries that limit their ability to fully enjoy freedom of religion or belief. These statistics highlight that the victims are individuals—real people like you and me—who happen to belong to religious minorities or disfavored religious or ethnic communities. And around the world, two seemingly unrelated groups—atheists and converts to Christianity and other faiths—face harsh



discrimination and increasing abuse by governments and societal actors.

To protect religious diversity and pluralism, and to see durable and lasting peace and security, we must all work together to protect freedom of thought, conscience, and religion or belief.

The United States is fully committed. Vice President Mike Pence stated that “Protecting and promoting religious freedom is a foreign policy priority of the Trump administration,” which “is fully committed in bringing relief and comfort to believers not only across the Middle East, but across the world.”

As many know, State Department efforts are led by the Ambassador at Large for International Religious Freedom. Governor Sam Brownback of Kansas was recently nominated for the position, making him the highest-ranking official to take up the post, should he be confirmed. My position at the State Department was added about two years ago at Congress’ direction, so as to sharpen U.S. government efforts to assist religious minorities in the Middle East and South and Central Asia. We also have the Office of International Religious Freedom at the State Department and an independent advisory body, the U.S. Commission on International Religious Freedom.

In addition, we are working with our friends and allies. For instance, I co-chair with my Canadian counterparts the International Contact Group for Freedom of Religion or Belief (ICG-FoRB), a network of about 25 countries committed to advancing Article 18 of the Universal Declaration of Human Rights. Together, the ICG has spoken out about religious freedom violations in Pakistan, Vietnam, Turkmenistan, and recently several member states publicly called for Eritrea to unconditionally release the Eritrean Orthodox Patriarchate from a decade of house arrest. In addition, the United States has partnered with France and Spain to focus on protecting religious minorities victimized by ISIS in Iraq and Syria. High-level conferences in Paris, Washington, and most recently Madrid have challenged governments and others to do more to aid religious and ethnic minority communities threatened by ISIS and other terrorist organizations.

And the news is not all bad. In my extensive travels since taking up this post almost two years ago, I have witnessed examples of increasing religious tolerance. I have seen this in the effort in Marrakesh, where Islamic scholars promoted equal citizenship for religious minorities. I have seen this in Egypt, with Muslim and Christian clerics coming together to promote interfaith dialogue. I have seen this in Tunisia, with the remarkable display of



government support for the annual pilgrimage to the Djerba island synagogue. I have seen this in the Persian Gulf, with the United Arab Emirates and Oman allowing for construction of churches to host large expatriate communities as well as Hindu temples and Sikh gurdwaras.

The question before all of us today is what more we can do as a community of values—a community that respects diversity of thought and belief—that truly believes religious freedom is the ultimate precondition for lasting peace. That is why this gathering is so important. That is why I welcome the leadership of the International Religious Liberty Association and the Seventh-day Adventist Church on these issues. Your information and ideas help make U.S. foreign policy smarter and more effective.

We are here because we have witnessed an alarming number of attacks on religious freedom and pluralism around the world, and we want to respond. We are here to reaffirm our commitment to protecting and promoting the universal right to freedom of religion or belief for all, regardless of the faith held or if no faith is held. As many of you can personally testify, the stakes are dangerously high for religious communities around the globe. So many are suffering: Christians, Jews, and Muslims; Baha'is and Yezidis; Hindus and Sikhs; converts and atheists; plus countless others. Too many have fallen victim to conflict and need our help. Protecting this fundamental freedom in all its aspects is a core priority that reflects international standards and brings peace.

In the United States, every February we celebrate the birthday of Martin Luther King, Jr., a Christian pastor from the American South who led a historic movement for racial equality in our country. If he were still alive today, I think he would be here. One of his most powerful quotes comes from the open letter he wrote in April 1963 from a jail in Birmingham, Alabama. Commenting on the interrelatedness of all communities, he stated: “injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly.”

Written more than 50 years ago, Dr. King's words are prescient, as our world is growing smaller and as peoples and faiths are intermixing as never before.

We truly are part of an “inescapable network of mutuality.” With the challenge before us, let us work to redouble our efforts to ensure that people everywhere can peacefully live out the faith of their choosing, without fear of harm or reprisal.



## RELIGIOUS FREEDOM AND THE HOPE FOR PEACEFUL COEXISTENCE

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DAVID LITTLE<sup>1</sup>

There is strong empirical evidence in favor of a close connection between religious freedom and peace. That is amply demonstrated in an important book by Brian Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century*,<sup>2</sup> and supplemented by subsequent research by the Pew Research Center.<sup>3</sup> Based on a rigorous worldwide study of government laws and policies, as well as social attitudes and practices toward religious belief and practice, Grim and Finke conclude as follows: “Violent religious persecution and conflict rise as government and social restrictions on religion increase.”<sup>4</sup> The reverse is also true: “We have demonstrated the pacifying consequences of religious freedoms. We have found that when social and government restrictions on religion are reduced, violent religious persecution is reduced.”<sup>5</sup> They also discovered a close statistical correlation between religious freedom and other freedoms and social well-being: “Wherever the level of religious freedom is high, there tend...to be fewer incidents of armed conflict, better health outcomes, higher levels of earned income, prolonged democracy, and better educational opportunities for men and women.”<sup>6</sup>

“Religious freedom” is defined for them by the standards inscribed in the international human rights instruments such as the Universal Declaration of Human Rights, the International Covenant of Civil and Political Rights, and the United Nations Declaration of the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief. Those standards guarantee rights to the freedom to express and exercise fundamental religious and nonreligious beliefs and practices; freedom from discrimination imposed because of the beliefs either of the victim or

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1 David Little is the T. J. Dermot Dunphy Retired Professor of the Practice in Religion, Ethnicity, and International Conflict, Harvard Divinity School.

2 Brian J. Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century* (New York: Cambridge University Press, 2011).

3 *Restrictions on Religion*, Pew Research Center ([pewresearch.org](http://pewresearch.org)).

4 Grim and Finke, *The Price of Freedom Denied*, 212.

5 *Ibid.*, 210.

6 *Ibid.* 206.



of the perpetrator of the discrimination; special protection for minorities endangered because of their beliefs and practices; protection against hate speech that incites to violence and discrimination; and the opportunity of parents or guardians to the religious education of their children or wards.<sup>7</sup>

One set of examples of “religious persecution,” as Grim and Finke use the term, would be government restrictions that violate human rights standards, such as laws and policies that outlaw blasphemy and apostasy or proselytizing and conversion; or that discriminate against unconventional or nontraditional religions by imposing unfair burdens or limiting access to public benefits; or that prohibit certain forms of religious attire, worship, or instruction. A second set of examples would be social restrictions that violate human rights standards, such as unofficial, popularly inspired acts of violence or discrimination against selected religious groups, including acts of terrorism and other forms of injurious harassment.

One striking example of a widespread social restriction is what Grim and Finke call the “religious intolerance gap.” It is the large statistical discrepancy between people who favor freedom for their own religion versus people who favor freedom for all religions. In nine out of ten countries studied, including the United States, “large majorities consider it ‘very important’ to live in a country that protects ‘my’ religion... When it came to the freedoms of others, however, support consistently fell.”<sup>8</sup>

For Grim and Finke, their most distressing finding is the pervasiveness of violent religious persecution around the world. “Of the 143 countries with populations of two million or more, ... 86% (123 countries) have documented cases of people being physically abused or displaced from their homes because of a lack of religious freedom ... [Moreover,] persecution is evident in every region of the globe. As expected, the highest rates and most severe levels of persecution are found in the Middle East and South Asia ... Whereas high levels of violent religious persecution are noticeably less frequent for Sub-Saharan Africa, Europe, and the Western Hemisphere, some level of abuse or displacement related to religion is present in the vast majority of countries in each region.”<sup>9</sup>

These observations date from 2011, when Grim and Finke published their book. A more recent study by the Pew Research Center concluded that as of 2015, after a three-year period of relative improvement, the

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7 See *ibid.*, 26-27.

8 *Ibid.*, 42.

9 *Ibid.*, 18-19.



number of countries with “high” or “very high” levels of government restriction and harassment of religious groups, and of social hostility and intimidation toward religious groups on the part of private individuals or organizations, had risen somewhat. That is particularly true in two of the areas described by Grim and Finke as enjoying higher levels of religious freedom. They are Europe, particularly in Russia and France—presumably as a result, in part, of increases in immigration and the growing threat of religiously related terrorism—and Sub-Saharan Africa, where the tolerant climate encouraged by Sufi Islam has been under pressure from more extreme Muslims and other political forces.<sup>10</sup>

If we are heartened, as I am, by the proposition that religious freedom and peace are closely connected, then the evidence, at present, of declining protection of religious freedom and, concomitantly, of rising levels of hostility and violence related to religion, raises rather urgently the question of how best to advance peace by encouraging and cultivating religious freedom.

Grim and Finke suggest two answers. The first is that religious freedom rights do not stand alone. They “are embedded in a much larger bundle” of human rights that are best guaranteed, they imply, by constitutional democracies.<sup>11</sup> Religious freedom thrives when a broad range of other civil, political, and economic rights are also protected, a conclusion that conforms well with something known in political science circles as the “liberal peace.”<sup>12</sup> Based on extensive empirical study, the liberal peace holds that the orderly and properly sequenced development of robust liberal political and economic institutions, including “a whole panoply of institutions to ensure the rule of law and [equal, constitutionally ensured] rights,” is a critical condition of national and international peace.<sup>13</sup> Robust liberal democracies have lower levels of internal violence and do not go to war with one another.<sup>14</sup> By contrast, illiberal or ethnically and religiously exclusivist institutions increase the probability of either institutionalized violence, as in authoritarian regimes where the police and military enforce intolerant and discriminatory laws, or violence outside institutional control, as caused by rebellion or insurgency.

10 See footnote 2, above.

11 Grim and Finke, *The Price of Freedom Denied*, 205, 216, 218, 220.

12 Michael W. Doyle, *Liberal Peace: Selected Essays* (New York: Routledge, Taylor & Francis Group, 2012).

13 Jack Snyder, *From Voting to Violence: Democratization and Nationalist Conflict* (New York: W.W. Norton & Co., 2000), 316–317.

14 Bruce Russett and John R. Oneal, *Triangulating Peace: Democracy, Interdependence, and International Organizations* (2001), 115 and 70.



The connection between human rights and the cultivation of prosperity and peace have been robustly reaffirmed in a recent United Nations report, “Extreme Poverty and Human Rights,” which chastises the World Bank for deliberately and mistakenly divorcing human rights from its development efforts around the world. The bank’s failure to make the connection “contradicts and undermines the consistent recognition by the international community of the integral relationship between human rights and development. It also prevents the bank from putting into practice much of its own policy research [in regard to] development.”<sup>15</sup>

In the light of these conclusions, we should be troubled, I believe, by the spread of authoritarianism around the world, which means increasing resistance to constitutional democracy and the protection of human rights, including religious freedom. A recent book on the subject, *Authoritarianism Goes Global: The Challenge to Democracy*, states that authoritarian regimes, such as Russia, China, Iran, and Saudi Arabia, “have achieved a dismaying degree of success in reshaping international bodies founded to promote human rights and democracy into forums more favorable to regimes that have scant regard for either.”<sup>16</sup> There is, therefore, an urgent need to redouble our efforts in support of policies that oppose the spread of authoritarianism at home and abroad.

In the four countries mentioned, we should remind ourselves that the violation of religious freedom rights is especially severe. Authoritarians are particularly adroit at using the threat of terrorism as a way of suppressing and mistreating religious groups and others. That is not to say that terrorist threat is not real in today’s world, but that because the threat is so easily abused, all appeals to national security that compromise democratic institutions and the protection of rights, including laws against discrimination based on religious belief or identity, must be held to the strictest scrutiny. Otherwise, we permit the erosion of the very institutions and rights necessary to the advancement of peace.

The second suggestion of Grim and Finke addresses how best to cultivate religious freedom specifically as a path to peace. Unfortunately, it is not as inspiring as the first suggestion, and needs to be amended. For them, religious freedom works rather like the free market. It is based on deregulation and a large number of competitors, thereby preventing either

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<sup>15</sup> Philip Alston, “Report of the Special Rapporteur on Extreme Poverty and Human Rights,” United Nations Document A/70/274 (August 4, 2015).

<sup>16</sup> Larry Diamond, Marc F. Plattner, and Christopher Walker, eds., *Authoritarianism Goes Global: The Challenge to Democracy* (Baltimore: Johns Hopkins University Press, 2016), 11.



the government or any single competitor from attaining a monopoly over others. This approach is especially necessary in the case of religion, they say, because the natural impulse of all religions is to gain advantage over others, and the best way to prevent that is to maximize competition. In believing themselves superior to others, religions invariably think of their competitors as “dangerous and wrong,” and as such in need, where possible, of repression. Accordingly, religious freedom as a means to peace is best achieved by externally imposing on religious groups a system of deregulation and extensive competition so as to prevent the inherent monopolistic impulses of religious groups from being realized.

Grim and Finke admit that these views, so deeply suspicious of religion in general, are derived from Enlightenment figures such as David Hume, Adam Smith, and Voltaire. To be sure, the views are not altogether mistaken. It is quite clear that the dangers of domination by one religion over others, often resulting in persecution and violent conflict, is reduced by a vibrant system of fair and open competition among religious groups such as we have, comparatively speaking, in this country.

However, this general characterization of religious attitudes toward freedom and peace is drastically one-sided, and in that way seriously deficient. While some religious groups in the Western tradition and outside it have often sought (and still continue to seek) to dominate and repress others, by no means is that true of all religious groups. We have but to mention, for example, the so-called “free church” tradition in Western Christianity, embodied in the Protestant Reformation by many Anabaptist groups, and then by radical Puritans such as the Baptists and Quakers in 17th-century England and colonial America, and later by numerous American Protestant groups dating from the 18th and 19th centuries, such as Moravians, Church of the Brethren, Seventh-day Adventists, and Mormons. These groups have all represented, in their own ways, and to a greater or lesser degree, a commitment to religious freedom for all and not just for themselves. They embrace the right of religious freedom, we may say, on principle rather than as an expedient or as a device imposed upon them against their will by a government suspicious of what it suspects is the inherent thirst for power of all religious groups. Moreover, we may also say, they embrace religious freedom quite self-consciously in the name of advancing the cause of peace.

Groups like these resolutely sided with the minority opinion in what Grim and Finke called the “religious intolerance gap,” cited earlier. That,





recall, is the huge statistical discrepancy between people who favor freedom for their own religion versus people who favor freedom for all religions. Speaking for such groups, Roger Williams, founder in 1636 of the Rhode Island colony and himself an early apostle of religious freedom, acutely detected the stark inconsistency involved in the “intolerance gap.” Religious people who seek freedom for themselves and not for others are, he said, like members of a ship’s crew who are “so partial as to persecute when they sit at the helm, and yet cry out against persecution when they are under the hatches.”<sup>17</sup>

It so happens that this same Roger Williams is a rich and, in my view, compelling source of thinking on the subject of religious freedom and peace; therefore, he is an appealing representative of the constructive approach to the subject embodied in the free-church tradition. He is a distinctive representative because, along with advocating for religious freedom, he managed against great odds to establish in practice “the first commonwealth in modern history to make religious liberty a cardinal principle of its corporate existence and to maintain the separation of church and state,” in the words of a distinguished historian of American religion.<sup>18</sup> This is important, because Williams began to grapple in a serious way not only with the theoretical challenges to designing political and legal institutions capable of accommodating a radically new understanding of religious freedom, but also with the practical difficulties involved in actually implementing such institutions.

Williams shared with members of the free-church tradition many of the same scriptural references taken to be the foundation of religious freedom. He, like so many others before him, drew on the classical texts—Mark 12:17: “Render to Caesar the things that are Caesar’s and to God the things that are God’s,” and John 18:36: “My kingdom is not of this world”—to argue for the independence of church from state, and, consequently, for the complete desanctification of the state. “There is a sword of civil justice, being of a material nature [designed] for the defense of persons, estates, families, [and] liberties of a city or civil state, . . . which cannot, now that it is under Christ, when all nations are merely civil, extend to matters of spirit and soul.”<sup>19</sup> Williams leaves no doubt about what he means: Although God ordains the need for earthly governments,

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17 Cited in Perry Miller, *Roger Williams: His Contribution to the American Tradition* (New York: Atheneum, 1962), 140.

18 Sydney E. Ahlstrom, *A Religious History of the American People* (New Haven, CT: Yale University Press, 1972), 182.

19 Cited in Miller, *Roger Williams*, 133 (italics added).



“the power, might, or authority” of particular civil governments “is not religious, Christian, etc., but natural, humane, and civil.”<sup>20</sup>

Thus, when a given government arrogates to itself the authority to enforce the Christianity upon its subjects or citizens, it is doing no less than crucifying Christ himself. In shedding “the blood of so many hundred thousand of poor servants [of Jesus] by the civil powers of the world, pretending [thereby] to suppress blasphemies, heresies, idolatries, superstition, etc.,” the persecutors of conscience, writes Williams, are unquestionably guilty of spilling “the most precious blood” of Jesus himself.<sup>21</sup>

It is a persistent theme throughout all Williams’ writings that religious freedom is a key ingredient of peace. He appeals to the “lamentably true experience of all ages”: that “persecution for cause of conscience hath ever proved pernicious,” exhibiting “the lance that hath pierced the veins of kings and kingdoms, of saints and sinners, and filled the streams and rivers with their blood.”<sup>22</sup> This is true, he contends, for Christians and non-Christians alike. “Among those who profess the same God and Christ as Papists and Protestants, or the same Mohammed as the Turks and Persians, . . . civil peace would [not] be broken . . . were it not for the bloody doctrine of persecution, which alone breaks the bonds of civil peace, and makes the spiritual causes the causes of their bloody dissensions.”<sup>23</sup>

Williams’ thoughts on religious freedom and peace are grounded not solely in Christian scripture, though that is a very important source for him, as it is for all the members of the free church tradition. He also grounds his thoughts in nature and reason, consistent with his claims about the purely “natural, humane, and civil” character of earthly governments. His position is simply a logical extension of the free-church theory of the separation of church and state. If political authorities are not religious authorities, and therefore ought to refrain from organizing and conducting earthly government according to religious teachings, then their authority must rest elsewhere, namely, on what is “natural, humane, and civil.”

Everything rests, for Williams, on the fact that having a conscience is essential to being human. It is part of the natural makeup of human beings, and as such is prior to and independent of any specific religious

20 Roger Williams, *The Complete Writings of Roger Williams, Volume 3: Bloody Tenent of Persecution*, 398.

21 Roger Williams, *The Complete Writings of Roger Williams, Volume 4: The Bloody Tenent Yet More Bloody*, 325.

22 Williams, *Complete Writings, Volume 3*, 182.

23 Cited in *On Religious Liberty: Selections from the Work of Roger Williams*, James Calvin Davis, ed. (Cambridge: Harvard University Press, 2008), 183.



beliefs a person may have. What is more, the essence of conscience is inward consent based on a conviction of truth and right. Physical force, in and of itself, cannot produce that. Belief depends on reasons based on arguments, evidence, and emotional appeals; the threat of force, as in a case of robbery or rape, is not a reason in the proper sense because it lacks justification. Thus, the only “weapons” suitably employed in the inward forum are “spiritual,” namely appeals and arguments subject to commonly understood standards, whose object is consensual or heartfelt agreement. Accordingly, “forcing the conscience of any person,” Williams writes, is equivalent to “soul rape,” to “defiling,” he says, “the very nature of a common honest conscience.” It is action that violates and deforms conscience, thereby predictably inciting resentment, resistance, and, frequently, violent conflict on the part of the members of any society, Christian or not.

Williams believed it was the principal function of civil government to protect the “natural right” of free conscience, along with other natural rights, such as self-defense and the rights against theft and fraud. While he did not develop an elaborate theory of government, he supported a rudimentary form of constitutional democracy, agreed to by the citizens of Rhode Island in 1647. That is a government, he said, that “springs [from] the people’s choice and free consent” and includes “a set of criminal laws roughly conforming to the second table of the Decalogue, a court system (both trials and appeals), a set of legislative procedures based on majority vote, and an elected executive system.”<sup>24</sup>

There are three crucial implications of Williams’ thinking: (1) All civil governments, authorized to implement the law by means of physical force, ought to be prevented from using force to instruct or punish conscience, thus ensuring freedom of conscience or religious freedom, which come to the same thing. (2) Governments that ensure religious freedom encourage peace; those that do not encourage violence. (3) Governments best designed to protect religious freedom also protect other basic rights within the framework of constitutional democracy.

In conclusion, we must hasten to add that Rhode Island Colony, which Roger Williams founded and tried hard to help administer throughout much of the 17th century, did not by any means achieve immediate peace and tranquility. Returning from England in 1663, carrying a charter that included an astoundingly broad provision for religious freedom, Williams encountered “a community so torn with dissension as

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24 Sumner B. Twiss, “Roger Williams and Freedom of Conscience and Religion as a Natural Right,” in *Religion and Public Policy: Human Rights, Conflict, and Ethics* (New York: Cambridge University Press, 2015), 70.



to be virtual anarchy,” as one historian puts it.<sup>25</sup> Despite such difficulties, however, Williams never changed his mind. Against huge odds, he persevered indefatigably to stand up for religious freedom and the separation of church and state as cardinal principles of a well-ordered government.

Both the conditions Williams encountered, and his own response, are important to remember. They remind us that creating and maintaining a political order that guarantees religious freedom is not easy. Living with a diversity of dearly held beliefs and practices appears to persistently rub human beings the wrong way. Grim and Finke were not altogether mistaken: The thirst for dominance among religious groups, as among all other aspects of human life, is very intense, as their depressing evidence of widespread intolerance demonstrates.

However, in response, Williams’ ardent commitment to religious freedom against all odds is enormously inspiring. In the thick of the alarming conditions he witnessed, he made a kind of impassioned wager that in the long run, religious freedom and peace actually do go together, and placing that bet was of urgent significance for understanding the moral and spiritual foundations of human society. Here the positive evidence of Grim and Finke is very relevant. Their impressive case that heightened provision for religious freedom does, in fact, go closely together with the reduction of violence turns out to be strong confirmation of Williams’ wager.

Williams also accurately intuited that the best hope for securing a system of peaceful coexistence is guaranteeing the right of religious freedom and other basic rights by building and maintaining constitutional democracy.

But the most powerful lesson of all, I propose, is the importance of a constructive commitment to religious freedom, such as is found in the free-church tradition and in the groundbreaking thought and activity of Roger Williams. Promoting peace, both by embracing religious freedom as of value in itself and as part of a broader system of rights assured by constitutional democracies, is surely enhanced by the efforts of people fervently dedicated on principle to the cause, and not just reluctantly driven to it by outside forces. That, at least, is something worth considering.

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25 Miller, *Roger Williams*, 221.



## RELIGIOUS FREEDOM: A COUNTERINTUITIVE PATH TO PEACE

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W. COLE DURHAM, JR.<sup>1</sup>

Freedom of religion or belief is fundamental to the structure of peace building. Without it, no society can be fully just, and processes aimed at achieving stable and lasting peace are necessarily incomplete. This fundamental human right has long been considered a critical tool for ending and averting religious warfare, but it also provides the necessary footings to begin crystallizing peace out of conflict.

What must be said, though, is that freedom of religion or belief is a counterintuitive right. It is important to recognize this, because it often remains counterintuitive to government leaders and others guiding government policy today. I am going to spend some time exploring just why this right is counterintuitive, and then I'll turn to explanations of why it nonetheless holds the keys to sustainable development.

Religious freedom appeared relatively late as a political ideal, because it was not only counterintuitive, but quite literally unthinkable. Religious homogeneity was, in premodern thought, assumed to be crucial to social stability. Religious dissent embodied the seeds of social disintegration. Religious conformity must be coerced in this view to assure social peace. Religious pluralism was experienced as the antithesis of sustainable peace and the seed bed of sedition, treason, and civil war. In significant ways, the enlightenment account of religious pluralism extended the premodern view. Religious pluralism came to be accepted as a historical fate, but also a dangerous fate that had to be controlled.

According to the Enlightenment narrative, there was a dichotomy between the religious and the secular, and Enlightenment constructed religion as an irrational and dangerous impulse that must give way in public to rational, secular forms of power. This was implemented in the Treaty of Westphalia, and it continues to form one of the major arguments that religion should be relegated to the private sphere. Research by Brian Grim shows that religious freedom is not only correlated with countless

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other social goods, but that a causal relationship exists between religious freedom and many of these social goods—though it is not always easy to document.

One of the ways Grim has documented this causal relationship is to show the presence of a cyclic pattern—what we could call the religious freedom cycle. If a country grants religious freedom, this allows broader religious participation, which generates many positive results in society, reinforcing the value of religious freedom. Thus, a very positive cycle develops. This is one way in which religious freedom could be a causative agent. Grim's work also identifies a religious violence cycle. In *The Price of Freedom Denied*, which he wrote with Roger Finke, Grim presents a detailed statistical analysis, but the basic principle is simple: social restrictions on religious freedom create pressures for government restrictions; however, government restrictions are often one of the primary causes of violence in society, and if you have violence, this generates further social restrictions, and thus the cycle continues in a negative direction.

One fact revealed by Grim's work is that although these cycles are counterintuitive, policymakers need to understand them. If these cycles are not taken into account, there is a very real risk that restrictive measures designed to check religious violence may actually make it worse. One risk is that this cycle can spin out of control, and increasing social and governmental constraints become forces that amplify polarization.

According to a standard account of religious pluralism, sociological pluralism is rooted in divergent religious views. Religion involves transcendent values treasured more than life itself, and it generates loyalties that run deeper than ties to any earthly sovereign. Because these differences are deep and non-negotiable, they lead to intractable conflicts. Religious freedom then becomes a tool that emerged from the cauldron of post-Reformation religious wars to quell the violence. That is the standard narrative.

A friend of mine, András Sajó, who just completed a term as vice-president of the European Court of Human Rights, described a broader phenomenon that he described as “the tragedy of liberty.” His point was this: liberty is fragile, since its psycho-social support is weak. The problem is that other political passions all too often strengthen demands for restricting liberty. Liberty is little appreciated while its discomfords are immediately felt.

The sources of this “tragedy of liberty” are many and include the fact



that freedom does not cater enough “goodies;” therefore, we get welfare state constraint. Another contributing factor is that liberty erodes some social bonds. Yet another source of this tragedy is the freedom to consume, which differs from the negative freedom that protects religious freedom from the state. We also have what you could call freedom of the body, by which what was once called “license” takes precedence over religious freedom. Think, for instance, of calls for subordination of religious freedom to demands of sexual politics. And then, conformity to majoritarian will can also take priority over deeper principles of freedom.

All of these factors can lead to erosion of liberty. I think of this as what could be called the “Grand Inquisitor Syndrome.” You may remember that Dostoyevsky’s *The Brothers Karamazov* tells a story of the Grand Inquisitor who imprisons a returning Christ, and the Inquisitor argues that the masses would prefer bread to the burden of freedom.

The result in modern societies is that freedom in general, and religious freedom in particular, ends up being eroded by the various forms that this “bread” can take. Religious freedom continues to receive lip service until other passions prevail. And that is part of the counterintuitive character of religious liberty.

Another argument along these lines is Tocqueville’s insight, speaking of the hazards of equality. He said, “[E]quality, which brings great benefits into the world, nevertheless suggests to men some very dangerous propensities. It tends to isolate them from each other, to concentrate every man’s attention upon himself, and it lays open the soul to an inordinate love of material gratification.” Tocqueville saw that, in many ways, the answer to this hazard is religion. He spoke of the benefits of religion in many passages, but this one is particularly useful. “There’s no religion,” he says, “which does not place the object of man’s desires above and beyond the treasures of earth and which does not naturally raise his soul to regions far above those of the senses. Nor is there any which does not impose on man, some sort of duties to his kind, and thus draws him at times from the contemplation of himself.”

Thus, Tocqueville sees religion as a key to stable democracy. From a secular Enlightenment perspective, however, it is precisely the pull of the transcendent that makes religion hazardous. It is the one passion that is strong enough to overcome the tragedy of liberty to remind people why liberty of all kinds is so important. But by its nature, religion is something that cannot be controlled by typical secular inducements, because they are



all inducements from this world, and religion calls to people from beyond this world. It is something that people care about more than life itself, and certainly more than the comforts of life. The challenge is to determine how this great spiritual force can become a source of sustainable stability rather than a source of destabilizing division.

While there is some counterintuitive pull to religion, and religious liberty, it's clear that it is the oldest and perhaps the most paradoxical of human rights. Religious liberty demands that we have respect for the rights of others to live out their beliefs, even though we may disagree with them. But it has proven itself as the most effective tool we have for managing deep difference. What makes it necessary, for securing sustainable peace in the context of pluralism, is precisely this paradoxical character of this right.

A great statement of this principle is found in one of the leading cases in the European Court of Human Rights, which says: "While it is possible that tensions created in situations where a religious or any other community becomes divided, that is when the conditions of pluralism begin to prevail, this is one of the unavoidable consequences of pluralism. The role of the authorities in such circumstances is not to remove the cause of tension by eliminating pluralism, but to ensure that the competing groups tolerate each other." What I want to do is talk about how this is done and why religious freedom is so important in this process.

The key insight came from the English philosopher John Locke, who recognized that respecting difference could breed loyalty and therefore stability. His insight found its way into American founding documents through Thomas Jefferson and James Madison and has become a time-tested tool ever since. In some ways, the Lockean notion needs to be adjusted. Locke was writing early and didn't realize ... he really thought that the rule of law would be enough to solve problems, and in fact we've learned that legislative bodies can draft legislation in ways that a neutral and general law may nonetheless create problems for specific groups. We have a consensus somewhat modeled in the United States, but emphasizing the importance that there's more than just the rule of law that we need to protect religious freedom.

Sometimes people think of religious freedom as making exceptions to normal statutes, which sounds unequalitarian, but maybe we need to look from a deeper perspective. In reality, keeping laws from limiting and eroding the religious freedom that is protected by constitutional and





higher-level principles is not a violation, but a preservation of something higher.

I think it's important to recognize that the Enlightenment narrative, which holds that violence comes from religion, is exaggerated. Like romantic love, religion is deeply implicated in much that is highest, but also much that is lowest in the human condition, and we must take that into account. In fact, religions are no more inclined to violence than secular ideologies. Historically, many of the brutal conflicts that we label "religious wars" weren't merely religious, but were also the effort of an emerging national state to assert itself. In some ways, they're really a proof of the assertion made by Brian Grim: that restrictive measures designed to check religious violence may actually make it worse.

The fundamental problem is not that we need homogeneity in society. Everyone has fears of other groups, and those fears trigger majoritarian efforts to dominate as well as minority attempts to regain equality. What we all need is the assurance that every person's own dignity and worldview will be protected. That's what freedom of religion does. What we need is not an ideology of secularism as a solution, but rather, an inclusive framework of secularity that accepts religion and does not ban it from the public sphere but instead welcomes different views and assures their safety.

One of the key charts in the book *The Price of Freedom Denied*, by Brian Grim and Roger Finke, shows the broad range of ways in which religion promotes social good. It promotes altruism, contributes to the material foundations of sustainable peace, and builds social capital. The religious factor is really important in advancing the United Nation's sustainable development goals. There are a variety of productive virtues, helps expand the range of religious peacemakers in society, opens channels of dialog and negotiation, protects religious communities, provides buffers between the individual and the state, helps form identity, helps confer meaning, helps envision the highest goods for society.

In conclusion, religious freedom is vital for defusing polarization and fear. It is an important mechanism for filtering out the problems that religion sometimes provides, while safeguarding the positive contribution that it makes. It also helps assure that religion can contribute to conflict resolution and stability. In an increasing fractured world, religious freedom provides our best hope for achieving sustainable peace.

# FIDES ET LIBERTAS



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## PART II

### THE MEANING AND SCOPE OF RELIGIOUS FREEDOM

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# WHY RELIGIOUS FREEDOM MATTERS

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MIROSLAV VOLF<sup>1</sup>

I want to start by saying that religious liberty matters to me personally a great deal. My family and I have experienced religious persecution by both secularist governments and larger religious communities. Indeed, from our own co-religionists.

Religious liberty matters, and I don't need to remind you of the grim statistics about the extent of religious persecution in the world today. These statistics, if I'm well informed, are getting worse by the day.

Instead, what I want to do in these brief remarks is to remind you (and myself) why religious freedom matters—why it matters in terms of who we are as human beings, and why it matters in its full sense, not just as freedom to embrace a given religion, but freedom also to publicly practice it and freedom to abandon it.

The second point I want to make is to show why great world religions today do indeed have resources to affirm religious freedom and to even support the kinds of political regimes that would protect religious freedom.

Now, I'm sure you're familiar with the phrase that religious freedom—religious liberty—is the “first freedom.” Why would it be appropriately called the first freedom? I think the answer to this question lies at the heart of great religious philosophies and is a way of defining the basic direction of our lives. Religion is not simply one choice among the plethora of choices that we face every day. It's not like choosing between different makes of cars, based on design or performance. It's not even like making a weightier choice between which persons we want to spend our lives with, as spouses.

Religions, in fact, define who we are as human beings. They specify the purpose of our lives and provide criteria by which we evaluate what is desirable and what is not; therefore, religious traditions inform and direct all other choices that we make. If I cannot set the purpose of my own life, if I cannot follow my conscience and embrace the criteria by which I evaluate what is desirable and choice-worthy, then I am, I want to submit to you, unfree at the core of my being. That's why I believe that religious

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freedom matters. That's why I believe that people need to be free both to choose a religion and also to abandon a religion with which they no longer identify.

Now, great world religions generally have an ambivalent relationship with religious freedom, in that they are very happy to affirm the choice of an individual in favor of their religion, but they're not so happy to affirm a person's choice to abandon that particular religion.

The reason why this happens is very clear. Each world religion asserts that the way of life to which it calls a person is a true one—true not merely in the sense of being appropriate for that person or for some group of people, but true universally for all human beings, at all times and places, and designed to guide every person to fulfillment as a human being. From its perspective, that religion is true for all.

By calling individuals to embrace a truer way of life, each religion tacitly assumes that a person has both the capacity to respond as well as a basic responsibility for the kind of life that he or she is to lead. And although religions do not always formulate it this way by, I believe that this thought lies at the very heart of their conviction: Just as nobody can be born or die in the place of another person, so too nobody can assume responsibility for the basic direction of another person's life between birth and death. So, on the one hand, religions affirm embracing the "true" religion.

On the other hand, they're quite uncomfortable with the idea that someone can abandon the "true" religion—by which each world religion means itself—once that individual has embraced it. There are multiple reasons for this discomfort, and I personally believe that none of them are very good. The first reason has to do with a religion's stance toward truth. If its adherents believe that the religion is true and its way of life is best, then how can they let people harm themselves by abandoning it? To grant people freedom to abandon the "true" religion would seem irresponsible. Yet, I am convinced that affirming the freedom to embrace a religion, while rejecting the freedom to leave a religion one no longer considers to be true, is inconsistent. If a person is responsible for the truth of his or her own existence, then a person carries that responsibility throughout his or her entire life.

But there's another reason why religious communities have traditionally pushed back against the freedom to abandon a given religion. For centuries people believed that no political order was possible without a single religion giving it unity, and world religions have thus tended to



blur the line of demarcation between religious community and political community. You could say that religious and political communities highly overlapped and, in many ways, merged.

That is why today, in countries that have apostasy laws, “apostasy” means not only abandoning religious connections, but also abandoning a certain political community. Consequently, the freedom to abandon a given religion ends up looking more like treason than like religious liberty, in the ordinary sense of the term. Here again, I think the great religious traditions must not be confused with political communities. Great world religions are autonomous cultural systems that are distinct from political systems.

One important point, which is often forgotten, is that an act of abandoning a particular religious tradition stands at the foundation of all monotheist traditions. For example, Abraham left behind his own land and kin and religion in order to create a new religion. So too with Jesus, whose act of leaving led to the formation of an entirely new form of Judaism that was deemed blasphemous and idolatrous to most of his countrymen. Prophet Muhammad, like Abraham, rejected the idolatry of his time and was persecuted by his contemporaries. Consequently, all three monotheistic traditions explicitly affirm the freedom to embrace the true religion, but also to abandon religion.

Now, if religions matter profoundly because they shape the direction of our lives, and if religions have also resources to affirm that freedom of religion matters because it shapes our lives, then I think the task before us is a relatively simple one to formulate, yet a difficult one to achieve. The task is, I think, two-fold. One is transformation of religious sensibilities, aligning great religious traditions with their own basic instincts so that each can affirm a full-fledged freedom of religion as being part of its DNA. That kind of work still needs to be done in many traditions, and as some of you will recall, it took the great streams in the Christian tradition something like 1,700 years to affirm full-fledged freedom of religion. That happened for the Catholic Church in the '60s of the last century.

In addition to the transformation of religious sensibilities, the other task before us is the transformation of political philosophies and legal systems so they can become equally friendly to all religions and religious forms of life. This transformation must make them able to affirm not just democracy, but also a genuinely pluralistic democracy. Put slightly differently, you could say that in order to assure religious liberty in the world today, we need to find an alternative between totalitarian systems (or



the authoritarian saturation of public life with a single religion) and the secular exclusion of religion from public life. It's in the middle between these two, and in the affirmation of political pluralism, that we can situate religions and affirm their basic freedom. Then, I think, religions can make a significant contribution to public life precisely by stimulating the discussion about the nature of differences in what it means truly to be human.

Now, I've started my brief remarks by praising the significance of religious freedom as the "first freedom." A sense that this is important motivates my own advocacy for religious liberty, and I'm sure that it is also behind your own concerns for religious freedom. Freedom of religion matters. But speaking as a person who is committed to a particular faith, and in particular who considers himself to be aspiring follower of Jesus Christ, what matters more than religious freedom is aligning our lives with the faith we have embraced as true.

A consequence of this relatively trite statement is that we ought not defend freedom to practice a religion by means that our particular religion disapproves. Perhaps it is also true to say that we cannot defend freedom of religion by betraying religion. Betrayal of religion is always a defeat of religion. That's why early Christians, including Jesus and the most influential of His followers, the apostle Paul, embraced and advocated freedom of religion implicitly and sometimes explicitly, but were also prepared to suffer persecution. Now, why would they be prepared to suffer persecution? Not because either was some kind of a clandestine masochist, but because living the true life mattered to them more than life without pain, and even more than the life itself. While it might be a very controversial statement, I think that "living the true life matters more than life itself" lies at the heart of both great humanist and great religious traditions.

The New Testament epistle of 1 Peter was written to persecuted Christians by an author who was himself among the first of Christ's apostles. He urged his readers to follow the example of Christ, "who committed no sin, nor was any deceit found in His mouth, and while being reviled, He did not revile in return; while suffering, He uttered no threats, but kept entrusting Himself to Him who judges righteously" (1 Peter 1:22-23, NASB). Now, as we devote ourselves to the cause of justice for religious people, to the cause of their liberty and liberty in all parts of the globe, let's make sure that we remain true to the deepest spiritual insights of our faith, and thereby true as well to the best of our own humanity.



# ARE HUMAN RIGHTS A WESTERN CONSTRUCT?

BRETT G. SCHARFFS<sup>1</sup>

Today, I would like to address a single, simple question, and that is whether or not human rights are a Western concept. Perhaps you have heard this criticism of human rights. I heard it recently in Indonesia, where I was teaching, when one of my students raised his hand and asked in an accusatory way, “Aren’t human rights just a Western concept used by powerful nations to beat up on less powerful nations?”

I asked him, “Are you concerned about the treatment of Rohingya Muslims in Myanmar?” And he said, “Of course I am. It’s outrageous.” And I said, “Well, you’re from Indonesia, a Muslim-majority country, the fourth-largest country in the world with 260 million people, and you are criticizing a small, Buddhist nation with less than one-fifth the population of Indonesia. Is that legitimate?” It’s not often that you have a teaching moment when you feel you’ve actually communicated something in a way that made the student stop to think.

It is true that the human rights revolution, beginning with the Universal Declaration of Human Rights in 1948, marked a transformation in international law. Prior to that time, individual human beings were not a subject of international law, which had involved only relations between states. From that moment forward, it was no longer possible for any state in this world to say, “The way we treat our people is not your business.” Human rights make the treatment of all people in all places the business of all of us.

And yet, the charge persists that human rights are primarily a Western concept. I think that one cause of this is the use of human rights to engage in selective criticism. Beginning with President Jimmy Carter, the United States has to one extent or another included human rights as a foreign policy value, and it has not always done this in a way that is consistent or principled. The government often expresses less criticism of states that are friendly to the strategic, national, or economic interests of the United States and more criticism of states that are unfriendly.

A second reason, in my opinion, is that new and controversial rights

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often claim the mantle of human rights, making them more controversial than they would be otherwise. In the United States, for example, the most powerful advocacy group for gay marriage called itself the Human Rights Campaign. I don't think this is an accident. I think it was a deliberate strategy to capture the very powerful resources of human rights for an interest that is important but that is not directly addressed in the international human rights instruments.

A third reason why human rights are regarded as a Western construct has to do, I think, with powerful and vocal opponents of human rights. Academic voices sometimes criticize human rights as being too vague or as being broad or underenforced. It is interesting to note that most of these critics do it from positions of comfort, in places where their human rights are well-protected. I've never heard anyone in a refugee camp or in a prison—or someone belonging to a persecuted minority—arguing that human rights are not universal and that they are simply a Western concept.

Other powerful opponents of human rights include authoritarian regimes (e.g., Russia, Singapore); undemocratic and illiberal regimes (e.g., China); tyrannical, despotic, dictatorial, and totalitarian regimes (you can name them yourself); communist regimes such as China, with concern for party control and monopoly power; reactionary regimes; religious theocracies or countries in the grip of religious nationalism (e.g., Russia, Arab states of the Persian Gulf, India, and Nepal); and atheistic fundamentalist regimes such as Albania, the former USSR, or China during the Cultural Revolution. If the enemies of human rights are the authoritarians; the illiberal, undemocratic states; the tyrants; the despots; the dictators; the totalitarians; the reactionaries; the theocracies; and the atheistic fundamentalists, then count me a friend.

Think about the history of the adoption of human rights. Human rights arose from the crucible of the end of World War II, a time when over 60 million people had died in addition to the 16 million earlier fatalities during World War I. The Charter of the United Nations, signed in 1945, was designed to create a prospect for peace and security. Human rights, which are barely mentioned in the charter, took a backseat.

So, who were the advocates for human rights? Were they the great powers that emerged victorious from World War II? No. The Soviet Union, with its communist collective ideology, was not interested in human rights. Great Britain was interested in holding onto what it could





of the colonial empire that was quickly slipping away. The United States, still in the grip of tremendous racial hostility caused by segregation, was dealing with aggressive civil rights struggles, especially in the South.

The rallying cry for human rights came from those who would not let the Allied powers forget that it was freedom, justice, democracy, and human rights for which they had been enlisted to fight in World War II. The leading advocates of human rights were small countries, including many countries under colonial oppression that were not yet part of the United Nations. Only 58 countries were in the United Nations at the time of the Universal Declaration of Human Rights.

Other supporters included nongovernmental organizations, including religious communities. Seventh-day Adventists had been already advocating for religious freedom for half a century. A rallying cry for human rights also arose from the press. As awareness of the atrocities of the Nazi concentration camps and the Japanese Imperial prison camps came to light, the world collectively recoiled and did not want to return to that world.

The drafting process was inclusive and broad. It began with a UNESCO survey of all existing rights instruments from around the world and with a global solicitation of views from statesmen, religious leaders, and ordinary citizens. On the drafting committee were 18 countries from north and south, east and west—nations both developed and less developed, countries aligned with NATO or the Warsaw Pact, secular states, Hindu majority states, countries with Christian majorities and countries with Muslim majorities. All of them were represented in the drafting of the Universal Declaration of Human Rights. The key drafters included Eleanor Roosevelt from the United States, P. C. Chang from China, Charles Malik from Lebanon, and John Humphrey from Canada.

The preamble declares, “Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.” After speeches delivered on the cold night of December 10, 1948, the declaration was adopted 48 to 0, with no dissensions.

A well-versed historian might ask, “But weren’t there eight abstentions?” Yes. South Africa abstained, because it wanted to defend apartheid. Saudi Arabia abstained, because it wanted to maintain a religious monopoly and did not want to acknowledge the right to change religion or the equal rights of women and men with respect to marriage. Six communist



countries abstained, because the Universal Declaration of Human Rights asserted the right of individuals to leave their countries, to emigrate, to not be prisoners. It is interesting to note that the representatives of these eight states that abstained had the self-respect not to vote no, but rather held their heads low.

Since their adoption in 1948, these rights have been enshrined in treaties. Any country that signs a treaty has a legally binding obligation with respect to the covenants and promises it makes in that treaty. For a state to sign a treaty and then deny human rights would be to commit fraud, because it has solemnly covenanted to protect these rights.

When people ask me if these rights simply Western concepts, I like to refer them to the text of the Universal Declaration of Human Rights. I start with Article 1: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” I ask my students, “What part of that do you disagree with?” It’s impossible to disagree with that beautiful statement.

Article 2 ensures nondiscrimination on the base of race, color, sex, language, and religion. Article 3 protects life, liberty, and security. Article 4 dictates no slavery or servitude. Article 5 orders no torture or cruel or degrading treatment. Article 6 safeguards recognition as a person before the law. Article 7 covers equal protection of the law. Which of these rights do you not value for yourself? We, as human beings, value each of these rights and must safeguard them for ourselves and for all others.

What about Article 18? It states: “Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” What human being does not want this right? I haven’t found one yet.

What about the right to change? Well, you’ve changed your beliefs today. If not, we’re wasting our time being here listening to each other, because that’s what we do when we listen and learn; we change. Perhaps incrementally, perhaps significantly, we change. If we don’t believe in the right to change, then we should stop speaking, because it makes no sense for us to try to persuade anyone else of anything if we don’t believe in the right to change.

Various metaphors are used to describe freedom of religion, such as



undergirding, foundation, grandparent, precondition, and animating force. I like the metaphor of taproot. Simon McCrossan has spoken of the “cut flower culture” of human rights, where as a society we seek to enjoy the beautiful flowers of human rights while denying the taproot. What is that taproot? I would suggest that it is religious freedom—freedom of thought, conscience, and belief.

Think about the other freedoms we hold dear. What would they be like if we stripped from them religious freedom? Try to imagine freedom of conscience without religious freedom. Then consider freedom of speech, a right that emerged with religious dissenters asserting their right to disagree with established state-sponsored churches. Think about freedom of the press, a right that emerged over a struggle to print the Bible. Ponder freedom of association, which emerged in large measure over the struggle of religious minority groups to gather together in community to worship. Contemplate freedom from discrimination, or the right not to be discriminated against on the basis of religion, thought, conscience, and belief. What would these rights look like without a commitment to religious freedom?

In conclusion, I want to give seven brief recommendations.

First, with respect to human rights, keep it simple. Focus on the text of the most basic, foundational instruments. When I teach human rights, I focus almost exclusively on the Universal Declaration of Human Rights and its simple, elegant, and powerful declarations.

Second, focus on the most important aspects of these rights. For each of these rights, there’s a core—the core of conscience, for example—and then there’s a periphery, such as the right to have your religious holiday respected. Focus on the core.

Third, avoid politicization of rights to the extent possible.

Fourth, focus on these as aspirations that are universal rather than as bludgeons or clubs to use as weapons against each other.

Fifth, when it comes to freedom of religion, emphasize the right to not believe, as well as the right to believe. The Universal Declaration of Human Rights and all of the human rights instruments are explicitly clear about this: the right to freedom of thought, conscience, and belief. The right to freedom of religion is the right to believe, as well as not to believe. And so, this right should be of equal interest to those of us who are religious and to those of us who are not religious.

Sixth, focus on nonlegal mechanisms for implementing human rights.



I'm a lawyer and a law professor. I like the law, and I think of legal solutions to problems. But the most important and effective implementation of human rights is not going to come through the law. It's going to come through changing the hearts and minds of individuals.

This leads to my seventh and final point, which is to focus on education. What are the most important human rights institutions in the world? I believe that schools, churches, and families are by far the most important institutions for implementing human rights in the world. The most powerful advocates of human rights will be parents, perhaps especially mothers, teaching their children.



# FREEDOM TO EXCLUDE? BONHOEFFER AND EXCLUSIONARY RELIGION

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DUDLEY ROSE<sup>1</sup>

In January 2017, four days after the inauguration of the president of the United States, the first class meeting of my spring-term course at Harvard Divinity School focused on the life and thought of Dietrich Bonhoeffer, the German theologian of the 1930s and early 1940s who was executed for his resistance to the regime of Adolph Hitler. It is a seminar class, usually with only six to eight students willing to do close reading of a full spectrum of Bonhoeffer's texts, including his early academic theology. But in that semester, for reasons I will allow you to surmise, the course drew several times that many students.

Harvard Divinity School has a diverse student body, and not least, a religiously diverse student body. In the Bonhoeffer class that spring were mainline Christians, evangelical Christians, Roman Catholics, Orthodox Christians, Unitarian Universalists, "nones" (who answer "none of the above" on religious identification surveys), Jews, Hindus, Muslims, and even a Buddhist monk from Asia. A stumbling block for several of these students was Bonhoeffer's insistently explicit, cataphatic Christian language. In almost everything he wrote, Bonhoeffer expressed his ideas in Christological terms. For him, Jesus Christ is the center of our existence and of history.<sup>2</sup> Many students asked, "Bonhoeffer's Christianity sounds so exclusive of other faiths; can I learn anything useful from him?" Phrased more provocatively, "Can I trust him to say anything valuable to me, if his theology denigrates my religious perspective or makes me out to be a heathen other?"

In the full version of this paper, I argue that many readers, depending on their own orientations, have labeled Bonhoeffer as either an evangelical or liberal Christian. For different reasons, both sides have claimed him. My point here is not to take a side in the argument about whether Bonhoeffer was one or the other, but rather to show that he fits very uneasily—that is

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2 Dietrich Bonhoeffer, "Lectures on Christology (summer 1933)," Berlin: 1932-1933, *Dietrich Bonhoeffer Works*, vol. 12, ed. Carsten Nicolaisen, Ernst-Albert Scharffenorth, and Larry L. Rasmussen, trans. Isabel Best, David Higgins, and Douglas W. Stott (Minneapolis, MN: Fortress Press, 2009), 325.



to say, not at all well—in either camp.

The reasons are manifold, but a few stand out. Theologically, Bonhoeffer was deeply Lutheran. Human fallenness was fundamental to his theology. Like Luther, Bonhoeffer was insistently suspicious of the human self. In the winter semester of 1932–1933, he lectured on the first chapters of Genesis. In the lectures, later published as *Creation and Fall*, Bonhoeffer argued that the serpent sowed a seed of doubt about God in the minds of Adam and Eve and seduced them to believe that they were, or could be, like God. To borrow Luther's phrase, Bonhoeffer saw this as the moment when the human heart inescapably became "curved in on itself."

Bonhoeffer's distrust of the self, among other reasons, caused him to reject knowledge based on a knowing subject and a perceived object. The significance of Bonhoeffer's earliest academic dissertations, *Sanctorum Communio* and *Act and Being*, are often discounted or misunderstood. But in those early works, Bonhoeffer adumbrated a basic theological, philosophical, and anthropological framework of social-ethical relationship that undergirds his work throughout his life.

Bonhoeffer argued that our fallen natures make us epistemic islands and that any knowledge of another gained from ourselves is circular at best. Indeed, he argued that we do not even properly become a self until we grasp the ethical claim that another self makes on us. Bonhoeffer's notion, which he called sociality, said essentially that we do not become a self and do not exist except in a social-basic relationship. More than that, and unlike Buber's notion of intimacy expressed in the I-and-Thou relationship, for Bonhoeffer we become a self only when another places an ethical limit on us. Radically, then, Bonhoeffer's very idea of being requires being for another. This idea he never left behind. When in 1932 he preached on John 8:32, "The truth will make you free," Bonhoeffer averred that the truth will make you free not for yourself, but from yourself. In a letter to Bethge in 1944, Bonhoeffer defined this-worldliness, which for him becomes the highest form of faithful living, as "no longer [taking seriously] one's own sufferings but rather the suffering of God in the world," that is, taking seriously the suffering of others, whom he sees as God in the world.

Michelle Sanchez, a Luther and Reformation scholar, has written brilliantly on Bonhoeffer's debt to Luther in this area.<sup>3</sup> Sanchez found students in one of her courses struggling with the same problems with

3 Michelle C. Sanchez, "Reading Tradition as Pedagogy in Calvin and Augustine," *Scottish Journal of Theology*, vol. 72, no. 1 (2019): 20–45.



Bonhoeffer's cataphatic Christian language as I did in mine. She asks readers of Bonhoeffer to engage the purposes for which Bonhoeffer, and Luther before him, employ robust cataphatic language. She observes, "[O]ne of Bonhoeffer's contributions to theological scholarship is precisely in demonstrating a use of Christian language—of clear, bold statements—as capable of cultivating epistemic humility and contextual responsibility to the other."<sup>4</sup> As one might expect from Bonhoeffer, Sanchez argues, scriptural assertions in Bonhoeffer's theology function, "not as an offer of abstract knowledge designed to bolster the authority of the knowing subject, but rather as a means through which the subject confronts its cognitive limitations."<sup>5</sup> Bonhoeffer intended to forcefully sever the relationship between truth claims and the possession of the truth, Sanchez asserts. For Bonhoeffer, when the subject claims knowledge, in the sense of possessing the truth, it most fully and disastrously embraces the serpent's offer.

Late in his life, Bonhoeffer developed the idea of the "arcane discipline," which had been latently present in his writing for a long time. Sometimes called the "secret discipline," it comprises, among other things, the practices of prayer, rituals, sacraments, and confession in addition to the doctrines of the church. According to Bonhoeffer, these practices should be hidden or at least not paraded, that is, they should not be the primary public face of Christians or the church, for a number of related reasons.

Fundamentally, Bonhoeffer believed that the practices belonging to the arcane discipline are usually misunderstood. Indeed, by their very nature they are impossible to understand or reconcile with reason. Far from a shortfall, Bonhoeffer understood the inability to fully grasp the arcane discipline to be fundamental to the Christian faith. Only when the Christian must give up any claim to the reasonableness of prayer, the sacraments, confession of sins, or doctrines such as the Trinity or the Virgin Birth, can the Christian move toward epistemic humility and true faith. Bonhoeffer wrote to his friend Bethge in June of 1944, "My view, however, is that the full content, including the 'mythological' concepts, must remain—the New Testament is not a mythological dressing up of a universal truth, but this mythology (resurrection and so forth) is the thing itself!"<sup>6</sup> The leap of faith is logically dependent on the reality that the

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4 Ibid.

5 Ibid.

6 Dietrich Bonhoeffer, *Letters and Papers from Prison* (1951), 430.



mysteries cannot be fully understood. Arcane discipline, then, deepens the sense of relationship with and dependence on Christ. Its practices are not a gateway to comprehension. One must throw oneself into the hands of God, as he said elsewhere, without even the presupposition of God.

With this in mind, Bonhoeffer saw the danger where he always sees it for the church. He feared that rather than preconditions for faith, the arcane discipline would too easily become distorted and valued for the content of its truth claims. And presumed possession of the truth would too easily be grasped as power—the power to demand, to have privilege, or to control others, even to control God.

Expressed publicly, outside the church, the practices of the arcane discipline are in danger of failing on this same ground. They convey Christianity as a set of beliefs, practices, and truth claims for guiding society. Bonhoeffer was deeply worried about the church's implication in Nazi Germany's religious and political certainty. He was only too aware of how truth claims confidently uttered from pulpits and political podiums alike were giving sanction to unspeakable slaughter in his homeland.

In a letter to his friend Bethge, written July 21, 1944, Bonhoeffer spoke of taking seriously “God’s suffering in the world.” This simple phrase is like a key to Bonhoeffer’s thinking. It courses through his early dissertations *Sanctorum Communio* and *Act and Being*, through his sermons and academic lecture courses, and through *The Cost of Discipleship*, *Life Together*, *Ethics*, and his prison letters. In the book he was writing about the future, published among the *Letters and Papers from Prison*, he said, “[O]ur relationship to God is a new life in “being there for others.”<sup>7</sup>

I have been describing a bit of Dietrich Bonhoeffer’s notions of the church and the Christian life. It is probably obvious that religious freedom is not a principal theme of his, at least not explicitly. Indeed, when he speaks of freedom, he is fond of advocating freedom from ourselves rather than freedom for ourselves. But it is just here that perhaps Bonhoeffer can give some guidance on the topic of religious freedom. Bonhoeffer is a highly confessional Christian who uses robust, cataphatic language to describe his Christian faith, so much so that my non-Christian students, and many of my Christian students, found his language off-putting and exclusionary. Yet a closer look reveals that Bonhoeffer’s commitment to alterity, to relationship with and responsibility to others, is fundamental to his Christianity, to his understanding of human beings, and to his under-

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<sup>7</sup> *Ibid.*, 501.





standing of God. So fundamental is being for others that without it, he believes Christianity collapses in on itself.

In the current context in the United States, religious freedom has come to mean—for some, at least in part—the freedom to exclude others. It is worth noting that religious freedom understood in this way depends on the perceived ability to judge others against clear and certain religious truth held to be in the full possession and comprehension of the righteous. It is worth noting that not a few of Bonhoeffer's contemporaries thought along these lines.

And yet it is fair to say that many who hold exclusionary religious views mean to protect Christianity, which they view as under siege in an increasingly profane culture. Bonhoeffer, perhaps, offers important cautions as well as a way forward for such contemporary Christians. The cautions are stark. Belief that one understands and possesses God's truth is simply to take the serpent's bait, to put oneself—rather than God or Christ—in the center and to thereby remain alienated from God. To put oneself in the center inevitably leads to placing others outside, others whom Bonhoeffer sees as God in the world. Thus, the alienation from God becomes doubled.

The way forward Bonhoeffer offers, however, is far from an abandonment of a robust Christian faith. For him the scriptures, sermons, rituals, and doctrines of the church call the Christian into relationship with God; they cut off self-centeredness and make a capacious space in the center for God and for others who are God in the world.

# FIDES ET LIBERTAS



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## PART III

### PATHS TO PEACE

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# PROMOTING RELIGIOUS FREEDOM AMONG RELIGIONS AND WORLDVIEWS: PEOPLE OF RECONCILIATION AS ALTERNATIVE SOCIETY

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CÉSAR GARCÍA<sup>1</sup>

The first thought that comes to my mind when I hear the words “religious freedom” is a memory of a worship service in my church in Bogotá, Colombia, when I was 11 years old. I was part of a small congregation that was worshipping God when several stones hit the door of the building. I remember the sound of glass breaking and people yelling. We stopped singing, petrified with fear.

Many things have changed in my country since then. The days in which our church was persecuted are in the past. As a matter of fact, today the non-Catholic churches are regarded as an important political force capable of changing the outcome of elections, as we saw in the last plebiscite about peace agreements between the government and the revolutionary army of Las FARC. It is from that context that I want to explore how the Christian faith can facilitate and promote peaceful coexistence among all citizens.

At the core of our convictions as Christians is a belief that the church is called to spread the message of reconciliation with God and reconciliation among human beings (2 Corinthians 5:17-19). However, the methods used to introduce that message have not always been conducive to the desired results. When we analyze the history of the church, we can review several ways it has responded to this responsibility and also identify how the role of Christians as people of reconciliation has been understood vis-à-vis society.

The church’s first strategy for achieving societal harmony, which could be called “conversionist,” is based on a belief that the only thing necessary in order to transform a society is for a few converted Christians to occupy positions of power.

A second approach, which might be called “transformationalist,” seeks to transform a society by changing its structures of power through the implementation of Christian values.

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A third option for peaceful coexistence, the “separatist” impulse, involves withdrawing from society while denying any possibility of fundamental social transformation.

I want to suggest here a fourth possibility, which adopts a Mennonite perspective. This method seeks to bring about the transformation of a society by considering the church as an alternative society that is called to be a voluntary and peripheral community.

## 1. THE CHURCH AS AN ALTERNATIVE SOCIETY IS CALLED TO BE A VOLUNTARY COMMUNITY.

Historian William R. Estep explains how, during the Radical Reformation, separation of church and state was viewed as necessary, because only thus could the church be cleansed and freed to be the church under God. “Disestablishment of the state churches was for the Anabaptists the minimum requirement in a guarantee of religious freedom. ... Ultimately, the Anabaptist movement for religious freedom received its greatest motivation from the conviction that faith cannot be coerced.”<sup>2</sup>

For Anabaptists of the 16th century, an individual’s *voluntary, free* decision to follow Christ was demonstrated through baptism, which served as the point of entrance into the church. This is one reason why “the doctrine of the church was central to Anabaptist theology. The church was to be the visible Body of Christ,” said historian Arnold Snyder.<sup>3</sup> This, of course, implied that the church consisted of *believers* who had decided in a *voluntary* way to form a *new* community.

Such an understanding of Christian faith and church required the freedom to choose—freedom for individuals to choose their own confession of faith, their own values, the ethics that would characterize their lives, the education they wanted for their children, and their lifestyle as Christians. It also implied that some people would choose differently from those who decided to follow Christ. There must be freedom and the possibility of saying “no” to Christian faith, Christian values, and Christian lifestyle. Without a guarantee of freely living out decisions about faith and ethics, there wouldn’t be a real church.

In the words of Estep: “The Anabaptists were not interested in constructing a church through coercion, either by infant baptism or by

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2 William Roscoe Estep, *The Anabaptist Story: An Introduction to Sixteenth-Century Anabaptism*, 3rd ed. (Grand Rapids, MI: Eerdmans, 1996), 261.

3 C. Arnold Snyder, *Anabaptist History and Theology*, rev. student ed. (Kitchener, ON: Pandora Press, 1997), 155.



the power of the magistrate. ... They were concerned with gathering a church of believers who had freely responded to the proclamation of the gospel.”<sup>4</sup> This way of thinking rejects government promotion of the Christian faith, its values, or its way of living. Indeed, any pursuit of legal religious privileges over other faiths is fundamentally incompatible with this perspective.

In contexts like my home country of Colombia, our churches need to recover this vision. Very often we find people describing Colombia as a “Christian” country or promoting the approval of laws that reflect Christian values yet are oppressive to people who do not share the same convictions. Although believers are called to promote general morality in society, this cannot be done by imposing specific Christian values over people who are not Christians, even if they are a minority. The practice of religious values always needs to be embraced in a voluntary way.

I watch with deep concern the current movement of Christians in my country to impose their understanding of ethics on our society without taking into account that Christian ethics, which reflect the transforming gift of God’s grace in the Christian disciple, is not for Buddhist, Muslim, Jewish, or nonreligious people, but for Christians. In the words of Mennonite theologian John Howard Yoder, “We need to distinguish between the ethics of discipleship which are laid upon every Christian believer by virtue of his very confession of faith, and an ethic of justice within the limits of relative prudence and self-preservation, which is all one can ask of the larger society.”<sup>5</sup>

Otherwise, as with my childhood experience, the freedom of Christians to practice Christian values could be threatened if, in a different scenario, the majority of a society were not Christian. Safeguarding the freedom of all religions guarantees the freedom of those in the majority religion as well as in the minority religion. The legislation and practice of ethics in a society must take into account the positions of Christians, Muslims, Buddhists, Jewish, the nonreligious, and people of any other religion. It must not be done by imposing force on majorities, but as the result of dialogue, agreements, and consensus among the members of that society. Let us remember, as Yoder affirms, that “Christian ethics is for Christians.”<sup>6</sup>

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4 Estep, 245.

5 John Howard Yoder, *The Christian Witness to the State* (Scottsdale, PA: Herald Press, 2002), 23.

6 *Ibid.*, 28.



## 2. THE CHURCH AS AN ALTERNATIVE SOCIETY IS CALLED TO BE A PERIPHERAL COMMUNITY.

Anabaptists affirm the centrality of the church in God's strategic plan of social transformation. As theologian Stanley Hauerwas says, "this church knows that its most credible form of witness (and the most 'effective' thing it can do for the world) is the actual creation of a living, breathing, visible community of faith."<sup>7</sup> However, as I said before, social transformation cannot be done by imposition of the ethics of Christian governors or even by the arbitrary will of a democratic majority. As shown in Scripture through the creation of Israel, the biblical method of social transformation involves the formation of an alternative society that lives out a new way of ethics and values, which like a magnet would attract others (cf. Deuteronomy 4:5-8). In the words of Mennonite theologian Alain Epp Weaver, "by embodying an alternative way of life through faithful practices, the people of Israel attract others to God's vision of *shalom* for the world."<sup>8</sup>

It follows that this social ethic of transformation has to do more with a communal witness embodied by God's people than with a top-down exercise of power, control, and imposition. This may be one reason why Jesus, in his use of the Scriptures, identified himself with Daniel more than with King David and with the Israel of the Babylonian Exile more than with Kingdom of Israel centered in Jerusalem.

Israel's tradition of wisdom, nonconformity, and mission in exile was the preferred model used by Jesus, rather than the monarchy or the exodus. The Israel exiled in Babylon was a people without land or nationalism. It was a community of displaced people, a confessional community more than a political kingdom. In this context, Israel become a resistant community with a strong identity that has many important lessons for the church in this post-Constantinian era. Living and offering a true social alternative is the way of survival in our current Babylon.

Jesus' example invites us to look for ways of transforming our societies from the bottom upward. "The world cannot be set right from the top,"<sup>9</sup> says Yoder. It requires the witness of a vulnerable community that is not in charge and that exercises a radical dependence on God alone. As long as the church oppresses minorities by imposing Christian values and relies

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7 Stanley Hauerwas and William H. Willimon, *Resident Aliens: Life in the Christian Colony* (Nashville: Abingdon Press, 1989), 47.

8 Alain Epp Weaver, *States of Exile: Visions of Diaspora, Witness, and Return* (Scottsdale, PA: Herald Press, 2008), 33.

9 John Howard Yoder, *The Politics of Jesus: Vicit Agnus Noster*, 2nd ed. (Grand Rapids, MI: Eerdmans, 1994), 151.



on Christian politicians to promote their religion and their values, societies such as Colombia will continue to reject the message of a crucified God who invites us, without coercion, to love God and to love each other. As Yoder affirms, “those who ... seek to gain power in order to implement their religious vision have chosen (probably consciously) a strategy hardly reconcilable with that of the New Testament church.”<sup>10</sup>

The transformative witness of the church to the state will bear fruit when the church promotes the religious freedom of others, even when it disagrees with them. The church’s witness will be effective when it promotes social ethics by consensus and dialogue with people of other faiths as well as of no faith. It will be effective because only in this way will the church—as a peripheral community, as a community that is not in charge—be able to evidence grace for those who do not agree with it. In this way, it can show real compassion. When you interact with others, conducting face-to-face discussions in a spirit of humility and empathy, and looking for the reasons why others disagree with your ethics, that is when the seed of Christian transformation can take root.

“Christianity must find a way to articulate a viable trans- (or non!) national, or diasporic, faith,”<sup>11</sup> points out Quaker theologian Daniel Smith-Christopher. I would say that in addition to a diasporic faith, we need to articulate an understanding of the church whose witness is evident in the grace that it extends, to those who do not hold power, and to the integrity of its ethic of vulnerable love and generosity. This is my prayer for our churches in Colombia.

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10 Yoder, *The Christian Witness to the State*, 27.

11 Daniel L. Smith-Christopher, *A Biblical Theology of Exile* (Minneapolis: Fortress Press, 2002), 11.



# BUILDING TRUST BETWEEN COMMUNITIES

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ELIZABETA KITANOVIC<sup>1</sup>

We all know the necessity of religious pluralism, as it contributes to good neighbor relations and a decrease in tensions among people and nations and religious communities. By combating intolerance and discrimination, churches can build trust between communities.

The Conference of European Churches tries to prevent intolerance and discrimination via its Human Rights Education Program. As Christians, we believe that all are persons made in God's image and His likeness. That means that we all have human dignity, regardless of our ethnicity, sex, or age. The first article of the Universal Declaration on Human Rights (1948) says: "All human beings are born free and equal in dignity and rights." Upon this article, the human rights system has built its core working area, in defense of "freedom, equality and solidarity."<sup>2</sup>

This means that all people have equal protection "against all forms of discrimination."<sup>3</sup> And yet, while we know that the state needs to guarantee all human rights for all people, some people face bans on building places of worship and other face extreme poverty or discrimination in the workplace. In addition, because protection and promotion of human dignity for all persons are the core issues of human rights, then all people must have access to the health services, education, adequate standard of living, and so on. It is through protection of social and economic rights, according to legal human rights instruments, that we achieve solidarity in society.

The question I want to ask is how a gathering like we have here, at the 8th World Congress on Religious Freedom, can contribute to a greater understanding of the identity of human beings, and thus prevent discrimination and intolerance. How can religious and political leaders respond to challenges from an ethical and legal point of view, in order to protect the collective interest of humanity?

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2 *Understanding Human Rights: Manual on Human Rights Education*, edited by Wolfgang Bendek (Cambridge, UK: Intersentia, 2012), 21.

3 Ibid.





## HUMAN RIGHTS EDUCATION FOR THEOLOGIANS

The Conference of European Churches has spent the past five years developing a Human Rights Training Manual, which gives religious organizations basic material to use in training programs for their members. Our churches requested this tool, because they wanted to find out more about the connection between Christian values and human rights. They wanted to learn more about tolerance, nondiscrimination, and the protection and promotion of human dignity for all people. In some religious circles, leaders prefer to speak about mutual respect and not tolerance.

In addition to equipping our members with church human rights education material, we have also created the Church Human Rights Electronic Library, which provides additional material to those who are giving the lessons on human rights and Christian values. They commonly encounter many questions in the human rights field, where churches do not have common positions on issues such as the right to abortion and the rights of LGBTI individuals.

In our context, churches were interested in learning more about religious freedom or belief. At times, churches suffered from internal divisions and then called one another sects. First, we needed to explain that the term “sect” is not defined by international legal standards and that freedom of religion or belief is for every human being, regardless of ethnicity, sex, or beliefs. Second, we needed people to understand that recognizing this freedom does not mean defending specific religious teachings, but rather the right of individuals to hold those beliefs.

Training on human rights is held every year through my organization’s Summer School on Human Rights, which attracts human rights advocates from some 40 European countries. The first Summer School, which was devoted to freedom of religion or belief, organized with the academic support of KU Leuven in Belgium. The training took place in Palermo, hosted by the Italian Protestant Federation, a very small religious minority. The Summer School proved particularly interesting for minority-member churches, who wanted to learn how they could improve relations with others in their home countries, which were predominantly Muslim, Christian, or Jewish. They also sought to understand how best to deal with secularization in Europe, a force that grows stronger and stronger every day.

With so much more to learn about freedom of religion or belief, many of our members asked for custom-tailored training on these issues.



In response, our next training was held in the Western Balkans region of Serbia, where recent wars were inspired by both ethnic and religious factors. We decided to invite Muslim and Jewish representatives, and the tone of the training was different. Participants wanted to learn more about one another's religious way of living. It was very clear that religious prejudices existed, but the goodwill created by learning from one another prevailed. During theological discussions, it became clear that the principles surrounding issues of religious freedom were very similar, with students holding many issues in common. One of the Imams who participated in the training lamented: "Why we didn't have this training two decades ago? Perhaps the disasters of the war in the Balkans would have been far less." Since then, we've held Summer School in Sweden, Greece, and Italy.

When confronting intolerance, it is not always easy to find exact solutions. We tried to equip human rights advocates in our churches to help those who are victimized—whether because of responses to their gender, appearance, disability, language, or race.

In the Conference of European Churches, we have understood that the realization of human rights is our common responsibility, and it depends on the contribution that each and every one of us is willing to make. The denial of human rights is not only a personal tragedy, but it also creates conditions for social and political unrest, making space for violence and conflict to grow between societies and nations.

Human beings are born equal and should have equal opportunities to develop their dreams. The problem is that in practice, this is very difficult to achieve. The commitment of religious and political leaders to meet in a forum like this is very unique, as it provides messages and actions on peace and harmony, for which we are all responsible.



# RELIGIOUS FREEDOM AND THE RIGHT TO BE WRONG

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ASMA UDDIN<sup>1</sup>

One of the hallmarks of religious liberty is that it protects people of all faiths, even if their beliefs seem unfounded, flawed, implausible, or downright silly. It's not that religious freedom requires relativism or indifference to truth. Instead, it's based on an understanding of the religious quest—searching for answers to ultimate questions and living in accordance with one's authentic beliefs.

That journey is different for everyone, both between religious communities and among members of the same community. We may think that another's belief is wrong, but the premise behind religious freedom is that people have the right to be wrong. This is the foundation of all of my religious liberty work.

This idea expressed in the dictum “live and let live” was easy enough for some time. Yet, that is quickly changing. Even in the course of my still-young career, my religious liberty casework has gone from covering largely uncontroversial topics, such as land use and prisoners' rights—you know, stuff that most people can agree are core rights, even if government bureaucrats persist on restricting those rights—to cases such as the ones involving Hobby Lobby and Elane Photography. The facts of these latter cases deal with contraception and gay rights, respectively.

This shift reflects the state of religious liberty today: something no longer uncontroversial and largely unchallenged, but suddenly highly politicized.

As Professor Doug Laycock has summarized in his article “Religious Liberty and the Culture Wars,” a big reason for this politicization, at least in America, is that people have deep disagreements with each other on questions of sexual morality. “On abortion, contraception, gay rights, and same-sex marriage,” he wrote, “conservative religious leaders condemn as grave evils what many other Americans view as fundamental human rights.”<sup>2</sup> Hidden in the various battles to permit abortion and recognize

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<sup>2</sup> Douglas Laycock, “Religious Liberty and the Culture Wars,” *University of Illinois Law Review*, vol. 2014, no. 3 (2014), 839.



same-sex marriage are religious liberty issues—for example, whether religious believers can be coerced into facilitating abortions or same-sex marriages.

Another area where religious liberty has become highly politicized is that of American Muslims and their right to religious liberty protections. In question for some is whether or not Muslims have rights under the First Amendment, the Religious Freedom Restoration Act, and the Religious Land Use and Institutionalized Persons Act. Increasingly, we hear arguments—made both in the courts of law and the courts of public opinion—that Islam is not a religion. Some insist that it is, instead, a dangerous political ideology that is hell-bent on taking over the United States and subverting fundamental human rights. *Islam is an almost otherworldly bogeyman; a larger-than-life, all-consuming swamp creature.*<sup>3</sup> And in the process of stopping it, its opponents run roughshod over the human rights of everyday human beings who happen to be Muslim.

Consider, for example, the 2010 controversy related to the Islamic Center of Murfreesboro, Tennessee. Having been around for more than a decade, it was time for the Muslim community in Murfreesboro to build various community resource facilities. After the county approved the expansion plans, controversy and protest erupted. Some protests drew hundreds of people, and the protestors vandalized the site and even lit the construction materials on fire. Tennessee's lieutenant governor actually endorsed the opposition and went so far as to state: "You could even argue whether being a Muslim is actually a religion, or is it a nationality, way of life, a cult, whatever you want to call it." The same argument was made in court, prompting the U.S. Department of Justice to get involved. It filed a brief explaining that the United States does not recognize Islam as a valid religion.

These two areas of politicization, Muslim rights and gender issues, converge in the heated question of women's rights in Islam. Internationally, we see this issue at the heart of many religious liberty battles—for example, in French bans on hijabs, burqas, and most recently, burqinis.

So, those are some of the concerns. But the question at hand is "How can people share social space despite their differences?"

First, everyone must understand the theoretical foundation for religious liberty. Religious liberty is about protecting humans, not religious beliefs. Put another way, it is about protecting believers rather than beliefs. It is only indirectly that religions or beliefs come into the focus of hu-

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3 Asma T. Uddin, *When Islam Is Not a Religion: Inside America's Fight for Religious Freedom* (2019).



man rights. They become legally relevant only through the demands for recognition brought forward by human beings. These human beings have deep emotional attachment to their beliefs, as well as a profound sense of loyalty. Once we understand that it is a person, with full human agency, that is being protected, coexistence becomes more likely.

Second, when faced with an apparent conflict, we need to determine whether or not there actually is one. Too often, political and popular rhetoric set up conflicts where there needn't be any. For example, headscarf bans have been justified on the questionable assumption that the headscarf symbolizes an inferior position of women. But the fact is that modest clothing, including headscarves, is worn by many women out of choice and as a way of liberating themselves from expectations based on appearance. In these cases, there is NO conflict between religious liberty and gender rights.

Third, we need to understand and emphasize possible synergies between rights that are viewed as opposing. Let's again take the question of gender rights and religious liberty. Too often these days, these sets of rights are set up as natural enemies. But that isn't always the case.

- Religious freedom and gender rights both lead us in the same direction; both are about tackling complex forms of discrimination, including the discrimination that happens at the intersection of religion and gender.
- Religious liberty contributes to the awareness of inter-religious and intra-religious diversity, including the broad variety of positions concerning gender issues. You need religious liberty in order to have those debates, both within and outside of your faith community.
- In conjunction with other rights, religious liberty empowers people, including women or LGBT-people, to develop gender-sensitive interpretations of religious sources and traditions and share them publicly.
  - It broadens the space for different interpretations, including new readings of holy texts. If there is no religious liberty, believers would be coerced to stick with traditional or conservative interpretations.
  - Indeed, to circle back to my starting point about the right to be wrong, religious liberty is a right of all believers; it does not favor any specific interpretation.



Realizing possible synergies and ferreting out false conflicts are two important steps to peaceful coexistence.

In those limited cases where there is a real conflict and not merely a political illusion of one, remember that religious liberty as a legal right has the means to facilitate coexistence among tremendous diversity. Indeed, the existing legal standards are essential tools to coexistence.

Both in U.S. and international law, we have a jurisprudence that lays out broad rights with limited exceptions. The U.S. standard of requiring that a law use the least restrictive means of serving a compelling government interest helps preserve proportionality and balance, allowing incursion on rights only when it is absolutely necessary. This sort of schema helps cut through cultural and political rhetoric and controversy. It asks the right questions—not just “is there a compelling government interest?” but more specifically, “is the interest compelling with respect to the specific plaintiff?” And, most importantly, “is there a way for the government to achieve this interest without unduly restricting religious liberty?”

A similar balancing exercise is built into international law. For example, Article 18 of the International Covenant on Civil and Political Rights states that freedom of religion or belief can be limited if such limitations are prescribed by law and necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others. All of these conditions must be met for a restriction to be permissible.

Like the U.S. standard, the international standard requires the government to articulate a compelling interest—for example, public safety—and to demonstrate that the restriction on religious exercise is absolutely necessary and, furthermore, *proportionate* to serving the government interest at hand. A similar test appears in Article 9 of the European Convention on Human Rights.

Granted, the international standard is inherently more ambiguous than the U.S. standard, and courts have at times seized on that ambiguity to reach controversial decisions. But if the limitations are narrowly interpreted and proportionally applied, they effectively balance competing interests.

Indeed, they pose a powerful model for peaceful coexistence.



# FREEDOM AT A COST: SPEAKING OUT FOR OTHERS

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KARNIK DOUKMETZIAN<sup>1</sup>

I frequently remind myself of the statement of Lutheran pastor and theologian Martin Niemöller who, in the years prior to the start of World War II, led a group of clergy opposing Hitler's efforts to bring the German churches under Nazi control. This Lutheran pastor was arrested by the Gestapo and sent to a concentration camp to sit for the next eight years, until he was freed by the Allied forces at the end of the war. Because of his experience during the Nazi era and his own personal guilt and condemnation as a bystander, he composed a short statement for which he is often remembered:

*First they came for the communists and I did not speak out because I was not a communist.*

*Then they came for the trade unionists and I did not speak out because I was not a trade unionist.*

*Then they came for the Jews and I did not speak out because I was not a Jew.*

*Finally, they came for me and there was no one left to speak out.*

Niemöller's statement was premised on naming groups that he and his audience would instinctively not care about. Of course, when we read this statement today, we could add our own groups to the list of the persecuted. His point was that everyone is deserving of consideration and protection. That is the nature of compassion. And it is to our peril to forget. The bottom line for us should be that no matter what, all lives matter. We must stand up and speak up for those less fortunate than ourselves. We need to ask ourselves how much all of us should be involved in (or speaking about) religious persecution, racism, intolerance, and the dignity of human beings inside or outside of our churches. Should religious communities be silent or passive in the face of challenges to religious freedom or intolerance? Or is it enough for us to simply pray for our political leaders, for law enforcement, and for those affected and struggling to deal with this chaos and trampling of their rights and freedoms? Are we not called to testify and to be ambassadors for a kingdom that is going to be

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summed up with every tongue, every tribe, and every nation worshipping the God of all creation?

The Universal Declaration of Human Rights passed by the United Nations has already been referenced in a number of presentations this week. That declaration, and in particular Article 28, provided a common standard of achievement for all peoples and all nations by stating that everyone has the right to freedom of thought, conscience, and religion. This right included the freedom to change one's religion or belief in addition to the freedom—either alone or in community with others, and in public or private—to manifest one's religion or belief in teaching, practice, worship, and observance. But not all member countries of the United Nations, even to this day, have chosen to adopt this standard. And codifying language that is intended to provide freedoms and protections is not enough. It is incumbent upon each of us to do what is right, to speak, and to fight for the free will of all of God's people.

To achieve this goal sometimes takes years and a great deal of effort, heartache, and pain. This was the experience in my adopted homeland of Canada, where over a number of years, an evolution occurred from major restrictions on the rights of some religious minorities to full-blown recognition and tolerance.

In the months following Canada's entry into the Second World War against Germany, the government of Canada passed a law banning the Jehovah's Witnesses. Overnight it became illegal to be a member of this sect. The law was vigorously enforced. Beatings, mob action, police persecution, and state prosecution confronted the Jehovah's Witnesses as they ignored the ban and continued to go about their work of spreading their particular religious message. The struggle was bitter, indeed. Children of Jehovah's Witnesses who refused to sing the national anthem and salute the flag during patriotic exercises in public schools, in the name of religion, were often expelled from class and, in a few cases, removed from their parents' care and placed in foster homes and juvenile detention centers. Men of military service age who refused to fight spent the war trying to get out of alternative service camps established across Canada for conscientious objectors. Jehovah's Witnesses spent a good deal of time in the courts during the war years; they challenged government policies with which they disagreed, and they were arrested by the hundreds and charged with being members of an illegal group. They faced all of these challenges on their own, without intervention from any other religious





community. No one stood to speak on their behalf or support their plight. Does that sound similar to what is going on today in some parts of the world?

After the war ended, religious freedom slowly improved across Canada, including for the Jehovah's Witnesses—with one exception: the predominantly Catholic province of Quebec. The province had been controlled by the Roman Catholic Church for more than 300 years; its schools, public services, hospitals, and social services were all operated by or controlled by the clergy. A throne for the Catholic cardinal sat next to the speaker's chair in the Quebec legislature. There is something to be said for the separation of church and state. The government, at the behest of the Catholic Church, mounted a campaign of persecution against Jehovah's Witnesses and communists.

The clash between Jehovah's Witnesses and the Roman Catholic Church in Quebec became an issue of the competing ideas of freedom of speech and the freedom of religion. Jehovah's Witnesses went to court to establish the right to distribute their literature on the streets of Quebec and to proselytize and worship as they saw fit, without interference.

A farmer who was a member of the Jehovah's Witnesses printed and distributed a religious pamphlet titled "Quebec's Burning Hate for God and Christ is the Shame of all Canada." It described the persecution of Witnesses in Quebec who had been beaten and/or imprisoned wrongfully or whose properties had been confiscated. He blamed the courts, which he alleged were biased in favor of the controlling Catholic clergy. He was charged and found guilty of seditious libel (defined as using printed material intended to promote public disorder or violence against established authorities to effect governmental change) for distributing the pamphlet. The resulting court case became one of the landmark decisions in Canadian jurisprudence.

The Supreme Court of Canada, when the case finally reached that level, reversed the man's conviction and stated, in very clear and unequivocal language: "Freedom in thought and speech and disagreement in ideas and beliefs, on every conceivable subject, are the essence of our life. The clash of critical discussion on political, social, and religious subjects has too deeply become the stuff of daily experience to suggest that mere ill will as a product of controversy can strike down the latter with illegality. But the consensus of free society accepts and absorbs these differences and they are exercised at large within the framework of freedom and order."



But life did not improve after that decision; in fact, it worsened. A law was passed in Quebec that allowed anyone who suspected a person of intending to make a statement that was abusive or insulting to file a complaint without providing any evidence.

Whether it was obtaining property building permits, child-custody disputes in which non-Witness parents used religious bigotry either to gain sole custody or to restrict parents from sharing religious beliefs and practices with their own children, or blood transfusion cases, many legal battles were fought. Many of these cases were handled by one man, whom I got to know quite well in my early years of legal practice. While we did not see eye-to-eye in many of our theological beliefs, I greatly admired him for his tenacity in the fight for the rights of his fellow church members and, by extension, for all of us. Glenn How was responsible for these successes in the courts, and for 56 years this man marched on, securing freedoms and establishing implied rights not only for the Jehovah's Witnesses, but for everyone.

These struggles in Quebec gave rise to lawyers who, seeing the mistreatment of a group of people, fought alongside Mr. How. One such lawyer who argued in defense of the rights of minorities, Pierre Elliott Trudeau, later became Prime Minister of Canada, and today, his son likewise serves in that top government position. The elder Trudeau, upon becoming Canada's Prime Minister, introduced legislation that would eventually become the Canadian Charter of Rights and Freedoms.

Once it became law in 1982, the Charter encapsulated and guaranteed the rights and freedoms of Canadian citizens, subject only to reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society. Everyone was assured of the fundamental freedoms of conscience and religion; of thought, belief, opinion and expression; and of peaceful assembly and association. After many years of challenges and backward steps, Canada had come of age; however, it still awaited decisions by the Canadian Supreme Court to interpret what those freedoms meant and how they would affect the liberties of its citizens.

The Charter of Rights and Freedoms determined that Canada would be an open, pluralistic society, which must accommodate the small inconveniences that might occur when different religious practices are recognized as permissible exceptions to otherwise justifiable homogeneous requirements.

Perhaps the best-stated (and by far the most concise) expression of



what it means to be a Canadian comes from the pen of Brian Dickson, the Chief Justice of Canada during that time. In a case that challenged the Canadian Lord's Day Act, which required stores to close on Sundays, he stated the following:

A truly free society is one which can accommodate a wide variety of beliefs, diversity of tastes and pursuits, customs and codes of conduct. A free society is one which aims at equality with respect to the enjoyment of fundamental freedoms. Freedom must surely be founded in respect for the inherent dignity and the inviolable rights of the human person. The essence of the concept of freedom of religion is the right to entertain such religious beliefs as a person chooses, the right to declare religious beliefs openly and without fear of hindrance or reprisal, and the right to manifest religious belief by worship and practice or by teaching and dissemination. But the concept means more than that.

Freedom can primarily be characterized by the absence of coercion or constraint. If a person is compelled by the state or the will of another to a course of action or inaction which he would not otherwise have chosen, he is not acting of his own volition and he cannot be said to be truly free.

It was not a simple journey for Canada, nor was it a quick journey. It was bought at the expense and suffering of some individuals who by their courage to stand brought freedoms for all of us.

The example for all of us is to use opportunities that might arise in our countries to intervene, either before the courts or in the legislatures, on cases and proposals that may not necessarily involve us or our particular religious group but that impact others. I am reminded that while the religious freedoms enjoyed in some parts of the world are plenty and generous, they may nevertheless be fleeting. For a case in point, all one has to do is look at Russia today.

Just one week ago, Russia's Ministry of Justice ordered that the Jehovah's Witnesses denomination be banned, their 400 local congregations be shut, their property seized, and their Bibles banned from distribution. The reason given is that they are extremists. The Russian definition of extremism includes "the peaceful promotion of the superiority of one's own religion." Heiner Bielefeldt, former United Nations Special Rapporteur on freedom of religion or belief, recently stated that "If Jehovah's Witnesses are extremists, I think we all are." While every religion thinks it is the



only true one, if the state forbids groups from saying that, it will put itself at odds with the majority of its citizens.

But in Russia, there has been no outcry from other religions. In fact, in a recent article in *Christianity Today*, the author pointed out: “Baptists and Lutherans are often regarded as traditional religions by Russian judicial practice and by the Orthodox Church. Protestants accept the common Russian division between ‘traditional’ and ‘non-traditional’ religions if they themselves happen to be on the right side of the divide.” “The silence of Protestants with regard to repressions against Jehovah’s Witnesses will merely unleash a new wave of restrictions and repressions.” “How soon will it hit us if we don’t protest?” Fear if they do something, dire consequences in the future if they do nothing.

Those of us residing in countries with guaranteed freedoms must be concerned about how minorities are treated. Beliefs of some religious groups may not be popular, but do their adherents deserve to be persecuted because of those religious beliefs or teachings? So, why are we all so quiet? As George Santayana said, “Those who cannot remember the past are condemned to repeat it.”<sup>2</sup>

Our freedoms come at a cost; we must ever be vigilant—not only when it matters to us, but also when we see such injustices for any of God’s creatures.

I would like to leave you to ponder this benediction:

*May God bless you with a restless discomfort about easy answers, half-truths, and superficial relationships, so that you may seek truth boldly and love deep within your heart.*

*May God bless you with a holy anger toward injustice, oppression, and exploitation of people, so that you may tirelessly work for justice, freedom, and peace among all people.*

*May God bless you with the gift of tears to shed with those who suffer from pain, rejection, starvation, or the loss of all that they cherish, so that you may reach out your hand to comfort them and transform their pain into joy.*

*May God bless you with enough foolishness to believe that you really can make a difference in this world, so that you are able, with God’s grace, to do what others claim cannot be done.*

I wish you the discomfort to be ever vigilant, for it is in this way that we can make this world a better place for all of God’s children.

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<sup>2</sup> George Santayana, *The Life of Reason: Introduction and Reason in Common Sense* (1905).



# MODELS OF PEACEFUL COEXISTENCE IN LATIN AMERICA

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ANA MARIA CELIS BRUNET<sup>1</sup>

How do we address peaceful coexistence within pluralism in the Latin American context? And more to the point: is there pluralism in Latin America, or is it still a homogeneous region where, as a result, peaceful coexistence is a given?

Apart from countries often designated as areas of concern, such as Cuba and Venezuela, followed at times by Mexico and Colombia, Latin America seems to have few significant conflicts regarding religious freedom. We can at least exclude risk of death due to religious issues, which is a real threat in the religiously driven conflicts on other continents.

On the other hand, Latin America does not seem to follow a particular model of religious liberty. To understand what is really going on, it might be helpful to distinguish three dimensions:

1. a particular kind of religious pluralism;
2. the legal framework and judicial challenges at a regional level;
3. current events that find their explanation in historical background.

## A PARTICULAR KIND OF PLURALISM

It is true that pluralism in Latin America doesn't rise to the levels that exist in other regions, even if indigenous peoples' beliefs are included.

To describe religious pluralism in Latin America and the Caribbean, it is useful to examine data from a Pew Research Center survey called "Religion in Latin America: Widespread Change in a Historically Catholic Region" (2014). According to this study among 18 countries, self-identification as Roman Catholic has decreased from 90 percent of the population in the 1960s to 69 percent today.

Correlated with this decline in Catholic affiliation has been a growth in identification with traditional Protestant faiths, such as Methodist, Baptist, and Pentecostal. What is new, however, is the increase of unaffiliated Christian denominations correlated with the growth of Protestant faiths.

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According to the survey, 40 percent of the world's Roman Catholics (425 million people) still live in the region, and although 84 percent were raised as Catholics, currently 69 percent identify as Catholic. At least a third of current non-Catholic Christians were raised in the Catholic Church, and half of them were baptized as Catholics.

But what it is even more interesting is the high percentage of Christian believers who also share at least some practices of native peoples' spirituality. For instance, according to the study, "at least a third of adults in every country surveyed believe in the evil eye." Also, 60 percent of Mexicans and almost 40 percent of Bolivians "say they make offerings of food, drinks, candles or flowers to spirits, but just one-in-ten Uruguayans (9 percent) do so."

As the study says, "The survey finds the highest levels of indigenous or Afro-Caribbean religious practice in Panama, where most people (58 percent)—including 66 percent of Panamanian Catholics and 46 percent of Protestants—engage in at least three out of the eight indigenous beliefs and practices mentioned in the survey."

Pluralism in the region is due not only to the growth of mainly Pentecostal communities, but also to the current relevance of the spiritual dimensions of native peoples.

In addition, it might be interesting to note that according to a 2017 Pew Research Center study, the increase of Muslims in the region is 25 percent. Nevertheless, according to that study, Latin America will remain Christian despite the fact that by 2030, Muslims should be the majority around the world. It must be also said that, so far, there seems to be a Latin American way to be Muslim, due in part to the fact that small numbers of Muslim migrants have permitted their integration in the region.

## LEGAL FRAMEWORK AND REGIONAL JUDICIAL CHALLENGES

From a juridical perspective, the legal framework supporting religious freedom includes a widespread recognition of international instruments, in addition to religious liberty as a fundamental right. It is interesting to note how different countries' constitutions address religious questions:

- Four constitutions make a special recognition of Catholicism: Argentina (art. 2); El Salvador (art. 26); Panamá (art. 35) and Peru (art. 50).
- One constitution says that Catholicism is the state religion (Costa Rica, art. 75), granting at the same time religious freedom to other beliefs.



- Three other fundamental texts say that there can't be an official religion; these constitutions neither establish nor give a special status to one particular religion. This is the case in Mexico (art. 24), Nicaragua (art. 14), Paraguay (art. 24), and Uruguay (art. 5).
- The Bolivian (art. 4) and Cuban (art. 8) constitutions say that the state is independent of religion.
- Within the region, 11 countries (Argentina, Bolivia, Brazil, Colombia, Dominican Republic, Ecuador, El Salvador, Haiti, Paraguay, Peru, and Venezuela) have some kind of formal agreement with the Holy See.
- Only four countries have particular religious-liberty and religious-organizations laws: Colombia (1994), Chile (1999), México (1992), and Peru (2010). Argentina is starting its political discussion on this subject.
- Either in constitutions or special laws, conscientious objection is regulated in some way—mainly, to make it harder to invoke—as in Ecuador, Mexico, Panama, Paraguay, Peru, Uruguay, and Venezuela.
- So far, special nondiscrimination laws are in force in Bolivia (2013), Chile (2012), Colombia (2011), Ecuador (2008), Peru (2016), Surinam (2015), Uruguay (2004), and Venezuela (2011). Some of them are regarding general nondiscrimination, while others mainly address gender inequality, hate speech, or race. In federal states such as Argentina and Brazil, nondiscrimination laws are in force in some states.
- Indigenous and tribal peoples Convention/169 (International Labor Organization) is in force in 14 countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, México, Nicaragua, Paraguay, Peru, and Venezuela.

Besides the international and regional instruments of human rights that recognize freedom of religion and belief (with some restriction statements by few countries), two recent conventions (2013) from the Organization of American States are not yet in force but might be a threat to religious freedom within the region. They are: (1) The Inter-American Convention Against Racism, Racial Discrimination, and Related Forms of Intolerance (A-68), which requires signature by another country in order to become binding as an international instrument and has been signed by 12 countries but ratified only by Costa Rica, and (2) the



Inter-American Convention Against All Forms of Discrimination and Intolerance (A-69), which has been signed by 10 states and has not yet been ratified by any country. Bolivia has already initiated the path to confirm it, and Argentina could very well follow. Given that only two countries are required to ratify this second convention, it might be in force soon. The potential problem is that the definition of discrimination used in this text could collide with other rights, such as freedom of conscience or belief, as well as with freedom of expression.

At a regional level, some judicial decisions also seem to imply a turning point indirectly in the understanding of religious liberty so far. It must be said that ever since the Inter-American Court of Human Rights (I/A Court) was founded in 1979, it has not adequately addressed freedom of religion and belief. In fact, even when it admits violation, the court seems to consider other rights (such as personal integrity, property, judicial guarantees, and so on) more relevant. That explains why the judges don't develop a full interpretation of art. 12, regarding freedom of religion or belief, of the Inter-American Convention on Human Rights.

Even so, some interesting jurisprudence on spiritual matters includes cases regarding the right of indigenous peoples to bury their own loved ones in order to not leave them exposed to the risk of disease. While the I/A Court uses a comprehensive concept regarding indigenous peoples' issues, it hasn't addressed art. 12 besides saying that it is a significant pillar of a democratic society.

The Court has also given an advisory opinion about the entitlement of legal entities to hold rights under the Inter-American Human Rights System (February 2016). The relevance of this document—without referring to article 12—is because it states that juridical persons are not entitled to rights according to the Convention, except for indigenous and tribal communities and trade union organizations. Of course, it is interesting regarding future cases about the collective dimension of freedom of religion or belief, as well as autonomy issues.

Traditionally, the Inter-American Human Rights System was conceived subsidiary and complementary to the national legal order. Nowadays, it seems insufficient to decide on a single case and be binding for those parties. The I/A Court has developed the doctrine of the conventionality control (like an opposite of the European margin of appreciation). It sustains that domestic judges must examine the compatibility of national rules and practice with the American Convention on Human





Rights as interpreted by the I/A Court. For local magistrates, this duty comes in addition to traditional constitutionality control or judicial review within their respective states.

So, from one side, the treatment of indigenous peoples could be understood either as an affirmative action or a way of maintaining peaceful coexistence in the region. But on the other side, the tendency to bind other rights with its decisions, ask the states to modify their internal legislation, and yet not adequately address art. 12, might mean that by the time it decides pending cases, the concept will be subordinate to other rights. In my opinion, this could be a significant step toward the erosion of the concept of religious freedom.

## CURRENT EVENTS THAT FIND THEIR EXPLANATION IN HISTORICAL BACKGROUND

We all know that when we view events in the context of their historical background, both peaceful experiences and conflicts can be understood in new ways.

In the Latin American region, conflicts regarding religious liberty haven't generally been understood as terrorism or threats to national security.

For instance, despite the burning of temples in recent years in some countries and the assassination of some priests by para-military corps, those events are usually understood either as political facts or occurrences of revenge or vindication. Due to their isolated nature, they don't rise to a new level of hostility against religion.

Many of us might remember the AMIA bombing in 1994 in Argentina. This attack on a Jewish association still has no judicial closure, even though it happened more than 20 years ago. It remains a unique attack that might have been perpetrated by one religious community against another.

So, there are some unsolved issues regarding religious freedom in Latin America, but it seems that there is a way where "living together" excludes the possibility of threats that come from religious liberty or are directed to hurt religious freedom.

Peaceful coexistence, I believe, has been an evolving experience ever since the region was conquered. In Latin America, the Roman Catholic religion has predominated since the arrival of the Spanish and Portuguese in the 15th century. Through the years, Catholicism slowly native spirituality as a state religion. Afterward, the arrival of non-Catholics influenced



a further transition to today's form of pluralism, which includes indigenous beliefs. All of this is far from the challenging moments that can be found in the development of religious freedom in Europe.

In Latin America the Catholic presence remains, and so continues a collaboration within religious organizations that hasn't been as violent as in other parts of the world. Historically, the religious differences have mainly centered on anti-clericalism rather than theological issues among Christians. So, it goes beyond the practice of religion by the individuals, and the problems stay on the ground of the institutional power that religion may have.

Current peaceful coexistence in Latin America is also the consequence of the mission of religious organizations in the 1980s. Religious entities were by far the leaders in collaborating in bringing peace and democracy to conflicts within the region. To a large extent, that position in society remains today, and religious organizations in Latin America enjoy the prestige of having the courage to walk next to their people in times of great disturbance.

Poverty has also been an issue that has made religious organizations set aside their differences to work toward the common goal of social stability and human dignity.

I think that to maintain peaceful coexistence in Latin America, Professor Silvio Ferrari's understanding of freedom of religion offers us some critical perspectives. In fact, understanding religious freedom on the grounds of the notions of "embedded evenhandedness" and "particular universalities" might help us to live together in the face of difficulties or even conflicts or threats.

As Ferrari argues, acceptance of the role of history and culture as a unique framework, within which this right is embedded, must be recognized even as we engage in ways to overcome the limitations of a particular context and help develop new approaches.

At the same time, the universal dimension of religious freedom that we share—mainly embodied in international conventions—must be implemented in particular ways, according to different experiences.

Both "embedded evenhandedness" and "particular universalities" are, in fact, an aspect of the path that Latin American countries have been following in a very spontaneous way: history has a role regarding religion, and we can't expect to act without taking it into account. Some of the recent work of interreligious commissions in the region might provide



ways to preserve peaceful coexistence not only in society, but also within religious organizations. It doesn't mean that this is the only way to implement religious freedom throughout Latin America, of course, but it is an experience that might be shared and applied differently according to the circumstances.

To finish this presentation, let me share two short examples that might give a picture of what, in my opinion, should be the goal of religious organizations as grounds to build a place where living together is possible. Each of us, in some way or another, might at some point in our lives have experienced being in either the majority or the minority.

For example, I once heard a Nobel Prize-winning professor from the Massachusetts Institute of Technology (MIT) say that almost all applicants to that university had placed either first or second in their class. Being at MIT meant that these students, for the first time in their lives, would take a course where only one of them could be the first and the others would have to follow. The students were asked which of the following options they would prefer: (a) to earn \$100,000 a year if qualifying as top student or else \$99,000 a year if they were one of the students who followed, or (b) to earn \$10,000 a year if the top student or \$1,000 a year as one of the students who followed. Most MIT students answered that they would prefer to earn less themselves if there was a greater difference between their wages and those of the others below them.

It is quite evident to me that these students did not demonstrate a good approach to solidarity! Let's not experience this kind of attitude among religious organizations, avoiding the others next to us in order to enjoy what we have conquered through years.

My second example is that some kinds of coffee need to grow under the shade canopy of other trees. The lack of direct sunlight is not suffocating to the coffee plant, but rather, allows it to grow. It seems to me that because the experience of being in the minority sometimes brings some frustration, we want to eliminate all sorts of majorities. But perhaps it is useful to remember that "shade coffee" might taste as good as sharing our path with others!



# REMEMBRANCE AND JUSTICE IN SPAIN

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JAIMIE ROSSELL<sup>1</sup>

Peace is not possible without justice, but what is justice? Is it simply the material provided by the legal system, with which we do not always agree? Or, on the contrary, is it a justice that truly satisfies the victim?

Maybe, then, we should talk about transitional justice. This is a list of practices by which societies try to settle accounts with a past of atrocity and impunity and to do justice to the victims, with a purpose of advancing or returning to democratic normalcy and a society in peace.

It is vital to construct a state policy presided over by justice, as a virtue and as a public service, which guarantees truth and reparation to victims, retribution to perpetrators, and reconciliation or peace to society in accordance with both democratic constitutionalization and international human rights. So, the key issue in this area as we seek peaceful coexistence is the so-called right of victims to justice in its triple meaning: the right to truth and memory; the right to punishment of those responsible for abuses; and, the right to reparation of the victims.

The most authoritative version of this guarantee in international law is the United Nations resolution 60.147 of December 2005, which constitutes *opinia iuris communis* and is, therefore, of a general and mandatory nature. International and national law on human rights offers victims the guarantee of protection of the rights when they deny impunity laws. The law of human rights is the alternative to know and master; it is a professional and moral obligation of lawyers and judges.

How has this model functioned in the Spanish case when we refer to the victims of dictatorship or terrorism? Unlike what happen in Latin America, in the Spanish transition in the 1970s, the traumatic memory of the Civil War and the desire to prevent its repetition, led the main political and social forces of the moment to look into the future and to not propose any kind of punitive measures against the actors in human rights violations. That only happened, as I will point out later, from the 1990s

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onward. But in the transition years, during the 1970s in Spain, there a triumph of oblivion against memory. The Spanish transition establish a new legal system adopted by consensus in which an amnesty act was enacted, shielding the actors of the recent past from any judicial process.

But the emergence of memory became a main concern of the culture and politics of many societies in the 20th century, and in the beginning of the 21st. As we know, the right to reparation for victims had been recognized by the United Nations, and this triumph of memory in the 1990s, along with restorative justice, made the victims visible and provoked talk of reparations. In Spain, this process culminated in 2007 with the enactment of the Historical Memory Act, which distinguishes between reparation as a right of the individual and reparation as a duty for public authorities.

But I don't believe that the message contained in the law sufficiently satisfied the needs of victims or their families. Learning from history and past mistakes is the key, I think, for recovery. In this case, the struggle for memory is the struggle for the democratization of society. Spanish young people born within the two generations post-dictatorship, who never studied the Spanish Civil War in school, clearly suffer from a knowledge gap regarding construction of a strong civil society. And this is key, in my opinion.

In the case of terrorism involving victims of the Euskadi Ta Askatasuna (ETA), the starting point was different. ETA is a terrorist group that doesn't recognize the rules of a democratic society. Its violence is directed at those who defend democracy. But in Spain, curiously, until the end of the 1990s, the victims of terrorism had been made invisible either by the government or by society itself. In this context, the defense of justice, memory, and dignity of the victims becomes an imperative claim—especially in periods in which the end of terrorism is announced, since the promises of an end to violence are sometimes used in exchange for a dangerous political immunity.

So today, for the first time in 70 years, victims are starting to become visible in Spain. Pushing back against the attempt to forget as a way to allow impunity, the conservative government has promoted a movement urging the visibility of victims. Victims of violence need to remember and be remembered, and we should be very careful in establishing a procedure for making them visible. In that sense, transitional justice must be built from memory, especially the memory of the victims and their pain.

Likewise, a society founded on oblivion, fear, lies, and impunity will



never be a healthy society, and coexistence will never be fully democratic and peaceful. History needs to rely on the memory of the victims. Memory is not just visibility; it is justice and also a guard against any repeat of the death camps. Transitional justice, understood as a response to impunity from memory and against oblivion, is the highest category of law, as a right and a safeguard of fundamental rights. But it is a justice that requires the participation of all parts of civil society, including religious communities.

In that sense, the roles of religious leaders become essential in order to promote dialogue and reconciliation and to build a peaceful society. In this regard, the Spanish Act 29 of September 2011, inspired by the principles of memory, dignity, justice, and truth, and seeking full reparation for victims, gives a key role to victims, associations, and other religious and social groups. It recognizes these groups as instruments to promote civic participation and to channel the demands of the victims and their claims, and to make them more visible and organized. It also recognizes these entities as contributing to the social delegitimization of terrorism and the dissemination of the principles of democratic coexistence within the framework of the constitutional rule of law. These groups constitute essential tools for discrediting terrorism ethically, socially, and politically.

Remembrance is therefore an act of justice, as well as a civilizing instrument to teach values and definitively eradicate the use of violence to impose political ideas by discrediting this in the eyes of society. A transitional justice is not interested in the political truth elaborated in the centers of power. We must construct truth based on the ethical imperative to take sides in favor of the rights of victims, and we must prevent the victimizers from imposing their version of reality as official truth. Memory must begin the process of repaying the three types of damage—personal, political, and social—suffered by the victim, culminating in reconciliation. This must be done without forgetting the legal obligation of the victimizer to repair the damage caused by their actions to the victims.

This kind of reconciliation is a movement by the victimizer, not of repentance but of recognizing his damage. From that moment, we can speak of forgiveness as a political virtue, a free but not gratuitous gesture to the victimizer that will make him understand the unfairness of the violence used. This forgiveness should lead him to rethink the relationship between violence and politics, but in the sense of the political significance of victims.

Without law and without respect for the law, there will be no justice



and peace in society. For what prevents crime from repeating if, in the end, everything is forgotten? We must work in our justice not only for material healing, but also for the integral healing and recognition of victims, as well as the rehabilitation of the victimizers. Only then, I think, will it be possible to achieve a peaceful society.



## THE PEACEFUL GARDEN LESSON: RELIGIOUS FREEDOM AND EDUCATION

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TINA RAMIERZ<sup>1</sup>

I would like to posit to you today that religious freedom is the issue of our day. You can't turn on the news, no matter where you live in the world, without seeing another humanitarian crisis, famine, refugee crisis, or act of terrorism, and many of these acts are rooted in religious bigotry, intolerance, and conflict. The reality is that right now, about 79 percent of the world's population live in countries that severely repress our religious freedom. Ten years ago, that figure was 68 percent, so in the past decade, it has increased significantly. I'd like for you to consider what that percentage will be in the next five years, in the next 10 years, and longer.

You see, the reality is that we are here today because we understand the value of religious freedom; however, most people in the world live in countries where religious freedom is a foreign concept. They don't understand it and they don't value it, and unless we begin to teach them to value this freedom, it will be erased for everyone, and that's something that I don't think anyone here would want.

If you look around the world today, the humanitarian and military solutions that have been tried have not worked. They cannot, and have not, on their own established peace. So, I ask you a question. What can stop the cycle of violence and hate that is rooted in religious bigotry and intolerance in conflict around the world today? The answer might surprise you.

The organization I run is called Hardwired, because we believe that every human being was made for the freedom to worship something bigger than themselves. The freedom to do that is what we work to defend around the world—for people of all faiths and no faith.

Hardwired has two goals. We plant the seeds of freedom through education, and we also provide training to leaders in countries where we can establish teams that will defend religious freedom. We use these two different methods, because you need a top-down approach as well as a bottom-up approach to really get at the root causes of religious intoler-

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<sup>1</sup> Tina Ramirez is founder and president of Hardwired, a non-governmental organization that combats religious oppression by training and equipping local leaders to defend the freedom of conscience and belief for every person.





ance in the world today and to build societies for peace.

A few months ago, I was with a group of teachers from different countries in the Middle East and North Africa. Over lunch, one of the teachers shared a story with me that I want to share with you, because I think it symbolizes the problem in front of us today. This teacher was in Erbil, Kurdistan, Iraq, which is one of the safe havens for people who have fled from ISIS. She was teaching a group of students who were not refugees, and she found them on the playground, playing a very unusual game.

It was a game where they were beheading another student, like ISIS. They were pretending they were ISIS. If that terrifies you, I can assure you that it terrified the teacher even more. She didn't know how to respond, and the reality is that when I talk to teachers and government leaders across the Middle East and North Africa, they don't know how to respond to this kind of situation. Their children, whether they like it or not, are being influenced by the ideas of ISIS, because children relate to the group that's in power, and right now, that group seems to be winning.

So, what do we do as 600,000 children are liberated from Mosul and from ISIS, and another 1.8 million children live in Kurdistan who are possibly identifying with ISIS in the same way? Do we allow the cycle of violence to continue for another generation? Do we wait until we have another conflict in Syria, a humanitarian and refugee disaster in the world? Or, do we find a way to get at the root cause of this challenge?

In the past three years, Hardwired has established agreements with three countries in the Middle East and North Africa. I'll just mention one of them, which is the Kurdish government in northern Iraq, and if you want to ask me privately about the other two, you can. Now, this is the first time for any country in the world—that I'm aware of—to establish an agreement to begin teaching about religious freedom in their public schools. It is absolutely astounding that the Middle East, which is the most hostile of any region in the world toward religious freedom, would allow us to come in and teach their children to value religious freedom.

Why in the world would they do that? Well, they recognize that they have a major problem on their hands. They recognize that terrorism and extremism have taken such root in the hearts and minds of their children, and it's destabilizing their own control of power, so that unless something is done, there is no future for the region. For this reason, governments, monarchies, and dictators across the region are beginning to look for ways to penetrate the minds of the younger generations and turn them away from extremism.



How do they build resiliency against the ideas of intolerance and hate in their children? It begins in the classroom, by planting the seeds of freedom that teach children to value the rights and freedoms of others. This is a delicate, dangerous, and very sensitive process that touches a very deep nerve. I can assure you that it does not occur without a lot of tension in the room when we begin, but it's essential.

Let me share a story with you. When we first began working in Iraq, two teachers—both Yezidis who had fled from ISIS—went through the training program and designed a lesson to teach children in the refugee camps. They worked on this lesson with a Baha'i, a Jew, an Imam, an atheist, a Sikh, and a Christian. Out of this group of people with diverse faiths came something called The Peaceful Garden. This is what is going to help transform the hearts and minds of children and to break the cycle of hate and intolerance in the Middle East.

These two teachers took their students to a garden. The garden was beautiful. They asked their students to go and to make themselves a bouquet of flowers, but they said, "Choose any color except for this one color." The students went and took all the of flowers they could except for the one color, then they made their bouquets and came back. The teachers said, "Now, I want you to look back at the garden, and see what's happened." The students looked, and they realized that they had destroyed the garden. It wasn't the same.

The teachers said, "This is the same thing that's happened in our country, in Iraq, because of ISIS. They've destroyed everyone except for the people who look like them." They said to the students, "Do you want to help us change this, or do you want to live like this?" And they said, "No, we want to change it. What do we do?" So the teachers gave every individual a packet of seeds and partnered each student with a person from a different religion, and they instructed the pairs to replant the garden. Over a series of months, they worked together to learn about one another and about the value of religious freedom.

In the end, they came back to the garden, and they looked, and it was beautiful, and the teacher asked, "What does it take to rebuild this garden?" They said, "It's a lot of work, but we recognize now that if we don't plant the seeds of freedom together, and if we don't learn how to get along—how to value the dignity and humanity of one another, regardless of what we believe, and whether we agree with one another or not—and if we can't overcome our fears and our misconceptions of one another, we



will never rebuild our country.”

The teacher said: “Do you want to rebuild your country? Do you want to keep living like this, in fear of one another?” And they said, “No, we want to change.” The teacher said, “Then we’re going to work together.” The Kurdish government was so moved by their answer that they said, “Tina, we want to share this curriculum.”

And so, we want to share this booklet and this lesson with every child in Iraq, and with all of the children who are being liberated from ISIS and Mosul, because we know that if we can’t instill in them the value of religious freedom, we will never overcome this cycle of hate that exists in our country. We will never be free.

Let me share another story of somebody who went through our training. It was a Muslim judge from an area controlled by ISIS. After going through the training, he was really moved. He had always been an advocate for human rights, but he learned how much more he needed to stand in defense of persecuted communities, such as the Yezidis and the Christians. He said, “Tina, I’m going to defend this,” and he went and met with these communities. A couple of months later, he came back to our training, and when we asked him how things were going, he showed us an image on his phone. The image was of ISIS beheading his youngest brother. It was a warning, because he had dared to stand up in the courts for justice for the victims of terrorism, for Christians and Yezidis and other persecuted communities. I said, “Will you continue?” He answered, “Tina, if I don’t stand up, if I don’t continue, this is the fate that awaits everyone in Iraq.”

You see, these teachers, these children, and these judges are Christian, Muslim, Yezidi, and Mandaean. We work with people all over the world, and they’re from a lot of different religious backgrounds, and from none. They recognize that if we don’t tend the delicate seed of religious freedom, then no one will ever have the dignity that they deserve and that God created them to have.

How can we break the cycle of violence and hate? How can we establish peace in the world today? The answer that I give to you is religious freedom. It is the only basis that will sustain a moral conscience of humanity that values the dignity and freedom of others. We cannot do it on our own. We must find a way to transform how people see each other in societies where religious freedom is a foreign concept. That is difficult work, but just like the children who planted and tended the seeds in their garden, it is essential.



I know that coming to hear a lot of presentations about something can leave you wondering, “What can I do?” I’m a very practical person. I don’t like to just talk. I like to do something. So, I want to leave you with something to do. The reality is that you are the strongest voice for religious freedom in the world today. Persecuted minorities need you. Your countries need you. The children need you. Refugees need you. We cannot afford for your voice to be silenced.

I challenge you today to go to our website, [HardwiredGlobal.org](http://HardwiredGlobal.org). There’s a Journey for Freedom program, and I encourage you to take it. Take it with your children. Take it with your church. Take it with your community. Or, look at all the other resources we have. Take the Peaceful Garden lesson and do it in your own community. However you do it, begin to plant the seeds of freedom today, where you are, or else these precious seeds will not be here in another decade.

# FIDES ET LIBERTAS



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## PART IV

### ACTIVITIES OF THE IRLA

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*In keeping with its mission to “disseminate the principles of religious liberty throughout the world,” the IRLA is focused on reaching thought leaders in every sphere—academic, political, religious, and within the international multi-lateral community. Below is a summary of some of its activities during 2017-18.*

## **PEACEMAKING A FOCUS OF COLOMBIA PROTOCOL VISIT**

IRLA Secretary General Ganoune Diop met November 9, 2017 with Colombia’s Minister of the Interior, Guillermo Rivera Flórez, in Bogota to discuss relations between the government and religious groups in the country. Dr. Diop told the minister that minority religious groups have a valuable part to play in the peace and reconciliation process currently underway as Colombia following decades of conflict between government forces and rebel groups. “An inclusive dialogue, one that draws in voices from all parts of Colombian society, will help foster a strong and lasting peace,” said Dr. Diop during the meeting. He also spoke about “shalom,” the Hebrew word for peace. “This is a word that encompasses the idea of ‘completeness’ and the inclusion of all parts,” he said. “There can be no shalom—no deep and durable peace—without broad participation from all sectors of society, including the voices of non-majority religious groups, as well.” Last year, IRLA was a co-sponsor of a symposium in Bogota exploring ways in which faith-based organizations can contribute to peace-building in post-conflict Colombia.

## **IRLA CO-ORGANIZES FOURTH UNITED NATIONS SYMPOSIUM**

In January 2018, the IRLA co-organized the fourth in a series of symposia at the United Nations, which are focused on the Role of Religion and Faith-based Organizations in International Affairs. The event, held January 22 at the UN Secretariat in New York City, brought together some 250 representatives from the UN community, religious groups, and non-governmental organizations. The theme of this year’s symposium was the global challenge of migration and refugees.

IRLA Secretary General Ganoune Diop is one of the three main coordinators of this event. For the first time, at the invitation of IRLA, the Adventist Development and Relief Agency was also a co-sponsor of the symposium, and its president, Jonathan Duffy, was a panelist in one of the discussions.

“Refugees and migrants are not ‘others,’ they are us,” said UN Deputy Secretary-General Ms. Amina J. Mohammed in her opening address to the group. “They are part of the history and present of the global family



story.” She urged religious leaders and faith-based organizations to bring their moral voice and experience to bear in caring for these vulnerable people, and she said that faith groups are in a unique position to focus on people, rather than politics. “You tirelessly assert the human rights and dignity of migrants and refugees, independent of national interests and agendas,” said Mohammed.

The many high-level presenters at the symposium included Adama Dieng, the UN Secretary-General’s Special Advisor for the Prevention of Genocide; Professor Afe Adogame, Maxwell M. Upson Professor of Christianity and Religious Studies at Princeton Divinity School; Rev. Dr. Liberato C. Bautista, Assistant General Secretary for United Nations International Affairs for the United Methodist Church; Rudelmar Bueno de Faria, General Secretary of the faith-based humanitarian coalition ACT Alliance; Jason Cone, Executive Director of Doctors Without Borders in the United States; Dr. Elizabeta Kitanovic, Executive Secretary for Human Rights of the Conference of European Churches in Brussels; and, Martin Mauthe-Kater, Counsellor for Migration and Sustainable Development at the European Union Delegation to the United Nations.

## **IRLA PRESIDENT AND SECRETARY GENERAL ADDRESS ADVOCATES AT ANDREWS UNIVERSITY**

Religious liberty and biblical themes were the focus of an Andrews University event in January 2018 that drew some 300 people. IRLA president, Ambassador John R. Nay urged individuals to take action in support of human rights and religious freedom within their own sphere of influence.

“Remember the phrase: think globally, act locally,” he said. “I think that each of us—even if we can’t make a change globally—we can make a difference individually in trying to advance religious liberty, the dignity of everyone, and social justice.”

Dr. Diop reminded listeners that human rights are interconnected. “If you are really advocating for one right, to be consistent, you also have to be aware of the other rights,” he said.

## **FOCUS ON RELIGIOUS MINORITIES IN HUNGARY**

IRLA Secretary General Ganoune Diop met with Hungarian government officials in February 2018 to discuss issues related to religious minorities in that country. Miklós Soltész, State Secretary for Ethnicity and Civil Society Relations of the Ministry of Human Resources, hosted



Dr. Diop on February 12 at his office in Budapest. They spoke about the presence of the Adventist Church in Hungary, government policy related to church registration, and Hungary's support for international religious freedom issues. Tamas Ócsai, president of the Adventist Church in Hungary, also attended the meeting and reported on the church's religious, missionary and charitable activities.

The status of religious minorities in Hungary has been under the spotlight in recent years. Under the Law on Churches, first passed by Hungary's parliament in July 2011, 14 denominations retained their traditional legal status while some 300 minority religious groups, including the Seventh-day Adventist Church, were "de-registered" and invited to reapply for church status. Hungary's lawmakers amended the controversial legislation the following year, re-stating the registration of the Adventist Church, along with 18 additional minority faith groups.

## **IRLA JERUSALEM CONSULTATION**

Dr. Raafat Kamal, IRLA Secretary General for the Trans-European region, convened a five-day consultation in Jerusalem in March 2018. The attendees included the presidents of the six unions within the Seventh-day Adventist Church's Trans-European Division. They, along with Dr. Diop, discussed religious freedom challenges within their territories, and explored ways to re-energize IRLA affiliate associations in the region.

## **IRLA SHARES PERSPECTIVES AT THE GLOBAL CHRISTIAN FORUM**

The third meeting of the Global Christian Forum, held April 24 to 27, 2018, in Bogotá, Colombia, provided an invaluable opportunity to share key IRLA values with a unique audience, says Dr. Ganoune Diop, secretary general of the IRLA. Dr. Diop, who was a plenary speaker in the closing session of the event, addressed some 400 Christian leaders from 65 countries who represented a broad range of Christian traditions, including Eastern Orthodox, Evangelicals, Anglicans, and many independent churches.

The Global Christian Forum provides an informal space for Christians of many different denominations to share information about themselves and to discuss common challenges facing Christians around the world, including persecution in places where Christianity is a minority religion.

This was the first time that the Global Christian Forum has met in the Americas and the first time in a Spanish-speaking country. The first and second gatherings of the group were held in Kenya and Indonesia.





## **BRAZIL LAUNCHES RELIGIOUS LIBERTY MAGAZINE FOR POLICYMAKERS**

A new magazine published in South America will aim to promote religious freedom principles to decision makers such as politicians and lawmakers in Brazil. *Liberdade* [Liberty] magazine was released on May 7, 2018, this year and will provide in-depth information on church-state relations, freedom of religion or belief, the limits of religious liberty and the problem of online-driven religious intolerance.

Hélio Carnassale, Secretary General of the IRLA for South America and Public Affairs and Religious Liberty director for the Seventh-day Adventist Church in that region, said the new magazine will serve as an important educational resource for policymakers, pastors, and laypeople. The magazine will draw on the expertise of professors and researchers, lawyers, journalists, and theologians. According to Carnassale, the content has been developed in a way which meets the demands of both experts and the general reader.

## **IRLA RALLIES ADVOCATES IN GUATEMALA**

IRLA Secretary General Dr. Ganoune Diop was the keynote speaker at a series of religious liberty events in Guatemala in May 2018, which aimed to generate greater public awareness of religious freedom concerns. He urged attendees—including academics, lawyers, religious leaders and laypeople—to be intentional in reaching out to civic leaders at the local and national levels. He described religious freedom as “something far more than just a philosophical construct or principle of international law.”

Guatemala, a country of more than 16 million people, faces many social challenges, including widespread poverty and vast disparities in the distribution of wealth. More than 70 percent of the nation’s children live in abject poverty, with many suffering sicknesses related to malnutrition. Yet a tiny fraction of Guatemalans—less than 300 individuals—control almost 60 percent of the country’s wealth. The differences are even more stark for indigenous Guatemalans, who face discrimination and deeply entrenched poverty.

## **IN BRAZIL, IRLA MARKS STATE RELIGIOUS LIBERTY DAY**

Religious freedom advocates in Brazil marked May 25, 2018—Religious Freedom Day in the State of São Paulo—with a three-day line-up of events and protocol visits. Dr. Ganoune Diop, IRLA Secretary General, was a special guest and speaker at the celebrations, which began May 24 with visits to civic and judicial leaders.



A delegation met with Marcio França, governor of the State of São Paulo, which, with 45 million people, is Brazil's most populous state. The group also met with judges of the State Court, and with Eduardo Tuma, vice-mayor of the city of São Paulo, the largest metropolitan area in South America.

Helio Carnassale, Secretary General of the IRLA in South America, said these visits were intended to thank public authorities for their support for religious freedom. Lawyers and religious freedom experts gathered May 25 for a Religious Liberty Forum held in the great auditorium of the City Council of São Paulo. The event was organized by Damaris Moura Kuo, president of the Brazilian Lawyer Association (OAB) Commission on Human Rights and Religious Liberty. Dr. Diop gave the keynote address.

## **ANNUAL IRLA-SPONSORED DINNER IN WASHINGTON HONORS ADVOCATES**

IRLA co-sponsored its 16th annual Religious Liberty Dinner in Washington D.C. on May 22, 2018, bringing together dozens of religious liberty leaders, officers, and advocates at the Organization of American States headquarters to network, review challenges to freedom of belief, and present awards. The keynote speaker for the 2018 event, themed "Championing Freedom of Conscience for All," was Turkish advocate, scholar, and author Aykan Erdemir. Harvard-educated Erdemir, a former member of the Turkish Parliament (2011-2015), is an outspoken defender of pluralism, minority rights, and religious freedom in the Middle East. The 2018 National Award was presented to general counsel and associate executive director of the Baptist Joint Committee for Religious Liberty Holly Hollman. Hollman provides legal analysis of church-state issues that arise before Congress, the courts, and administrative agencies. The 2018 International Award was presented to Norwegian Parliament Deputy Speaker Abid Q. Raja. A Muslim, Raja experienced, firsthand, the impact of racial stereotyping and religious discrimination. IRLA deputy secretary general Dwayne Leslie was one of the main organizers of the event.

## **IRLA PARTICIPATES IN COLOMBIA'S THIRD NATIONAL RELIGIOUS FREEDOM DAY**

IRLA Secretary General Dr. Ganoune Diop was invited by the Colombian government to help celebrate the country's third National Religious Freedom Day, held each year on July 4. During a morning meeting at Casa La Giralda, headquarters of Colombia's Ministry of the Interior,



Dr. Diop addressed more than 100 religious and political leaders who had gathered to mark the occasion. He commended the Colombia's civic and religious leaders for recognizing human dignity as the essential foundation for building a peaceful coexistence. Earlier in the day, Diop, along with Gabriel Villarreal, IRLA director in Colombia, attended a special breakfast for religious leaders at the Presidential Palace, Palacio de Nariño, hosted by Colombian president Juan Manuel Santos. President Santos, who received the Nobel Peace Prize in 2016 for his efforts in ending Colombia's civil conflict, has also been a key supporter of religious freedom. Diop and Villarreal spoke with President Santos, thanking him for his continuing support for religious minorities, which includes signing the 2016 decree that recognized July 4 as National Religious Freedom Day.

### **IRLA TAKES PART IN LANDMARK US SUMMIT**

IRLA Secretary General Ganoune Diop and Deputy Secretary General Dwayne Leslie were among those who participated in a religious freedom summit organized by the U.S. Department of State in Washington, D.C. The event, which began July 24, 2018, was the first ever of its kind, and brought together government officials from some 80 nations, along with an internationally diverse group of religious leaders and non-governmental organization representatives. Together, attendees spent three days listening to firsthand accounts of religious persecution and exploring ways to promote religious freedom as a basic human right. The event was hosted by Mike Pompeo, U.S. Secretary of State and U.S. Vice President Mike Pence also addressed the group. Diop said the IRLA welcomes any initiative that raises awareness about religious freedom challenges, and which brings people together around the issue. According to Leslie, the event — known as the Ministerial to Advance Religious Freedom — aimed to engage attendees to more effectively confront religious freedom challenges. He said breakout sessions gave people an opportunity to exchange ideas and experiences, and to form valuable relationships. Two documents were issued on the final day of the event — the “Potomac Declaration” and a Plan of Action — outlining steps nations can to protect vulnerable religious minorities and respond to violations of religious freedom.

### **ALL AFRICA RELIGIOUS FREEDOM CONGRESS DRAWS HUNDREDS TO RWANDA**

In September, Rwanda welcomed more than 500 religious freedom



delegates and advocates from some 30 countries to the 3rd All Africa Congress and Festival of Religious Liberty. The two-day event began September 13, 2018, under the theme, “Hope for Building a Tolerant and Peaceful Continent.” It was organized by IRLA-affiliate organization, the All Africa Religious Liberty Association (AARLA), and brought together church leaders, government officials, and religious liberty leaders and advocates at the Kigali Convention Centre in Kigali, the country’s capital. Blasious Ruguri, chair of the AARLC organizing committee, said in his opening remarks that the event was “a call to celebrate what is most uniquely human—our conscience.” Ganoune Diop, Secretary General of the IRLA, was one of the plenary speakers at the event and he spoke about religious freedom as a “primordial right”—one that undergirds all other human freedoms. The Congress ended with a five-hour religious liberty festival on September 15 that drew 30,000 people to the Amahoro National Stadium in Kigali. Special guests included the Minister in the Office of the President of Rwanda, Judith Uwizeye; Rwandan Minister of Justice Johnston Busingye; and Chief Justice and President of the Supreme Court of Kenya David Maraga.

## **IRLA LEADER PRESENTS AT SUMMIT ADDRESSING GLOBAL CHALLENGES**

Global religious leaders convened in Buenos Aires, Argentina, on September 26, 2018, for the fifth annual G20 Interfaith Forum. These yearly forums shadow the annual international “Group of Twenty” (G20) Economic Summit and aims to strengthen the voice of the world’s faith communities in addressing global political and economic challenges.

IRLA Secretary General Ganoune Diop was a plenary speaker on the first day of the event and spoke about the plight of refugee and migrant children, a group that is exceptionally vulnerable to exploitation and denial of basic human rights. In another presentation, he discussed the relationship between religious freedom and anti-discrimination law. Other participants represented a broad range of faith groups, including Orthodox, Jewish, Muslim, Protestant and Catholic communions.

The theme of this year’s forum was “Religious Contributions for a Dignified Future” and it ended with “recommendations on priority issues that draw on interfaith insight and experience.”

# FIDES ET LIBERTAS



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## PART V

### SUBMITTING MANUSCRIPTS AND REVIEWS

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## SUBMITTING MANUSCRIPTS

*Fides et Libertas* encourages the submission of manuscripts by any person, regardless of nationality or faith perspective, who wishes to make a scholarly contribution to the study of international religious freedom. *Fides et Libertas*, as the scholarly publication of the International Religious Liberty Association, seeks to obtain a deeper appreciation for the principles of religious freedom that IRLA has enunciated, including the following: religious liberty is a God-given right; separation of church and state; government's role of protecting citizens; inalienable right of freedom of conscience; freedom of religious community; elimination of religious discrimination; and the Golden Rule. *Fides et Libertas* is open to a wide perspective in upholding those principles including:

- Historical studies
- Articles that deal with theoretical questions of theology and freedom
- Essays on the meaning of such concepts as human rights and justice
- Works focused on politics and religion; law and religion

Articles should be accessible to the well-educated professional as well as to the lay person who seeks to know more. They are to be a means of continuing a scholarly conversation of the subject at hand. Therefore, it is incumbent on the author to bring a new insight or knowledge to the conversation.

## ARTICLE SUBMISSION

Submitted articles are evaluated by academic and professional reviewers with expertise in the subject matter of the article. *Fides et Libertas* will seek to ensure that both the identity of the author and the identity of the reviewer remain confidential during this process. *Fides et Libertas* accepts simultaneous submissions but requires the author to notify the editorial staff immediately if he/she accepts another offer.

*Fides et Libertas* prefers to accept articles under 11,000 words. Articles should be submitted as an electronic attachment. Articles must be submitted in U.S. or U.K. English. A paper copy only manuscript will not be accepted. In order to ensure an anonymous and expedited review process, we request a copy with no headers or other author-identifying informa-



tion (make sure tracking feature is turned off). Although published articles will appear in footnote format, manuscripts may be submitted in endnote format. Citations in each article should conform to the latest edition of the Chicago Manual of Style.

## REVIEW PROCEDURE

After an initial review of the article by the editors of the *Fides et Libertas* to ensure that articles minimally meet its mission, standards and priorities, each article is referred to an outside peer reviewer. Final decisions on accepting or rejecting articles, or sending them back with encouragement to re-submit, are made by the editors. If technical deficiencies, such as significant errors in citations or plagiarism, are discovered that cannot be corrected with the help of staff, the Executive Editor reserves the right to withdraw the manuscript from the publication process. Generally, *Fides et Libertas* publishes material which has not previously appeared, and it does not simultaneously publish articles accepted by other journals. Articles or author's requests for information should be addressed to:

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## BOOKS IN REVIEW

*Fides et Libertas* book reviews are meant to carry on the conversation with the author(s) under review. A simple description of the book fails to reach the goal envisioned by *Fides et Libertas*. We are looking for essays that take positions and provide clear reasons for such—being in the range of 2,500-5,500 words. Smaller review essays will be considered provided they actively engage with the topic and the author.

The Editor will make a decision on publishing the review based on the quality of the review and whether it is in keeping with the mission of *Fides et Libertas*.

Book reviews should be submitted by email attachment in Microsoft Office Word or compatible format.



Book review manuscripts should be double-spaced, with the following information at the top whenever it is available:

1. Name of book
2. Book's author(s) or editor(s)
3. Publisher with date
4. Number of pages and price

Review essays may have a title (which is not necessary) which should be placed immediately above the identifying information.

Reviewer's name for book reviews should appear at the end of the review, together with a footnote giving the reviewer's title(s), if any, and institutional affiliation(s) together with the institution's location.

For further information about the *Fides et Libertas* book review policies and procedures, or to submit your name as a reviewer, or an idea for a book to be reviewed, contact:

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