



WHITE PAPER ON

FREEDOM OF RELIGION AND BELIEF in the Framework of Civil-Religious and Christian-Muslim Dialogues

June
2018

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Beirut, 2018

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INTRODUCTION

The Arab world is known as the cradle of the Abrahamic religions, as well as the wellspring of ancient human civilizations. It is also particular for the diversity of its peoples, with their various roots and languages. Today, the Arab world is a land of encounter between its indigenous peoples, on the one hand, and migrants coming to study or to seek work, on the other hand.

The multiplicity of religious, cultural and linguistic affiliations in the Arab world emphasizes the need for a culture that respects this diversity in all its manifestations, as well as the need for a system of governance that translates and roots this respect into its laws and regulations. A model of citizenship that embraces diversity, as well as one that is committed to its ethics, is respectful of its principles and safeguards its freedoms, is needed to shield the peoples of the Arab world from strife and enable them to play their role in advancing the course of human civilization toward peace building, progress and prosperity.

Freedom of religion and belief is at the basis of civil liberties; it is a pillar of citizenship, of recognizing the other and the right to difference. In this light, Adyan Foundation has produced this white paper in collaboration with a number of local and international experts and mindful of the events shaping the contemporary Arab world, including the tragic, devastating conflicts in the region as well as the popular movements which represent a gradual transformation in the value system of younger generations seeking greater openness to the world and the adventure of diversity and co-existence. It is the hope of Adyan Foundation that this paper might contribute to the advancement of Arab societies towards a stability based on the respect of human rights, and towards

building a citizenship that is inclusive of diversity, in the face of widespread ignorance and extremism, which instill fear, suspicion, resentment and hatred.

This paper takes into consideration the relationship between freedom of religion and belief, on the one hand, and religious culture in Arab societies, on the other. While the question of freedom is a political and civil question, its implementation requires a general culture that nurtures these freedoms. Hence there is a need to address religious discourse and practice, and to examine the ways in which they can become factors that promote freedom of religion and belief, rather than representing obstacles on its path.

Over four sections, this paper presents conceptual, political and religious definitions and clarifications of freedom of religion and belief. It concludes with two lists of recommendations, the first addressed to political decision-makers, and the second to those in charge of religious institutions and discourse. We hope that it will contribute to the necessary and urgent progress needed in this field, in order to achieve human dignity, development, active citizenship and stability in the countries of the Arab region.



1) THE CONCEPT OF FREEDOM OF RELIGION AND BELIEF

Freedom of religion and belief is, in fact, an articulation of interconnected rights. According to article 18 of the International Declaration of Human Rights: “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.”

a) Freedom of conscience and belief

The recognition of religious freedom is intrinsically related to the recognition of freedom of thought, conscience and belief. This means that every human being has the right to think about whatever they desire, and to believe, disbelieve or adopt ideas, including religious ones, according to their personal choices and the dictates of their conscience. Religious freedom thus begins with an acknowledgement of the inviolability of the individual’s freedom of conscience, where the latter represents the private, internal sphere of the person who seeks to make the decisions and take the stands s/he deems fit and beneficial. This right does not include the right to impose one’s beliefs and positions on others or legitimate any kind of aggression against them. The right to freedom of belief and conscience includes the individual’s freedom to choose a specific faith or religious path, or none. It also includes the individual’s right to interact with, critique and question religious doctrine and thought with complete freedom,


in the sense that the believer is never a captive of the community s/he belongs to. And while the religious authority within a given group does have a role in defining doctrine and explaining it, even identifying which ideas conform or are inconsistent with its teachings, this does not give it a constraining authority over the conscience of the members of the religious community in question.

b) Freedom of worship

This right includes individual and group expressions of religious faith through organized or spontaneous rituals, and also entails the right of religious communities to own land and construct, renovate and administer structures of their own design, in accordance with their needs to practice their religious rites and rituals. In Arab contexts, “religious freedom” is often used to exclusively denote freedom of worship. In certain Arab countries where freedom of conscience and belief is not recognized - meaning that individuals may not be allowed, for example, to change their religion or to publically profess their atheism - the idea of “religious freedom” is used to signify the sole right of specific religious communities which are recognized by governmental authorities to practice their religion.

c) Freedom of religious expression and education

Freedom of thought cannot be separated from freedom of expression, and becomes meaningless if individuals are unable to express and share their ideas. Similarly, freedom of religion




and belief also becomes meaningless if not coupled with the freedom to express one's beliefs and even to spread them. It is true that some tend to consider that religion should remain limited to the private sphere and should in no way extend to, or affect the public realm. However, this proves unrealistic when seen in the light of what belief and worship entail. Acknowledging freedom of worship inevitably entails the right to build places of worship, the inner and outer appearance of which reflects the particularities of this or that religion. It also involves the right to wear certain articles of clothing or symbols that represent one's chosen faith, as well as recognizing the rights of individuals to express and share their religious ideas. This approach to freedom of religion and belief hence incorporates the systematized teaching of religious principles, beliefs and values pertaining to the community to all age groups and academic levels, including the right of authorship, publication and distribution, as well as the communication about it on Media and Social media, and through organizing meetings and public events. In the same vein, believers have the right to publicly express their views, to contribute to civil society initiatives and found associations and institutions based on the religious spirit motivating them.

2) ISLAM AND CHRISTIANITY'S RECOGNITION OF FREEDOM OF RELIGION AND BELIEF

Recent decades have witnessed the development of both an Islamic and Christian literature dealing with the issue of freedom of belief and religion. "The Beirut Declaration on Religious Freedom" issued by Al-Makassed Philanthropic Islamic Association of Lebanon on June 20, 2015 unequivocally states that "God has dignified the human self, which He endowed with a mind and the freedom of belief, thought and expression, and they are responsible for their choices before God alone" (article 2). The Declaration continues to state that no one has the right to judge a person for their belief or to persecute or discriminate against them on a religious or ethnic basis. It insists that religious faith "is an entirely free human and citizen right, guaranteed by unequivocal Quranic verses" (article 1).

The Statement by Al-Azhar and Egyptian Intellectuals on Basic Freedoms, which was issued on January 8, 2012 insists that "freedom of belief and the associated right of full citizenship for all - which is based on complete equality in rights and duties -" constitutes "the cornerstone of the structure of modern society and is guaranteed by conclusive religious texts as well as by constitutional and legal principles. God Almighty says: {There is no compulsion in religion. Verily, the right path has become distinct from the wrong path.} And also: {So whoever wills - let him believe; and whoever wills - let him disbelieve.}" Accordingly, the statement calls for "condemning as a crime any form of religious compulsion or persecution and discrimination based on religion, for each member of society has the right to adopt whichever ideas s/he favors." On the other hand, the statement calls for recognizing "the rights of society to preserve



the revealed religions as the three monotheistic faiths possess their sacredness, and individuals should be free to practice their rituals without offending each other's sensibilities, desecrating any of these religions in word or deed or disrupting public order." The statement also recognizes the legitimacy of diversity and the right to difference that arise from freedom of belief.

A similar discourse is found in "The Declaration on Religious Freedom" promulgated by the Catholic Church at the Second Vatican Council on December 7, 1965, which asserts that "the right to religious freedom has its foundation in the very dignity of the human person" (article 2). From this the ecclesiastical document infers that "he [is not] to be restrained from acting in accordance with his conscience, especially in matters religious" (article 3). The document explains that because of the social nature of man, the individual's right to religious freedom is tied to his/her right to the outward expression of his/her faith, such as sharing thoughts with others and communal religious practice (article 3). This in turn extends to the right of religious communities to govern their own affairs and to contribute to human activity as a whole (article 4).

This Catholic teaching was preceded by the World Council of Churches' Declaration on Religious Liberty, adopted at its First Assembly¹ in Amsterdam in 1948. The declaration confirms the

¹ The World Council of Churches (WCC) is the broadest ecumenical Christian movement, that brings together churches, denominations and church fellowships in more than 110 countries and territories throughout the world, representing over 500 million Christians and including most of the world's Orthodox churches, scores of Anglican, Baptist, Lutheran, Methodist and Reformed churches, as well as many United and Independent churches.

right for all of “religious expression” that includes “freedom of worship both public and private; freedom to place information at the disposal of others by processes of teaching, preaching and persuasion... It also includes freedom to express implications of belief for society and its government.” (article 2)

Both Islamic and Christian reference documents mentioned above agree that dignity is inherent to human nature per se and, as such, to each and every individual, and that religious freedom is part and parcel of this dignity. Although they base this conclusion on different grounds - inherent human tendency, eternal law or human nature itself – it is significant that they unanimously recognize that the connection between man and God, who from a religious viewpoint is the source and origin of this freedom, exists independently from religious doctrine, and is consistent with the individual’s freedom in adopting and reacting to this doctrine; he/she, by virtue of his/her mind and free will, alone bears the responsibility of his/her choice before God. For this reason the Al-Azhar document states that respecting freedom of belief requires “the rejection of intolerant tendencies that are always ready to exclude or condemn others as infidels, condemn their doctrines, or attempt to cross-examine the conscience of believers” (article1).

We conclude that from the standpoint of Islam and Christianity, what generates and guarantees religious freedom is not religious affiliation but human selfhood, and every person enjoys this freedom irrespective of their position regarding faith. Through their religious anthropological conception, believers tie this freedom to human nature as God willed it since the beginning. The outcome of this belief does not go against the legal-secular position regarding religious freedom, even though they differ in their diagnosis of its origin, whether it is divine or human.




3) FREEDOM, RELIGIOUS TRUTH AND ACCUSATION OF “DISBELIEF” (TAKFIR)

The concept of *takfir* (denouncing another as a disbeliever or infidel) has recently taken on a critical dimension, after its adoption by extremist groups as a basis for persecuting others. What is meant by *takfir* here is the belief, prevalent among some Muslim groups, that one’s own religious conviction is a legitimate basis to reject the convictions of others as being outside the truth. This act of *takfir* can bear down on the followers of these “false doctrines” as long as they adhere to their “disbelief” by refusing to adopt the self-styled judge’s truth. This has some parallel to earlier doctrines in Christianity which continue to be adopted by some Christian churches to this day, teaching that there is no salvation outside the Church, whereby non-Christians are considered to be “infidels” or disbelievers. While some consider that this gesture of excluding others is an obvious prerogative in line with the nature of religious thought, which tends to define truth within an absolute and hegemonic religious context and hence describes any thought that opposes or contradicts it as disbelief, and those who hold it up as infidels; others insist that such an attitude lays the foundations for hate speech and contempt for others, leads to religious violence, and contradicts the principles of “encounter” and sincere dialogue.

This raises the issue of religious pluralism and the relative nature of religious expression, due to the fact that it is affected by historical, cultural and human factors. Hence the challenge is to embrace together the individual’s right to hold absolute religious beliefs with his/her awareness of the fact that his/her

understanding and expression of these beliefs do not represent in an absolute and exclusive way the divine truth. Accordingly, "The Beirut Declaration on Religious Freedom" called for "accepting differences between people as an expression of the divine will" (article 2), and leaving the matter of judging what's in people's hearts to God alone. The Apostolic Exhortation on the Church in the Middle East issued by Pope Benedict XVI on September 14th, 2012 calls for moving "beyond tolerance to religious freedom", which according to the text "calls for a reconsideration of the relationship between man, religion and God." The Exhortation admits: "We know very well that truth, apart from God, does not exist as an autonomous reality. If it did, it would be an idol. The truth cannot unfold except in an otherness open to God..... Hence it is not fitting to state in an exclusive way: "I possess the truth". The truth is not possessed by anyone; it is always a gift, which calls us to undertake a journey of ever-closer assimilation to truth. Truth can only be known and experienced in freedom" (article 27).

It is clear that the question of religious truth still requires an in-depth theological discussion on both the Christian and Islamic sides. For the theology or jurisprudence of difference is at the heart of religious freedom and what it entails, such as respecting the belief system of others, rejecting contemptuousness for the spiritual experiences of other faiths and rejecting accusations of disbelief against them. This is particularly significant in the context of Islamic thought today, which is being abused by deviant groups who allow themselves not only to reject others but also to carry out unjust and oppressive sentences against them based on religious difference, or what they view as their "disbelief". Additionally, the issue requires working on tying religious truth with freedom of thought, and explaining the relative nature of religious thought



and interpretation, as well as the impossibility of claiming to possess the truth, knowing that God is the absolute truth, which the human mind cannot define or contain.

It remains a fact that most of the time, religious ideology takes precedence over intellectual freedom when it comes to the formation of beliefs and convictions within groups. Generally, in Arab societies, believers tend to think through the medium of religion rather than believe through the medium of rational thought. It is necessary to deal with this dilemma of the obstruction of intellectual freedom in some religious spheres, caused by ideologically preconceived convictions, which hinder religious freedom and easily allow for an a priori exclusion of others and their beliefs.


4) FROM A RELIGIOUS AND NATIONALISTIC STATE TO A STATE OF CITIZENSHIP INCLUSIVE OF DIVERSITY

The unity of a state or of national identity does not require that all citizens should belong to the same religious, ethnic or linguistic group. The plurality of cultural and religious elements that make up a social fabric can be a source of richness and advancement for society. Article 2 of the “UNESCO Universal Declaration on Cultural Diversity” (2001) states that: “In our increasingly diverse societies, it is essential to ensure harmonious interaction among people and groups with plural, varied and dynamic cultural identities as well as their willingness to live together. Policies for the inclusion

and participation of all citizens are guarantees of social cohesion, the vitality of civil society and peace. Thus defined, cultural pluralism gives policy expression to the reality of cultural diversity. Indissociable from a democratic framework, cultural pluralism is conducive to cultural exchange and to the flourishing of creative capacities that sustain public life.”

This position calls for surrendering the logic of ideological national identities, founded in an imposed fusion of constituents and in the erasure of their cultural particularities, with the aim of fabricating a contrived national unity. It should always be kept in mind that diversity is the result and indication of freedom and the respect for difference; unity is not founded on uniformity, hegemony and tyranny, but on a citizenship that is inclusive of diversity and that guarantees freedoms, Freedom of religion and belief first and foremost.

At a time when cultural identities are gaining in prominence and national identities are receding, the importance of moving towards a model of “inclusive citizenship” becomes clear. When the nationalistic State adopts a confrontational stance vis-à-vis cultural groups, it elicits defensive clannish and sectarian zeal and a sense of having their rights, including religious rights violated; conversely, the model of citizenship inclusive of diversity offers a general framework for the interaction of these groups, their contributions to the cohesion of the social fabric and for a rich, inclusive national identity. Education, coexistence, a network of common interests and the contribution of citizens in service of society and public life across their cultural specificities are the means to realize this inclusive national unity, to root it in the




conscience of citizens and in national culture and its symbols, including its religious heritage.

The “Marrakech Declaration”, issued on December 27, 2016 by a group of prominent Islamic scholars, speaks of a “contractual citizenship” based on the “Constitution of Medina”, positing it as the ideal model “for a racially, religiously and linguistically pluralistic society whose members enjoy the same rights and duties, belonging despite their differences to one nation” (paragraph 13). This stand represents a direct call for abandoning the concept of “the Islamic State” on the one hand, and the concept of the Ideological Nation-State on the other. It calls instead for committing to a ‘Citizenship State’ built on a contract between citizens and the State, on the one hand, and among the citizens themselves with their diverse affiliations on the other. The reference documents previously mentioned also insists on this position: “The Beirut Declaration on Religious Freedom” states: “Islam, as the Al-Azhar statement declares, does not impose a specific political regime nor does it endorse a religious state. Political systems, in any society, are secular systems of governance and are created by citizens, Muslims and non-Muslims, in commitment to the rights and duties of citizenship. They can alter them in accordance with their free will on the basis of their best common interests” (paragraph 4).

RECOMMENDATIONS

a) Suggested recommendations for policy makers

- 1-** Adopt the notion of Freedom of religion and belief in its global sense, as defined in this paper, in the constitutional and legal texts, far from a selective or ambiguous way.
- 2-** Urge governments to sign international pacts, treaties and conventions in regards to Human Rights and specifically the right to Freedom of Religion and Belief.
- 3-** Review the Personal Status systems and update their content in accordance with religious freedom and the equality of citizens before the law and courts, and provide the civil laws option to guarantee the freedom of conscience for all.
- 4-** Develop regional treaties and pacts that consolidate respect for freedom of religion and belief, and produce an Arab charter for citizenship inclusive of diversity.
- 5-** Face hate speech based on religion as well as discrimination and violence against minorities through a constitutional and legal framework.
- 6-** Build a critical research body to address the crisis of the politicization of religion and vice versa, and work on stopping its repercussions in terms of hostile sectarian mobilization.
- 7-** Safeguard the civilizational heritage of religious communities as well as their sites and landmarks from destruction and mutilation.

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- 8- Develop educational curricula that promote a culture of respect for difference, acceptance of diversity and affirmation of common values with the aim of raising moderate citizens aware of the relative character of possessing the truth, and who grasp the beauty of others.
 - 9- Consolidate democracy and the participation of minorities in decision making, as well as the role of women in upholding social values through their educational and intellectual leadership and their participation in public life.

b) Suggested recommendations for religious institutions

- 1- Assert the essential nature of human dignity and uphold in religious discourse the spiritual and human values that endorse religious freedom, through recognizing and respecting diversity.
- 2- Propose models of coexistence that shine through in acts of solidarity, compassion and mutual affection.
- 3- Build on and develop the inclusive religious heritage within each religion, which upholds the right to difference and the respect of the other and challenges the attitudes of *takfir* (accusation of disbelief) and the elimination of the other.
- 4- Promote a religious discourse, from the pulpits of mosques and churches that respects others, their rights and freedoms.

- 5-** Formulate religious education curricula around shared public life values.
- 6-** Encourage constructive religious criticism, which contributes to moving from an exegesis aimed at justifying *takfir* to one that justifies the exercise of compassion, service, and defending mankind and human rights.
- 7-** Work on a deconstruction of the relationship that conflates the sacredness of religious scripture with the sacredness of those associated with it through their faith and positions of religious authority.
- 8-** Work on approaching texts related to religious practice separately from texts concerned with the conduct of daily life and interpreting each in their proper context, thus guiding people toward a just life without limiting or monopolizing the paths towards it.
- 9-** Spread the conviction, within religions themselves, that individuals possess the right to opinions that go against prevailing ideas, including the right to declarations of non-religious affiliation or atheism.
- 10-** Engage with hardline religious personalities through constructive dialogue around religious freedom and the right to difference.



PAPER'S BACKGROUND

RASHAD Center for Cultural Governance, published this White Paper in the aim of developing the religious and political narratives related to Freedom of Religion and Belief and its related policies. The content of this paper was edited based on the proceedings of three conferences organized by the Institute of Citizenship and Diversity Management at Adyan Foundation. These conferences were attended by experts, religious scholars, and policy makers from Lebanon, the Arab region and the world. The content of this White Paper does not necessarily represent the individual positions of the below mentioned names as participants in the conferences, even though their interventions contributed in developing it.

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Lebanese Conference: “Civil-Religious Dialogue about Religious Freedom”, held on 6/2/2016 in Beirut, joining 23 Lebanese experts and religious leaders, with the support of the Embassy of Canada in Beirut. A report in English and a book in Arabic have been published as a result of the conference:

- Ziad El Sayegh (Editor): Religious Freedom in Civil-Religious Dialogue, Beirut, Ed. Al Farabi and Institute of Citizenship and Diversity Management, 2017.
- Report on: Religious Freedom in Civil-Religious Dialogue, 2016.

Participants to the conference

Sheikh Dr. Sami Abi El Muna; Esq. Ghadir Alayli; Archbishop Salim Bostros; Emir Hareth Chehab; Prof. Antoine Courban; Prof. Fadi Daou; Sayyed Jaafar Fadlallah; Dr. Amin Farchoukh; Dr. Mona Fayyad; Judge Abbas Halabi; Sheikh Ghassan Halabi; Father Dr.

Michel Jalakh; Dr. Nassif Kazzi; Sheikh Hicham Khalifeh; Father Dr. Georges Massouh; Prof. Antoine Messarra; Mufti Bakr Rifaii; Dr. Mohammad Sammak; Mr. Ziad Sayegh; Dr. Antoine Sfeir; Dr. Nayla Tabbara; Mufti Ahmad Taleb; Dr. Ahmad Zohbi.


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Regional Conference: “Religious Freedom and Inclusive Citizenship in the Arab World”, held on 31/8/2016 and 1/9/2016 within the framework of “Interfaith Alliance for Inclusive Citizenship and Religious Freedom” Project, with the support of Church of Sweden. The conference joined 22 academics, religious scholars and policy makers from Lebanon, Syria, Jordan, Palestine, Iraq, Egypt and Tunisia.

Participants to the conference

Dr. Tarek Mitri (Lebanon); MP Ghassan Mkhayber (Lebanon); Judge Mohammad Abu Zeid (Lebanon); Emir Hareth Chehab (Lebanon); Prof. Fadi Daou (Lebanon); Dr. Mohammad Sammak (Lebanon); Mr. Ziad Sayegh (Lebanon); Dr. Nayla Tabbara (Lebanon); Mufti Ahmad Taleb (Lebanon); Rev. Dr. Riad Jarjour (Lebanon); Mr. Kassem Kassir (Lebanon); Dr. Nael Gerges (Syria); Ms. Asmaa Kaftarou (Syria); Prof. Amer Al Hafi (Jordan); Dr. Majida Omar (Jordan); Ambassador Hind Khoury (Palestine); Esq. Saeb Khoder (Iraq); Dr. Saad Salloum (Iraq); Dr. Nabil Abdel Fattah (Egypt); Dr. Samir Morcos (Egypt); Mr. Salaheddin Al-Jourshi (Tunisia).

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International Conference: “Religious Freedom and Reconstruction of Citizenship”, held in partnership with the Lebanese American University with the support of Church of Sweden and the Institute of Missiology-Missio, on 1-2/12/2016, joining 32 academics, researchers, religious scholars and policymakers (politicians, diplomats and opinion shapers) from 14 countries.

Participants to the conference

Dr. Lina Kreidie (Lebanon); Mr. Mohamad Al Arab (Lebanon); Prof. Fadi Daou (Lebanon); Dr. Tamirace Fakhoury (Lebanon); Ms. Tania Awad Ghorra (Lebanon); Judge Abbas Halabi (Lebanon); Dr. Sami Baroudi (Lebanon); Prof. Wajih Kanso (Lebanon); Prof. Joseph Maalouf (Lebanon); Dr. Marwan Rowayheb (Lebanon); MP Ghassan Moukhaiber (Lebanon); Dr. Nayla Tabbara (Lebanon); Dr. Ahmad Zohbi (Lebanon); Dr. Wafaa Al Cherbiny (Egypt); Dr. Samir Morcos (Egypt); Dr. Tarek Shaaban (Egypt); Prof. Amel Grami (Tunisia); Sayyid Jawad al Khoei (Iraq); Mr. Mohammad al Moumin (Iraq); Esq. Saib Khidr (Iraq); Prof. Abdel Jabbar al Rifai (Iraq); Ms. Reem Khalifa (Bahrain); Ms. Mosarrat Qadeem (Pakistan); Esq. Salman Raja (Pakistan); Fr. Adrien Sawadogo (Burkina Faso); Ambassador Jean-Christophe Peaucelle (France); Mr. Naveed Baig (Denmark); Ms. Isabel Ruck (France); Dr. Matthias Vogt (Germany); Reverend Jennie Nordin (Sweden); Prof. Gwen Griffith-Dickson (UK); Dr. Brian Grim (USA).