

A SCHOLARLY JOURNAL – ISSUE 11 - February 2018

Religions

Published by the Doha International Center for Interfaith Dialogue



Religions
and Human Rights

ISSN: 2218 - 7480

Price :\$10/QR30

Published by the Doha International
Center for Interfaith Dialogue
P.O. BOX: 19309 Doha, Qatar

<http://www.dicid.org/journals.php>
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He wrote a book: Principles and directions of dialogue in Islam, and edited the following publications:

- Arab Influences: Teams of the Historian Dr. Jawad Ali's Historical Research, Two Volumes.
- Spiritual and intellectual security in the light of religious teaching- Proceedings of the 12th Doha International Conference for Interfaith Dialogue 2016.
- Dr. Ahmed Abdel Rahim translated from Persian to Arabic "Introduction of the book chemistry of happiness" of Abu Hamid al-Ghazali.

His also published research on dialogue and comparison of religions:

- The unity of human values in the divine religions and the principles of the Universal Declaration of Human Rights.
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Prof Yilmaz holds a research chair in Islamic Studies and Intercultural Dialogue at the Alfred Deakin Institute (ADI), Deakin University. He was professor of political science at Istanbul Fatih University between 2008-2016, lecturer in law, social sciences and politics at SOAS, University of London between 2001-2008 and research scholar at Center for Islamic Studies, University of Oxford between 1999-2001. He is the author of *Muslim Laws, Politics and Society in Modern Nation States: Dynamic Legal Pluralism in England, Turkey and Pakistan* (Routledge).

over the world are religiously and socially guided. In looking at the concepts of sin and morality, Opeloye nuances that both the Qur'anic and the Biblical teachings are not too different. There are few areas of divergence though. Where the Bible teaches that human sin could be traced to Abraham, the Qur'an according to Opeloye does not contain such teaching. Qur'an teaches that Adam disobeyed God as a result of forgetfulness and not necessarily as a result of willful disobedience as contained in *Surah* 20:115. Opeloye claims that Adam was eventually forgiven by God after he confessed his sin (p.214). Another area of difference is how a sin could be forgiven, atoned for or how a person can pay penalty for sin. Interesting thing is that both scriptures teach that sin emanated from the Garden of Eden (p.228). Overall, both the Qur'an and the Bible agree basically on the same things that constitute moral virtues and moral vices (242-243).

In the concluding chapter, Opeloye closely examines the Qur'anic and Biblical concepts, or teachings about Jesus Christ (otherwise known as Isa in the Qur'an). Opeloye believes that the core issue of disagreement between Muslims and Christians all over the world is the different way each religion conceives of Jesus (Isa). While both scriptures teach that Jesus (Isa) was born by Mary (Maryam)—a miraculous conception for that mat-

ter, the Qur'an does not assign any more to Jesus (Isa) than a prophet. In essence, Jesus (Isa) does not have divine nature as the Bible teaches. There are however interesting points of convergence about the conceptions of the person of Jesus (Isa) by both the Qur'an and the Bible namely: his miraculous deeds, his ascension to heaven, his coming back the second time. Opeloye is of the opinion that these points of convergence should be areas where both Muslims and Christians concentrate on instead of concentrating on areas of divergence.

Opeloye's suggestions on the ways religious worshippers especially Muslims and Christians all over the world could live peaceably and harmoniously are highly intriguing and commendable. These thoughtfully written suggestions are to be found in pages 248-250 of his book. In the light of this, I wholeheartedly recommend this book to all teachers of religion, believers in one religion or the other, and especially the religious leaders who need to know more about how to maintain peace by striving to learn something new from religious faiths other than one's own. The book is well-written and straight forward. All theological jargons are carefully explained in plain-sense English by Opeloye, given his sound training in comparative and exegetical traditions.

vinists) both deny the idea of free-will (the concept that God has given every individual the will choose right and evil), but say instead that God has predestined some people for salvation and some for damnation (160-161). In spite of alluding to few authors, Opeloye is unable to adequately resolve the idea of predestination, perhaps because as he has also earlier said, it is a thorny issue and a question that is still begging for answers.

In chapter five, Opeloye tackles the social themes as being taught by the Qur'an and the Bible. But while both scriptures teach on the necessity of marriage, the prescriptions of how many wives are expected of a man to marry differ radically in the two scriptures. Whereas Qur'an permits Muslims men to marry up to four wives as long as those women could be treated with fairness and equity, the Bible, especially, if the New Testament is to be rigidly followed, permits a man to marry only one wife. Curiously, there is also an aspect of the teaching of the Qur'an about who a Muslim man or woman could marry, and a Christian man and woman could marry—in Opeloye's analysis of the Bible's teaching about the same.

The idea that the Qur'an prescribes that a Muslim woman should not marry not only an idol worshipper but also a Jew or a Christian unless such is willing to convert to Islam (171). And that a

Muslim man could marry a woman though not an idolater but either a Christian woman or Jewish woman (171). I think the same principle is contained in the Bible especially in the New Testament, which is not too straightforward as also pointed out by Opeloye; he uses II Cor. 6:14-15 to proof this. By my own assessment, Opeloye seems to deliberately leave this aspect of the teaching of the Qur'an and the Bible without a critical appraisal, which seems very strange. My opinion is that for a comparative scholar of religion who wants to promote interreligious dialogue (leading to peace and harmony), that aspect of the teaching of the Qur'an and the Bible should be critically examined and legitimate questions raised. One question that could be raised is; is a worshipper in a religion other than one's own an unbeliever? Or can a person marry a wife or a husband from any religion and let such person practices his or her own religion as a matter of religious right? I hope this is one important area that Opeloye needs to look into if he is revising his book.

In chapter six, Opeloye examines another interesting doctrinal emphasis of both the Qur'an and the Bible—ethical dimension, which Nini-an Smart sees as essential to religion. For Muslims and Christians, morality is part and parcel of religion. As a matter of fact, morality is carefully enshrined in Sharia legal code; the legal principle by which Muslims all

Biblical traditions. It seems to me that all these themes resemble Ninian Smart's *Seven Dimensions of the Sacred* (see his *Dimensions of the Sacred: An Anatomy of the World's Beliefs*. Berkeley, CA: University of California Press, 1998). In chapter three, the focus is on the direct association of revelation with prophethood. After looking at the meaning of prophet from Qur'anic and Biblical points of view, Opeloye proceeds to discuss about the belief in prophets, their functions, their attributes, their activities, their calls and the various ways to know the good and bad prophets. But while the Bible shows that there are prophets who sinned against God, the Qur'an does not have such accounts of prophets who sinned against God because according to Opeloye, all prophets are sinless just like the angels. He later deals briefly with the concept of revelation from both Qur'anic and Biblical perspectives. He concludes the chapter by pointing to the fact that, while the Bible is regarded by the Christians as the inspired word of God, Muslims believe in the dictated word of God (the Qur'an). He balances up his argument in the chapter by claiming that the difference is highly negligible because both the Qur'anic and Biblical concepts of revelation could be summarized into three: words as emanating from God; divine words emanating from prophets and words of God emanating from narrators (p.117).

In chapter four, Opeloye looks at the concepts of resurrection and predestination. With respect to resurrection, Opeloye is able to critically examine the concepts of death, resurrection and judgment from both Qur'anic and Biblical perspectives. A closer look at Opeloye's analysis shows that there is not much difference in the ways both scriptures (books) teach about the three interrelated concepts; death leading to resurrection and then to judgment. In this author's analysis, both scriptures teach that death is not a total annihilation of human person but a mere separation of soul and body and interestingly, both scriptures also teach that there would be stage by stage events that would precede the final judgment (122-125). The final judgment in both scriptures lead eventually to either heaven or hell depending on individual's deeds while in the flesh. Hell, which is referred to in the Qur'an as *Jahannam* and in the Bible as *Gehenna* is the final abode of the wicked, who engaged in the denial of God and perpetrated every kind of evil while in the world (125-160).

But then the question of who qualifies for heaven and hell also lead inadvertently to the concept of predestination and freewill, which are subjects of controversy in the Qur'an and the Bible according to Opeloye. The reason is that certain predestinarians of Islam (Jabrites) and Christianity (the Cal-

Christian Holy Scriptures (Qur'an and the Bible). He helps bringing out the common themes that would help the two Abrahamic faiths (Islam and Christianity), otherwise called two great world religions to live in peace and harmonious relationship together. In chapter one, Opeloye looks at the evolution of the Qur'an and the Bible and shows the conviction that both are inspired words of God. But while the Bible was not only initially planned to be written, it was later compiled in stages, the Qur'an was already in the mind of God, which was later dictated by Angel Gabriel to Prophet Mohammed and was committed to memory. The argument of the author is that because Bible had to pass through different stages before it could be canonized, there seem to be few contradictions in it. But because Qur'an was a product of memorization, it is very straight forward. In essence the difference between Biblical evolution and Qur'an's is in the way they were originally composed or compiled. They are nevertheless inspired holy books.

In chapter two, Opeloye looks at the concepts of God and angelology. By engaging philosophical argumentation, he first examines the concepts by which God is known and then proceeds to the traditional arguments (though at surface level) for the existence of God from both Islamic and Christian's theological/philosophical perspectives (20-ff).

Those arguments that are already well-known in theological cum philosophical debates such as arguments from human experience, cosmological, teleological, moral and divine revelation through His attributes and through his creative abilities were given careful but not detailed attention. According to Opeloye, while both the Qur'anic and the Biblical doctrines rest on all those concepts though, there are however few points of divergence between Qur'anic teaching about the oneness (unity) of God and that of Bible's. The former (the Qur'an) states categorically that Allah (God) is one and no one can be compared with Him while the latter (the Bible) contains within it both doctrines of unicity and trinitarianism of the Godhead. With respect to the angels, Christians are said to believe that there are good and evil angels, whereas for Muslims all angels are sinless. By appealing to some scholarly references, Opeloye claims that the biblical Satan which is believed to initially belong to the good angels but later was demoted to the realm of evil angel due to his disobedience and arrogance against God, his creator, was not an angel in the Qur'anic sense of the word but was actually created as jinn (pp. 67-79).

Chapter three, four, five and six are closely linked to chapter two in the sense that Opeloye continues his discussion on the theological themes that run through both Qur'anic and

(Book review)



**M.O. Opeloye (Author), *The Qur'an and The Bible: Common Themes for Peaceful Co-Existence* by
Published by Spectrum Books Limited: Ibadan, 2014**

By Enoch Olujide Gbadegesin

In an increasingly religiously polarized world, the need for all adherents of religions indeed Christians and Muslims all over the world to give peace a chance by consciously embracing interreligious dialogue becomes necessary. The good thing is that many well-meaning scholars of religion from both Christian and Islamic perspectives have continued to adopt different approaches through which the faith-communities might come to understand that

all religions are basically pointing to the same thing. This is the truth that many adherents of Christianity and Islam all over the world are yet to accept and embrace.

In the entire book, which is sectionalized into three broad themes (theological, social, and ethical), apart from the introduction and the conclusion, Opeloye, a professor of comparative religion and Muslim and Christian relations, engages a comparative study of Muslim and

an age of globalization. Compassion is a formidable disposition that can help to overcome hatred and violence in our contemporary world. In a world that is devoid of compassion; the powers-that-be will have a free hand abusing fundamental human rights and perpetuating structures that militate against human wholeness and flourishing.

Compassion offers the building blocks for constructing a new world order that is just and equitable. O'Connell's book provides helpful theological, ethical, and philosophical insights for engaging compassion in the world. The book grapples with how dehumanizing suffering all over the world compel North American Christians to embrace compassion or the ability to suffer with another. The ability to suffer with another is one of the hallmarks of Christian discipleship. O'Connell argues that Christians possess the moral imperative, the material, and human resources to alleviate the unjust suffering that currently ravages the world. In the age of globalization, this task is more urgent and compelling.

Christians, especially the ones in the West, occupy a privileged position in the world. O'Connell argues that privileged Christians need to

re-examine the virtues of compassion exemplified by the story of the Samaritan on the road to Jericho in the gospel of Luke. This story offers good ethical instructions of how to be a neighbor in a world torn apart by violence and terror.

Overall this is a good book that is useful for students and scholars. Interestingly, compassion is a principle that features prominently in world religions. Karen Armstrong has developed an elaborate project on the meaning and importance of compassion in the lexicon of world religions. Since compassion is a general human value and virtue, the basis for advocating for it should be our common humanity. This notion is enshrined in the Universal Declaration of Human Rights.

In our broken and fractured world, narratives about solidarity and compassion offer glimmers of hope. St. Augustine once remarked "as Christians, we are prisoners of hope." This bold assertion provides an important perspective for engaging human rights in our contemporary world.

(Book review)



Maureen H. O’Connell, *Compassion: Loving Our Neighbor in an Age of Globalization* (Maryknoll, NY: Orbis Books, 2009),

242pp., x, \$32.00.

By Akintunde E. Akinade

One of the most amazing paradigms in our post-modern world has been the constellation of factors that have produced the so-called ‘global village,’ with concomitant challenges to traditional norms and practices.

Our contemporary world is characterized by an amazing plurality of ideologies, cultures, and religions. This situation creates the

imperative for people to find ways to live together even if they are different from each other. The often repeated cliché is that we are now living in a global village. However, this village is yearning for tolerance, peace, and dialogue.

Compassion: Loving Our Neighbor in an age of Globalization offers a compelling analysis of creative ways to empathize with the neighbor in

préhension de la religion, qu'elle est un vaste espace d'amour et de paix, pas un appel à la haine et la guerre. «Chauffez les cœurs froids ; rappelez-vous la lumière de l'amour divin ; faites jaillir les rivières de la science, de la littérature, de la sagesse et de la connaissance ; ouvrez les fontaines d'amour; créez dans les cœurs des êtres humains l'abomination contre l'injustice et l'oppression et enseignez aux peuples opprimés les leçons de légalité»¹.

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1 Abūl Ḥasan An-Nadawī, *Al-Islām wa ataruhu fīl al-Ḥaḍārah wafaḍluhu 'ala il-nsāniyah*, p. 112, Dār Aš-Šaḥwah, 1986.

Conclusion

La reconnaissance du droit à la dignité humaine préserve le droit de l'homme à une vie digne, sans craindre la faim, la maladie, la pauvreté et le déplacement. Le droit à la liberté fait de l'homme une personne indépendante et responsable qui décide tout seul ses convictions et suit la voix de son esprit et son cœur sans domination opprimante ou répression néfaste. Le droit à la sécurité donne la tranquillité à l'homme pour vivre, la stabilité pour travailler et la paix pour cohabiter avec les autres. Alors, les religions célestes possèdent tant de richesses spirituelles et de moralité qui sont la première source de valeurs humaines fondatrices des droits de l'homme et qui précèdent toutes les lois, les chartes internationales, les théories réformistes et les perspectives philosophiques.

«Le lien du sang unit les membres de la même famille ; les liens nationaux unissent le peuple d'une même nation, et le lien de la religion rassemble ses adeptes même si leurs pays sont divers et écartés et leurs races sont différentes. À priori, le lien de l'amour vrai et sincère, prôné par les lois des religions divines, est le lien solide qui entoure le monde entier d'un bout à l'autre

et rend tous les gens des frères dans l'humanité où les uns souffrent pour les douleurs des autres et réjouissent pour leur joie... Si l'on arrache la haine et l'arrogance qui remplissent les cœurs et les âmes, et chacun aime ses frères dans l'humanité sans qu'une préférence ou une différence de religion ou de race ne le détournent de cet amour, le monde sera donc à nous tous. Ainsi, tous les gens pourront se coopérer pour extraire, exploiter et bénéficier des trésors de ce monde ; ils vivront en sécurité et la paix sera insaturée empêchant le déclenchement de la guerre pour toujours¹».

Alors, les savants de la religion et les sages doivent déployer tous les efforts possibles et assumer leurs responsabilités pour aider l'humanité égarée à ce temps à retrouver la sagesse et à protéger la dignité de tout être humain et son droit à la vie. Cela n'aura lieu que si les valeurs humaines prônées par les religions célestes seront une méthode de penser, une manière d'agir et un culte par lequel on cherche à s'approcher du Seigneur. De même, il n'aura lieu que par la bonne com-

1 Muḥammad Yūsuf Mūsā, *Min Al-Qiyam al-insāniya fil islām*, Majalt Al-Azhar, pp. (434, 438), vol. 32, partie V, Jumāda Al-`Ulā, 1380 H.

la paix et à la rechercher, Allah le Très Haut dit : *«Et s'ils inclinent à la paix, incline vers celle-ci (toi aussi) et place ta confiance en Allah»*¹. De même, Allah a averti les croyants de ne pas soupçonner quiconque les appelant à la paix et Il leur ordonne de l'accepter et de le traiter pacifiquement. Allah (Glorifié soit-Il) dit : *«Ne dites pas à quiconque vous adresse le salut (de l'Islam): "Tu n'es pas croyant", convoitant les biens de la vie d'ici-bas»*². Annonçant aux croyants la plus grande grâce qu'Il leur offrira dans l'Au-delà, c'est-à-dire la grâce de la paix, Allah dit : *«Entrez-y en paix et en sécurité»*³. Allah Tout Puissant s'est donné, dans le Saint Coran, le nom de "Paix", en disant : *«C'est Lui, Allah. Nulle divinité que Lui ; Le Souverain, le Pur, L'Apaisant»*⁴.

Quand Il a loué Son Prophète (prière et paix d'Allah soient sur lui), Il dit : *«Et Nous ne t'avons envoyé qu'en miséricorde pour l'univers»*⁵. De même, quand Allah a loué Jésus (paix soit sur lui), Il dit : *«Et que la paix soit sur moi le jour où je naquis, le jour où je mourrai, et le jour où je serai ressuscité vivant»*⁶. Dieu a également choisi la paix comme salutation pour Ses serviteurs vertueux le jour où ils Le rencontreront : *«Leur*

salutation au jour où ils Le rencontreront sera : «Salam» [paix]»⁷.

C'est très évident en Islam que la vie humaine est sacrée et que personne n'est autorisée à battre injustement et agressivement : *«Quiconque tuerait une personne non coupable d'un meurtre ou d'une corruption sur la terre, c'est comme s'il avait tué tous les hommes. Et quiconque lui fait don de la vie, c'est comme s'il faisait don de la vie à tous les hommes»*⁸. Et pour que la paix et la sécurité de l'homme soient parfaites, la justice doit être l'arbitre entre les gens sans discrimination : *«Certes, Allah commande l'équité et la bienfaisance»*⁹.

Même avec l'ennemi, on est ordonné d'être équitable, car l'animosité ne doit pas conduire l'homme à agir injustement et agressivement : *«O les croyants ! Soyez stricts (dans vos devoirs) envers Allah et (soyez) des témoins équitables. Et que la haine pour un peuple ne vous incite pas à être injuste. Pratiquez l'équité : cela est plus proche de la piété»*¹⁰.

1 Coran (8:61)

2 Coran (4 : 94)

3 Coran (15 : 46)

4 Coran (59 : 23)

5 Coran (21 : 107)

6 Coran (19 : 33)

7 Coran (33 : 44)

8 Coran (5 : 32)

9 Coran (16 : 90)

10 Coran (5 : 8)

et l'amour d'Allah, a dit : **«Heureux les pacifiques, car ils seront appelés enfants de Dieu !»**¹.

La paix a été la première annonce de l'ange à Marie (paix soit sur elle) ; il lui a dit : **«Je te salue, toi que Dieu fait jouir de sa faveur ! Le Seigneur est avec toi ; tu es bénie entre les femmes»**². La paix était aussi la parole et l'action auxquelles Jésus (paix soit sur lui) a appelé et a laissé aux gens : **«Je vous laisse la paix, je vous donne ma paix»**³.

Si nous regardons la meilleure chose que Jésus (paix soit sur lui) a enseignée et recommandée, après avoir aimé et adoré Allah Seul, nous constatons que le commandement du Seigneur à Israël qui est le deuxième grand commandement après le monothéisme et l'adoration d'Allah, est d'aimer ton prochain comme toi-même. Quelqu'un lui a demandé : **«Maître, quel est le plus grand commandement de la Loi ?»** Il lui dit : **«Tu aimeras le Seigneur ton Dieu de tout ton cœur, de toute ton âme et de tout ton esprit. C'est là le plus grand et le premier commandement. Un second lui est égal : Tu aimeras ton proche comme toi-même. En ces deux commandements tient toute la Loi et les Prophètes»**⁴.

Dans ce commandement, il y a une exigence générale de vie dont le

but est la sécurité et la paix de l'âme. Cette exigence est liée à la relation entre l'homme et son frère dans l'humanité et comment l'amour de son frère et de son prochain comme soi-même est une partie de son amour pour Allah. Par cet amour, la vie est arrangée ; l'âme se sent calme ; la haine, l'avidité et l'envie disparaissent du cœur en lui donnant la sécurité et la vie et au corps, la tranquillité et la survie.

Le lecteur peut facilement observer l'insistance de l'évangile à répéter dizaines de fois l'amour même des ennemis ayant pitié de la colère et de la punition qui les attendent de la part d'Allah à cause des maux qu'ils commettent : **«Mais moi, je vous dis : Aimez vos ennemis, bénissez ceux qui vous maudissent, faites du bien à ceux qui vous haïssent, et priez pour ceux qui vous maltraitent et qui vous persécutent»**⁵.

Dans l'Islam, le Saint Coran ordonne l'appelle à la paix en utilisant tous les moyens pour l'instaurer. Allah le Très Haut dit : **«Ô les croyants ! Entrez en plein dans l'Islam»**⁶. Il annonce aux croyants qu'ils auront la paix de leur Dieu. C'est ainsi le Paradis s'est appelé «la demeure de paix». Allah le Très Haut dit : **«Pour eux la maison du Salut auprès de leur Seigneur»**⁷.

En guidant Son Prophète à offrir

1 Matthieu (5:9)

2 Luc (1:28)

3 Jean (14:27)

4 Matthieu (22/36 :40)

5 Matthieu (5:44)

6 Coran (2:208)

7 Coran (6:127)

son frère fondée sur l'amour, la paix et la fraternité est une essence, une base et un fondement important dans toutes les religions. Allah nous a créé tous et nous a choisis comme êtres humains pour la construction de cette terre et cela n'aura lieu que par la paix entre les peuples. Comment l'être humain créé par Allah, en lui Allah a insufflé un souffle venant de Lui et a lancé dans son cœur la compassion et l'amour, peut être comme les animaux de la forêt qui mangent les uns les autres !

C'est pourquoi le devoir très important que l'homme doit faire envers soi-même, son pays, sa famille, sa nation, l'humanité entière et avant tous envers Allah Tout-Puissant, c'est de reconsidérer sincèrement ses pensées et ses actions. C'est parce que l'homme vertueux n'est pas celui qui aime soi-même ou son pays seulement, mais c'est celui qui aime le monde entier.

Dans le judaïsme, on trouve qu'Allah accorde la paix par amour et générosité : *«Que Yahweh lève sa face vers toi, et qu'il te donne la paix !»*. Allah a rendu la paix une charte et un engagement en raison de sa grande valeur. Quand Allah a parlé à Moïse, paix soit sur lui, Il dit : *«Je lui accorde mon alliance de paix»*². De même, Allah a rendu la paix un jugement et une loi pour les hommes. Et quand Haman a voulu

nuire à Mardochee et son peuple, cette grande affirmation lui vint du roi : *«Je veux, non pas abuser de ma puissance pour m'enorgueillir, mais, par un gouvernement toujours clément et doux, assurer continuellement à mes sujets une vie sans trouble; et, procurant à mon royaume le calme et la sécurité jusqu'à ses extrêmes frontières, faire refleurir la paix chère à tous les mortels»*³. Allah a fait de la paix une bénédiction et une dignité pour Son peuple : *«Yahweh donnera la force à son peuple ; Yahweh bénira son peuple en lui donnant la paix»*⁴. Il en a fait la meilleure demande et la meilleure prière : *«Éloigne-toi du mal et fais le bien, recherche la paix, et poursuis-la»*⁵. Concernant la miséricorde, son importance, la recommandation de l'accorder et l'interdiction de l'abandonner, on lit : *«Que la miséricorde et la vérité ne t'abandonne pas; attache-les à ton cou, grave-les sur la table de ton cœur»*⁶.

Dans le christianisme, Jésus (paix soit sur lui) est venu sur terre portant la plus grande parole, c'est-à-dire (la paix): *«Gloire, dans les hauteurs, à Dieu ! Et, sur terre, paix chez les hommes de bon vouloir !»*⁷ L'Évangile qui a loué les gens pacifiques et les partisans de la paix et de l'amour, leur annonçant la paix

3 Livre d'Esther (13:2)

4 Psaumes (29:11)

5 Psaumes (34 : 14)

6 Livre des Proverbes (3:3)

7 Luc (2:14)

1 Livre des Nombres (6 : 26)

2 Livre des Nombres (25:12)

france de l'humanité aujourd'hui des dangers, de ce grand nombre des guerres, des conflits, d'extrémisme et du terrorisme.

Si l'on jette un coup d'œil sur les articles de la Déclaration universelle des droits de l'homme, on trouve l'article III qui énonce la nécessité de protéger la sécurité, la dignité, la vie et la liberté de chaque personne : *«Tout individu a droit à la vie, à la liberté et à la sûreté de sa personne»*. L'article XII contient un texte intégral concernant ce qui garantit le droit à la sécurité personnelle : *«Nul ne sera l'objet d'immixtions arbitraires dans sa vie privée, sa famille, son domicile ou sa correspondance, ni d'atteintes à son honneur et à sa réputation. Toute personne a droit à la protection de la loi contre de telles immixtions ou de telles atteintes»*. L'article IX contient aussi ce texte : *«Nul ne peut être arbitrairement arrêté, détenu ou exilé»*.

Même dans le cas d'une personne accusée d'un crime, elle doit avoir l'impression qu'il n'y a pas d'actes répréhensibles dans ses poursuites et son procès. C'est l'un des articles de sécurité personnelle même pour l'accusé. On trouve dans l'article X : *«Toute personne a droit, en pleine égalité, à ce que sa cause soit entendue équitablement et publiquement par un tribunal indépendant et impartial, qui décidera, soit de ses droits et obligations, soit du bien-fondé de toute accusation en*

matière pénale dirigée contre elle».

Dans les religions célestes, on trouve que les messagers d'Allah, depuis Adam puis Moïse et Jésus, paix soit sur eux, et même Muhammad, prière et paix soient sur lui, sont tous venus pour guider l'humanité et pour rendre la paix et la sécurité une base solide de toutes les religions. C'est ainsi qu'Allah le Tout-Puissant a prescrit la paix et a ordonné aux gens de vivre dans ce monde en paix et d'y inviter pour vivre en sécurité et tranquillité : *«La nature humaine affirme l'exigence absolue de la justice et de la paix à travers sa constitution d'une illustration et d'une manifestation de la justice. Par là, on souligne constamment sur le fait que la paix équitable est une vraie exigence humaine¹»*.

Toutes les religions célestes sont d'accord sur le fait que la protection de l'âme de l'homme, ainsi que son esprit, ses biens, sa religion et son honneur est une affaire sacrée, intangible, qui ne peut jamais être tolérée. Tout ce qui est contraire à cela comme terrorisme et extrémisme, même si son auteur se prétendait être religieux, c'est l'œuvre de Satan et des mauvaises âmes méchantes que la religion dénonce.

La relation entre l'homme et

1 Muḥammad'Alī At-Taskhīrī, Al-Qiyam al-insāniya al-muštarakah wa dawruhā fī ta'zīz at-taḍāmūn bayn aš-š'ūb wal umam, Majalat At-Taqrīb, p. 33, no. 52, 1384 H.

*manteau pour couvrir leur malice, mais comme des serviteurs de Dieu*¹.

Dans l'islam, nous trouvons que la liberté est non seulement un droit de l'homme et une nécessité existentielle inséparable de l'état humain, mais aussi elle vient comme une charge divine et un devoir religieux que l'on ne peut pas y renoncer. C'est un droit humain pour tout être humain, depuis la liberté du choix de sa foi, puis la liberté de sa pensée et de son expression, jusqu'à la liberté de sa volonté dans tout ce qu'il choisit. D'après cette liberté, il aura la rétribution divine s'il s'est bien ou mal comporté.

Dans le Coran, nous trouvons non seulement la reconnaissance de la liberté de l'homme de choisir sa foi sans contrainte, mais aussi la liberté des autres dans leur choix de foi : *«Nulle contrainte en religion*²*»*. Le Tout-Puissant dit : *«Et dis : “La vérité émane de votre Seigneur”. Quiconque le veut, qu'il croit et quiconque le veut qu'il mécroie*³*»*.

Dans le discours divin adressé au Prophète, prière et paix soient sur lui, le Prophète n'est pas responsable de la foi de ceux qui croient et l'infidélité de ceux qui mécroient ; il ne doit forcer personne à devenir croyant : *«Si ton Seigneur l'avait voulu, tous ceux qui sont sur la terre auraient cru. Est-ce à toi de*

*contraindre les gens à devenir croyants ?*⁴*»*.

Le Coran déclare à plusieurs reprises la reconnaissance de la liberté humaine intellectuelle ; il souligne la nécessité de la réflexion et du raisonnement dans des dizaines de versets : *«Et ces paraboles Nous les citons aux gens afin qu'ils réfléchissent*⁵*»*.

De même, le Coran dénonce la dépendance de l'homme à l'égard des autres, même s'ils étaient des parents et des grands-parents, quand il leur invite à croire en Dieu et ils refusent : *«Nous avons trouvé nos ancêtres sur une religion et nous suivons leurs traces*⁶*»*.

3. Le droit à la sécurité :

Puisque l'homme a le droit de vivre sur cette terre, il doit protéger cette vie, que ce soit sa vie ou la vie d'autrui. Certes, le droit à vie est un droit lié purement à Allah le Très Haut, car il est attaché à la responsabilité confiée à l'homme de construire la terre ainsi qu'à sa mission du vicaire d'Allah sur terre. Le droit à la sécurité et à la paix pour chaque être humain est alors un droit public concernant l'existence humaine en général. La sécurité humaine est devenue un sujet qui exige une attention honnête et profonde dans notre monde actuel, à cause de la souff-

1 1ère épître de Saint Pierre (2:16).

2 Coran (2: 256)

3 Coran (18 : 29)

4 Coran (10: 99)

5 Coran (59: 21)

6 Coran (43:23)

doit pas être un obstacle à l'intérêt public. Le terme «libre» ne doit pas être donné à celui qui nuit à l'intérêt public ou qui porte atteinte à l'un des droits d'autrui. Par conséquent, la législation divine a pris soin de l'exécution des devoirs avant de reconnaître les droits, en se fondant sur le fait que l'accomplissement de ces devoirs parfaitement est une garantie suffisante pour réaliser et protéger les droits et la liberté»¹.

Dans le judaïsme, on trouve au début du livre de la Genèse et l'histoire de la création de l'homme, ce qui fait référence à «l'homme qui a reçu la liberté en a abusé. À la suite de son péché, il a été privé de connaître le bien et le mal. Le péché d'Adam, paix soit sur lui, au sujet de l'arbre dans l'histoire de la création, n'était qu'une preuve à cela² : *«Mais tu ne mangeras pas de l'arbre de la connaissance du bien et du mal, car le jour où tu en mangeras, tu mourras certainement»*³.

C'est pourquoi la liberté dans la Torah vient à travers un discours où l'on donne à l'homme le choix

entre sa croyance en son Dieu ou la non croyance et entre sa vie réelle et éternelle en faisant le bien et sa mort en faisant l'infidélité, le péché et le mal : *«Vois, j'ai mis aujourd'hui devant toi la vie et le bien, la mort et le mal»*⁴, *«La vie et la mort sont proposées aux hommes, l'une ou l'autre leur est donnée selon leur choix»*⁵.

Dans le christianisme, on trouve la liberté dans tous les sens du terme contre l'esclavage qui ne peut être accepté que de l'homme envers Allah, sinon l'homme sera très dénigré : *«Dans la liberté par laquelle le Christ nous a affranchis, tenez ferme et ne vous laissez pas mettre de nouveau sous le joug de la servitude* ⁶*»*. La liberté est aussi apparue comme une exigence humaine et un droit nécessaire. C'est une liberté exemptée des caprices du corps et des désirs de l'âme : *«Pour vous, mes frères, vous avez été appelés à la liberté ; seulement ne faites pas de cette liberté un prétexte pour vivre selon la chair ; mais, rendez-vous par la charité, serviteurs les uns des autres»*⁷. La liberté est venue comme substitut du mal quand l'homme en sert d'écran aux caprices et aux désirs : *«Comportez-vous comme des hommes libres, non pas comme des hommes qui se font de la liberté un*

1 Muhammad Fathī Ad-Dārīnī, Usūl ḥuqūq al-insān fil taṣrī' al-islāmī wa madā atarihi fil al-'ilāqāt ad-dawliyah, p. 14, MajalatAt-Turaṭ Al-'arabī, no. 17, Muḥaram 1405 H.

2 Ranā Māzin As-Salāymah, Ḥoreyat al-irādah wal ikhtiyār fil yahūdiah wal islām: dirāsah'aqadiyah muqārnah, p. 25, 1ère édition, Dār Al-Ḥāmid, Amman, 2013.

3 Livre de la Genèse (2:17).

4 Livre du Deutéronome (30:15).

5 Livre de Sirac (15:17).

6 Epître de Saint Paul apôtre aux Galates (5:1)

7 Epître de Saint Paul apôtre aux Galates (5:13)

en soi ainsi qu'un droit humain inhérent pour chaque homme. Le fait que la liberté soit une valeur impose son attachement au concept de la responsabilité en la protégeant et la maintenant comme une personne qui maintient l'air et le feu. Il impose aussi la protection de cette valeur de la domination des passions et des désirs personnels, la libération de l'esprit des fausses illusions et de la volonté de s'opposer avec l'intérêt public et l'affranchissement des faibles de l'autorité des forts et des opprimés du pouvoir du tyran oppresseur.

Et le fait que la liberté soit un droit humain la rend «une propriété naturelle de tout être humain, une affaire nécessaire et l'un des sujets les plus inhérents concernant son existence et sa nature. Le droit n'est acquis de personne, et personne n'a le droit de l'en priver quelqu'un¹».

De même que les lois internationales relatives aux droits de l'homme ont proclamé le droit à la vie, le droit à la dignité et l'égalité de l'exercice des droits civils et politiques entre tous les hommes sans discrimination, elles ont proclamé également que la liberté individuelle est garantie : la liberté de croyance, de pensée et de volonté et qu'il est interdit de restreindre cette liberté sans criminalisation

par la loi. C'est ainsi que l'article III de la Déclaration universelle des droits de l'homme a stipulé : *«Tout individu a droit à la vie, à la liberté et à la sûreté de sa personne»*, ainsi que l'article XIX : *«Tout individu a droit à la liberté d'opinion et d'expression. Selon ce droit, l'individu peut proclamer ses opinions sans inquiétude, chercher, recevoir et de répandre, sans considérations de frontières, les informations et les idées par quelque moyen d'expression que ce soit.»*

Si l'on regarde le concept de la liberté dans les religions célestes et les principes de la Déclaration universelle des droits de l'homme, on constate que la vision des religions pour l'homme est «qu'il n'a pas été créé libre, mais a été créé pour être libre.» Cela veut dire que la liberté dans les religions ne signifie pas la libération de l'être humain pour ses passions, ses caprices et ses instincts, ou le refus de sa soumission à un autre et à son autorité. Du point de vue religieux, la liberté signifie la responsabilité, puisque les législations traitent l'homme à deux niveaux : la charge et la responsabilité, ainsi qu'elles le traitent par le principe des droits et des devoirs.

Le principe de la responsabilité découle de la valeur de la justice et de l'égalité. De même, le principe de la charge est inséparable du droit à la liberté. C'est une liberté responsable de soi-même et également de l'autre. «La liberté individuelle ne

1 Al-Sayyed Muṣṭafa Muḥḥaq Dāmād, *Ḥuqūq al-insān wai škāliyāt al-nazāriyah wal taṭbiq*, p. 193.

qui croyez ! Craignez Allah et soyez avec les véridiques»¹. Ainsi que le fait de rendre les dépôts : *«Certes, Allah vous commande de rendre les dépôts à leurs ayants-droit et quand vous jugez entre des gens, de juger avec équité»*.²

De même, l'Islam protège la dignité de l'homme en lui interdisant de tuer l'âme et lui ordonnant d'éviter l'immoralité : *«N'approchez pas de turpitudes ouvertement, ou en cachette. Ne tuez qu'en toute justice la vie qu'Allah a fait sacrée. Voilà ce qu' [Allah] vous a recommandé de faire ; peut-être comprendrez-vous»*³.

Ainsi, le discours coranique met clairement l'accent sur les valeurs humaines et le respect des droits de l'homme. De plus, il reconnaît que les religions divines qui l'ont précédé ont aussi affirmé ces valeurs et les ont prônées : *«Il vous a légiféré en matière de religion, ce qu'Il avait enjoint à Noé, ce que Nous t'avons révélé, ainsi que ce que Nous avons enjoint à Abraham, à Moïse et à Jésus : «Établissez la religion ; et n'en faites pas un sujet de division»*⁴.

En outre, un grand nombre de hadiths du Prophète, paix et prière soient sur lui, a affirmé cette dignité qui a été fondée sur la justice divine sans discrimination ethnique ou raciale. Le Prophète, paix et prière

soient sur lui dit : *«Allah vous a délivrés de l'arrogance de la Djâhiliya et de sa vantardise s'agissant de la gloire des ancêtres. L'homme est soit un croyant qui craint Allah, ou un pécheur malheureux. Vous êtes tous des fils d'Adam et Adam a été créé à partir de terre»*.⁵

2. Le droit à la liberté

La liberté est brièvement définie par la souveraineté de l'homme sur soi-même, cependant cette souveraineté si elle est soumise aux caprices de chaque être humain et ses désirs, va créer sans doute un grand écart de confrontation entre ces désirs et les tendances individuelles et entre ce qui est espéré être dans les sociétés en tant qu'une composante plus large des intérêts globaux et des désirs publics qui permettent d'atteindre la sécurité de ces communautés et sa renaissance et ses aspirations pour la stabilité et la construction. Il ne fait aucun doute que cet écart existera toujours entre ce qui est public et ce qui est privé. Cela ne nie pas que l'homme soit libre en soi dans sa foi, sa pensée et sa volonté. Cette liberté doit être contrôlée par des lois et des pactes équitables et neutres réservant la liberté de l'homme ainsi que le droit des communautés à la stabilité.

Il est donc approprié de considérer la liberté comme une valeur

1 Coran (9 : 119)

2 Coran(4: 58)

3 Coran (6: 151)

4 Coran (42 : 13)

5 Rapporté par Ahmad dans Le Musnad (2/361 – Hadith 8721)

*que vous l'avez fait à l'un de ces plus petits de mes frères, c'est à moi que vous l'avez fait*¹. Pour nous montrer l'importance de l'amour des gens, son impact sur la foi et sa force dans nos cœurs, Allah le Très-Haut donne cet exemple. Il est complètement loin d'avoir faim ou soif, mais c'est un signe que tout ce que fait le fidèle comme aide et amour pour son frère, c'est en effet fait pour l'amour d'Allah.

Dans l'islam, on trouve la reconnaissance de la dignité de l'homme qui est le vicaire d'Allah sur terre et qui lui sont confiées l'exécution de ce message et la réalisation de cette responsabilité. "La dignité humaine est, en effet, l'ombre que l'islam répand sur tout être humain, homme ou femme, noir ou blanc, faible ou fort, de n'importe quelle religion. C'est l'ombre que l'islam étend sur chaque individu pour protéger son sang d'être versé, sa pudeur d'être attaquée, son argent d'être violé, son domicile d'être transgressé, son lignage d'être changé, son pays d'en sortir, sa conscience d'être contrôlée par force et sa liberté d'être entravée par tromperie²."

Les versets du Saint Coran ont souligné la dignité de l'homme et son rôle de vicaire d'Allah sur terre : *«Lorsque Ton Seigneur confia aux*

*Anges : «Je vais établir sur la terre un vicaire «Khalifa». Ils dirent : «Vas-Tu y désigner un qui y mettra le désordre et répandra le sang, quand nous sommes là à Te sanctifier et à Te glorifier?» - Il dit : «En vérité, Je sais ce que vous ne savez pas !»*³.

Nous lisons aussi qu'Allah a honoré tous les fils d'Adam sans exception : *«Certes, Nous avons honoré les fils d'Adam. Nous les avons transportés sur terre et sur mer, leur avons attribué de bonnes choses comme nourriture et Nous les avons nettement préférés à plusieurs de Nos créatures»*⁴. De même, le Coran parle de la perfection de la création de l'homme par Allah : *«Nous avons certes créé l'homme dans la forme la plus parfaite»*⁵. Certains comprennent que l'interprétation du mot (**forme**) est la forme physique seulement, mais cette forme est précédée de ce qui est plus grand pour l'homme. Cela réside dans ce qu'Allah a accordé à l'homme d'une nature humaine en le mettant au-dessus de toutes les créatures et des droits de l'homme qui lui sont dus en tant qu'être humain. Et grâce à l'importance de la dignité humaine, il faut insister sur toutes les autres valeurs qui préservent la dignité et les confirmer. On trouve la sincérité qui est recommandée dans le Saint Coran à plusieurs reprises : *«Ô vous*

1 Matthieu (25 /34:40)

2 Muḥammad'Abdul-lāh Darāz, *Nazarāt fil islām*, p. 112, série d' « Études islamiques », no. 178, Ministère des Waqfs Islamiques, Le Caire, 2010.

3 Coran(2: 30)

4 Coran (17: 70)

5 Coran (95 : 4)

sur l'heure. Ne médite pas le mal contre ton prochain, lorsqu'il reste tranquille près de toi»¹. Elle nous apprend aussi la justice et l'équité avec les gens : *«L'Esprit de l'Éternel reposera sur lui et cet Esprit lui donnera le discernement, la sagesse, le conseil et la force, il lui fera connaître et craindre l'Éternel. Il sera tout empreint de la crainte de l'Éternel. Il ne jugera pas d'après les apparences et n'arbitrera pas d'après des oui-dire. Il jugera les pauvres avec justice et il arbitrera selon le droit en faveur des malheureux du pays»*².

Dans le christianisme, on trouve ce texte complet et concis qui combine entre le respect de l'homme pour soi-même et sa dignité, ainsi que son respect pour la dignité de son frère : *«Quant à l'amour fraternel, soyez pleins d'affection les uns pour les autres, vous prévenant d'honneur les uns les autres»*³. En outre, on trouve que la dignité est associée à la sainteté dans la demande de subsistance où l'homme ne doit ni s'humilier ni humilier sa dignité, comme il doit respecter le sacré : *«La volonté de Dieu, c'est que vous viviez dans la sainteté, en vous abstenant de la débauche et en veillant chacun à rester maître de son corps dans un esprit de sainteté et de respect»*⁴.

1 Livre des Proverbes (3/27:30)

2 Livre d'Isaïe (11/2:4)

3 Lettre de Saint Paul Apôtre aux Romains (12:10)

4 Première lettre de Saint Paul Apôtre aux

Il y a ce texte dans lequel Jésus, la paix soit sur lui, a recommandé de prêter attention aux autres et les aimer. Le bon esprit qui existe chez le croyant doit savoir que le royaume des cieux est hérité par l'amour qui est la chose la plus enseignée par le Christ à ses disciples. Chaque personne a faim ou soif est le souci des croyants jusqu'à ce qu'il soit rassasié et assoiffé, de même chaque malade, nu, emprisonné, étranger. C'est parce que les croyants sont la main du Seigneur qui travaille pour la bonté de l'univers et le bien des serviteurs : *«Alors, le Roi dira à ceux qui seront à sa droite : «Venez, les bénis de mon Père : prenez possession du royaume qui vous a été préparé dès la création du monde. Car j'ai eu faim et vous m'avez donné à manger ; j'ai eu soif et vous m'avez donné à boire ; j'étais étranger et vous m'avez recueilli ; nu et vous m'avez vêtu ; j'ai été malade et vous m'avez visité ; j'étais en prison et vous êtes venus à moi. «Alors les justes lui répondront : « Seigneur, quand vous avons-nous vu avoir faim et vous avons-nous donné à manger ; avoir soif et vous avons-nous donné à boire ? Quand vous avons-nous vu étranger et vous avons-nous recueilli ; nu et vous avons-nous vêtu ? Quand vous avons-nous vu malade ou en prison et sommes-nous venus à vous ? «Et le Roi leur répondra : « En vérité, je vous le dis, chaque fois*

Thessaloniens(4/3,4)

Il ne fait aucun doute que la Déclaration universelle des droits de l'homme, lorsqu'elle a stipulé les articles concernant la dignité humaine, a voulu y mettre un cadre international qui protège l'homme, préserve sa dignité, assure sa liberté et protège son corps. Elle les a stipulés aussi pour servir de loi contraignante poussant la volonté politique de tous les États à les mettre dans leurs constitutions et à appliquer des sanctions dissuasives à quelconque transgressant ces droits. Il ne suffit pas donc de reconnaître les droits sans avoir certains moyens pour les garantir par la loi.

Du point de vue religieux, on voit que l'honneur qu'Allah a offert à l'homme était l'un des fondements solides les plus importants des droits de l'homme prônés par les religions. Les textes religieux étaient explicites en reconnaissant cet honneur.

Dans le judaïsme, on trouve qu'Allah a obligé l'homme de préserver sa dignité pour vénérer son âme et savoir sa propre valeur: *«Mon fils, honore ton âme dans la douceur et donne-lui le respect qu'elle mérite»*¹. La dignité est un don d'Allah le Tout-Puissant à l'homme, Il l'a offerte à ses croyants juifs: *«Il n'y avait pour les Juifs que bonheur et joie, allégresse et gloire»*².

David invoquait le Seigneur *en disant*: *«C'est de toi que viennent la richesse et la gloire, c'est toi qui domines sur tout, c'est dans ta main que sont la force et la puissance et c'est ta main qui a le pouvoir d'agrandir et d'affermir toutes choses»*³. De même, le Seigneur punissait par la privation de cette dignité: *«Sors du sanctuaire, car tu commets un péché ! Et cela ne tournera pas à ton honneur devant l'Éternel Dieu»*⁴. Et quand Antiochos était roi sur les Juifs, la dignité était la première chose qu'il leur a confiée dans son sermon: *«Pour moi, je suis étendu sur un lit, sans force, me rappelant avec amour les marques d'honneur et de bienveillance que j'ai reçues de vous»*⁵.

La crainte de Dieu, l'abandon du mal et l'engagement à l'honnêteté sont la perfection de la dignité: *«La crainte de l'Éternel, c'est la haine du mal ; l'arrogance et l'orgueil, la voie du mal et la bouche perverse, voilà ce que je hais»*⁶.

La Torah nous apprend à plusieurs reprises la nécessité de faire le bien et abandonner le mal: *«Ne refuse pas un bienfait à ceux à qui il est dû, quand il est en ton pouvoir de l'accorder. Ne dis pas à ton prochain : «Va et reviens, demain je donnerai,» quand tu peux donner*

1 Livre de Sirac (10:31)

2 Livre d'Esther (8:16)

3 Premier livre des Chroniques (29:12)

4 Deuxième livre des Chroniques (26:18)

5 Deuxième livre des Maccabées (9:21)

6 Livre des Proverbes (8 : 13)

Les religions les ont préservées et ont appelé à les consolider dans la vie humaine en tant qu'être humain, quelle que soit sa religion, sa couleur ou son sexe. Ces droits sont (**le droit à la dignité humaine, le droit à la liberté et le droit à la sécurité**).

1. Le droit à la dignité humaine:

La dignité humaine est considérée aujourd'hui comme l'un des termes juridiques les plus utilisés à l'époque moderne et les plus importants. C'est la première destination à travers laquelle on comprend toutes les lois fondées sur la justice, la liberté et l'égalité. Elle est aussi la pierre angulaire essentielle pour toutes les réformes et les transformations que le monde espère atteindre pour faire face aux défis. Il n'y aura aucune renaissance politique, sociale ou économique pour n'importe quelle société sans la protection de la dignité de ses citoyens et sans aucune discrimination. On a donc trouvé que la dignité humaine est le premier mot mis en priorité par le préambule de la Déclaration universelle des droits de l'homme dont l'introduction était comme suit :

«La reconnaissance de la dignité et des droits égaux, inaliénables et inhérents à tous les membres de la famille des êtres humains, constitue la base de la liberté, de la justice et de la paix dans le monde...»

De même, le premier article de la Déclaration parle de la dignité :

«Tous les êtres humains naissent libres et égaux en dignité et en droits. Ils sont doués de raison et de conscience et doivent agir les uns envers les autres dans un esprit de fraternité».

Et puisqu'il existe un lien entre la dignité humaine et le droit à l'égalité, on a trouvé que le deuxième article est venu stipulant ce qui suit: *«Chacun peut se prévaloir de tous les droits et de toutes les libertés proclamés dans la présente Déclaration, sans distinction aucune, notamment de race, de couleur, de sexe, de langue, de religion, d'opinion politique ou de toute autre opinion, d'origine nationale ou sociale, de propriété, de naissance ou de toute autre situation. De plus, il ne sera fait aucune distinction fondée sur le statut politique, juridique ou international du pays ou du territoire dont une personne est ressortissante, que ce pays ou territoire soit indépendant, sous tutelle, non autonome ou soumis à une limitation quelconque de souveraineté».*

De plus, le septième article affirme le droit à l'égalité devant la loi sans distinction de sexe, de couleur, de religion ou de langue: *«Tous sont égaux devant la loi et ont droit sans distinction à une égale protection de la loi. Tous ont droit à une protection égale contre toute discrimination qui violerait la présente Déclaration et contre toute provocation à une telle discrimination».*

les est la liberté parce que sa perfection en tant qu'une valeur humaine n'aura lieu que si elle est accompagnée de la responsabilité de l'individu envers soi-même et sa société. L'apogée des valeurs affectant la vie de tous les êtres humains est la paix qui rassemble les valeurs de la justice, de l'égalité, de la fraternité et de l'amour. Toutes ces valeurs sont en relation avec la nature humaine et ne la contredisent pas. Au contraire, elles ne sont pas soumises à la législation partielle de chaque religion comme indiqué dans ses fondements, mais c'est une seule unité, complète et constante dans toutes les religions célestes.

«Si l'on regarde les auteurs des premiers fondements des principes des droits de l'homme, on constate qu'ils n'ont pas visé à compter sur telle ou telle religion ou sur toute autre référence législative pour prouver ces droits, mais ils ne le pouvaient même pas, sinon (l'homme) n'a pas été l'objet du problème en tant qu'un être humain. Alors, pour prouver la légitimité de ces droits et garantir le côté exécutif de ces droits, ils devaient compter sur l'homme lui-même et sur ce qui est confirmé par les preuves logiques issues des racines d'une philosophie claire. S'appuyant sur les plus importantes de ces nécessités, ils ont trouvé que **(la dignité humaine)** est la plus claire affaire inhérente de l'homme puisqu'elle ne s'appuie sur

aucune autre source ou référence et qu'elle est acceptée par tous les hommes dans tous les temps et les lieux et que toutes les religions s'y soumettent.

Et pour que la dignité, qui est une affaire individuelle privée, présente un respect public, il fallait revendiquer l'affaire de **(l'égalité)**. C'est parce que l'égalité de la dignité fait l'objet d'un accord entre tous les êtres humains et qu'elle peut convaincre tous les gens de la nécessité du respect des droits d'autrui. De plus, l'égalité n'a pas seulement prôné ce sens global, mais elle a également assuré le côté procédural en imposant son application et en obligeant la poursuite de chaque personne transgressant ces droits. Le fait de garantir ces affaires assurera le côté pratique de la dignité et de l'égalité, les fera sortir de la force vers l'action et ils auront donc besoin **de la justice**¹⁷. D'après la même logique totale des choses, on se trouve donc devant **le droit à la liberté et le droit à la sécurité**.

C'est pourquoi cette recherche se borne sur les droits de l'homme reconnus par la Déclaration universelle des droits de l'homme. Ces droits sont en accord avec les valeurs humaines totales énoncées par les législations des religions célestes.

1 Al-Sayyed Muṣṭafa Muḥḥaq Dāmād, *Ḥuqūq al-insān wa iškāliyāt al-naẓariyah wal taṭbiq*, Majalat Al-Minhaj, p. 194, no. 31, 1384 H.

C'est ainsi qu'elles établissent une image complète des droits de l'homme et de sa valeur existentielle.

À cet égard, certains peuvent s'interroger sur le rôle de la civilisation occidentale moderne avec ses systèmes des valeurs laïques apparues au cours des quatre derniers siècles, celui des théories morales qui ont commencé à l'époque de la réforme religieuse et celui de l'opposition à l'autorité religieuse. D'un autre côté, les sociétés arabo-musulmanes ont connu un phénomène croissant du terrorisme, d'extrémisme religieux basé sur des idées religieuses fanatiques et d'un appel à la haine de l'autre.

Ces deux images contradictoires sont en fait un modèle négatif de ce qui a résulté de l'abandon des valeurs humaines constantes dans les enseignements religieux et les origines des législations divines. Elles sont issues des hommes de religion extrémistes qui ont exploité leur autorité religieuse pour propager des idées corrompues et renforcer des tendances déviantes qui n'ont aucune relation avec la religion. Elles sont aussi issues des penseurs qui ont rejeté complètement ou partiellement la religion tout en appelant à la séparation entre la religion et tous les autres aspects de la vie civile.

En effet, les deux modèles n'ont pas apporté du bien à l'humanité par ces idées, et la réalité en témoigne.

Le troisième axe

La totalité des valeurs humaines dans les religions célestes et les principes de la Déclaration universelle des droits de l'homme¹

Les valeurs humaines totales dans les religions célestes sont constantes. On les définit par l'arbre de valeurs majeures qui rassemble dans ses branches toutes les valeurs humaines. Sa définition contient le nombre de valeurs humaines individuelles nécessaires pour chaque être humain, les valeurs collectives nécessaires pour les communautés, ainsi que les valeurs universelles nécessaires pour le monde entier.

L'apogée des valeurs humaines personnelles est la dignité humaine qui rassemble les valeurs de l'honnêteté, de la sincérité, de la coopération, de la chasteté, du courage, du don, de la tolérance, du savoir, de la beauté et toutes les valeurs qui sont inséparables de l'être humain honoré par sa création et ordonné de protéger cette dignité par sa morale. Le droit à la dignité humaine, qui est un droit inhérent de chaque être humain, est inséparable de plusieurs autres valeurs humaines qui renforcent cette dignité et manifestent son vrai sens pour l'homme en soi-même, ainsi que sa reconnaissance de la dignité des autres.

Le sommet des valeurs socia-

1 www.un.org/ar/universal-declaration-human-rights/

Les religions célestes, dans leurs origines constantes, contiennent toutes les lois morales qui renferment dans leur essence les valeurs humaines reconnues par l'humanité et elles se sont mises d'accord sur leur importance dans la vie humaine. La religion ne présente pas seulement des notions des valeurs humaines, ou même seulement une application, mais elle nous donne plutôt une vision divine entière, complète et consciente d'un Sage, Omniscient, Bien Informé transcendant les limites de temps, de lieu et de l'individualité, pour nous donner une analyse plus profonde et plus large en les considérant comme des valeurs appartenant à l'homme en tant qu'un être humain distingué par Allah le Tout-Puissant. Allah a honoré l'homme, l'a parfaitement créé, lui a montré Son amour, l'a rapproché de Lui, a mis tout l'univers à son service, l'a rendu Son vicaire sur terre et lui a envoyé les prophètes et les messagers. L'homme a donc une grande valeur auprès d'Allah et toutes les créatures en ont une autre inférieure." Même si le facteur religieux est pris en considération par le législateur, soit pour établir un règlement pour l'un des aspects du comportement humain, ou pour fournir une solide garantie pour l'efficacité du jugement, ou bien pour justifier une tendance que l'esprit ne peut pas régler, mais, en tout cas, ce qui est religieux ne se

confond pas avec ce qui est moral, et l'un ne suit pas l'autre ou le détermine¹". On a donc constaté que ces valeurs humaines sont basées essentiellement sur l'amour et la miséricorde divine envers cette créature honorée. Son Créateur lui a établi une loi parfaite sans faille comme les failles trouvées dans les méthodes humaines et sans manque de cadres théoriques du droit positif qui peuvent être difficiles à appliquer parfois dans certaines sociétés. Quand les valeurs humaines proviennent d'une législation divine distinguée par la gestion, la sagesse, le soin, l'omniscience ainsi que l'amour et quand cette législation est entourée par le principe de récompense et de punition, alors ces valeurs devanceront sans doute ce qui est établi par les éthiciens et les intellectuels. C'est parce que ces valeurs dépasseront les limites du choix humain vers le désir de l'action et la crainte de l'abandon et elles acquerront le caractère sacré de la sainteté de Celui qui en recommande. De plus, les valeurs humaines dans les religions célestes sont distinguées des celles des pactes universels des droits de l'homme, puisqu'elles ne négligent jamais le côté spirituel ainsi que l'aspect physique des besoins de l'être humain d'une manière parallèle.

1 Al-Sayyed Weld Abāh, *Al-Dīn wal sayāsah wal akhlāq (Mabāhit falsafiya fil asiyāqayn al-islāmī wal gharbī)*, p. 161, 1ère édition, Beyrouth, 2014.

chez l'homme, mais c'est le résultat d'un défaut dans son système de valeurs humaines.

Si l'on réfléchit aux valeurs humaines qui étaient le produit de l'esprit humain dans tous les lois et les documents des droits de l'homme ci-dessus, on trouve que la législation céleste apportée par les prophètes a été le pionnier de la reconnaissance de ces droits et de sa préservation à travers les commandements et les valeurs prônés par les religions, que ce soit par un texte qui fonde ces droits, y appelle ou qui insiste sur la nécessité de s'y tenir. Cela n'est pas incompatible avec l'esprit humain et le résultat de sa pensée droite. Mais, cet esprit s'est perverti quand il s'est appuyé seulement sur ses efforts personnels et sur son analyse pour la façon de réaliser et d'appliquer ces valeurs humaines. Sinon, on trouve une ressemblance entière entre les enseignements des religions célestes, ceux prônés par les adeptes des autres religions ou des théories philosophiques réformistes, du côté de reconnaissance et d'accord sur ces valeurs, et non pas du côté de son application ou les moyens de les établir dans les sociétés. C'est ce qui a probablement poussé la plupart des philosophes de l'Occident à reconnaître cette vérité. On cite ici les paroles du philosophe allemand Habermas dans sa vision pour les sociétés post-séculières, il

dit:» Il n'est plus possible d'exclure la religion du dialogue public sur les valeurs civiques qui contrôlent les affaires sociales, surtout, après l'augmentation de la nécessité de soutenir la clôture normative fragile d'une démocratie pluraliste basée uniquement sur une théorie procédurale de la justice qui ne peut pas donner des réponses essentielles sur les principaux problèmes existentiels de l'homme contemporain. Il est normal que le retour de la religion ici ne signifie pas le retour de l'ancien rôle des institutions religieuses dans les affaires sociopolitiques, mais l'ouverture du dialogue public sur les opinions et les valeurs religieuses sans limitations contractuelles ou normatives préalables¹».

On peut trouver une certaine ressemblance entre la vision occidentale actuelle pour les lois des droits de l'homme et les fondements philosophiques grecs avant même le temps de Socrate, puisque les deux font de l'homme un axe de ces valeurs, un guide, un but et un résultat. Cependant, on trouve dans les religions célestes une tendance complètement opposée, même si elles ne nient pas la position de l'homme et ses droits de valeurs, mais elles font de Dieu l'axe principal de toutes les orientations humaines intellectuelles et pratiques dans la vie.

1 Habermas : *Religion et sphère publique*, Gallimard, 2008, p. 170.

Le deuxième axe

Les valeurs humaines entre la législation divine

et les lois des droits de l'homme

L'Occident a toujours répété que c'est lui qui s'est préoccupé de l'importance des valeurs humaines et a appelé à protéger les droits de l'homme depuis l'émergence de la tendance de l'humanisme au seizième siècle chez **Erasmus** et au dix-septième siècle lorsque **Kant**¹ a dit que l'homme est le centre de l'univers et a rendu l'être humain et sa dignité le principe de sa philosophie scientifique. C'est aussi depuis la promulgation de l'Angleterre de (**la Déclaration des droits**) en 1689 et au XVIII^e siècle au début du Siècle des Lumières, lorsque l'Assemblée constituante française a promulgué le document (**Droits de l'homme et du citoyen**) en 1789. À partir de tout cela, le terme de droits de l'homme est apparu. En 1918, l'Union Soviétique a promulgué aussi (**la Déclaration des droits**).

Probablement, c'est la raison pour laquelle le terme de droits de l'homme est étroitement lié à la politique jusqu'à nos jours, ainsi qu'aux principales revendications fondées plus tard dans les lois internationales relatives aux droits de l'homme qui comprennent un grand nombre de droits dont les plus im-

portants sont: le droit à la dignité humaine, le droit à la vie, le droit à la liberté, le droit à l'égalité, le droit à la justice et au jugement équitable, le droit à la sécurité personnelle, le droit à la protection contre l'injustice, le droit à la protection de l'honneur et de la réputation, le droit d'asile, le droit des minorités, le droit à la participation sociale, le droit à la liberté de pensée et d'expression, le droit de choix de la religion et le reste des droits politiques, sociaux et économiques. Tout cela était une préparation de **la Déclaration universelle des droits de l'homme** adoptée aux Nations Unies en 1948. Elle est considérée comme l'une des réalisations les plus importantes de la civilisation humaine produite par le monde occidental est devenue un sujet de fierté à nos jours.

On sait bien que plus l'humanité était civilisée et avancée, plus l'homme devenait digne, sain et sauf dans sa vie. Malheureusement, ce n'est pas le cas. Bien que l'homme à l'époque moderne soit en mesure de subvenir à tous ses besoins matériels, il n'a pas mis fin à la pauvreté, à l'ignorance et à la maladie. Malgré les lois et les chartes internationales qu'il a établies, il n'a pas empêché les crimes, le terrorisme et les guerres. Cela confirme que les conflits dont souffre le monde aujourd'hui et les crises qu'il affronte ne sont pas la cause d'un manque de capacité matérielle ou mentale

1 Voir Emmanuel Kant : *Critique de la raison pure* (13^{ème} édition), Porrúa, Mexique, 2005.

eurs et ses perceptions, les déforme ou les change parfois complètement. C'est pourquoi on peut trouver des sociétés entières qui ont tendance à la violence, au mal ou à l'isolement, d'autres sociétés qui appellent à la paix et à l'amour, d'autres sociétés encore qui protègent les valeurs esthétiques et artistiques plus que les valeurs scientifiques et vice-versa, ou l'intérêt individuel plus que l'intérêt public. Par conséquent, ces valeurs sont la principale motivation des comportements et des actions de l'homme qui composent sa personnalité et son expérience dans la vie. C'est pourquoi le rôle des hommes sages du monde, dont au premier rang les prophètes et les messagers de Dieu, était de consolider ces valeurs et de les confirmer.

Bien que les valeurs humaines soient un facteur commun, logique et rationnel dans tous les enseignements religieux, les théories philosophiques et les idées réformistes, mais la réalité peut sembler différente et complètement isolée de ces valeurs. Alors, est-ce que la raison de cela provient de l'invalidité de ces valeurs à traiter les variantes d'une ère matérielle où la domination de l'intérêt est devenue évidente ? Ou provient-elle de l'absence de l'application de ces valeurs humaines dans notre vie, de sorte qu'elles n'existent plus sauf dans les esprits des intellectuels, les cœurs des poètes et des artistes et les sermons des prédicateurs et des éducateurs ?

Pour répondre à cette question, on doit savoir que les valeurs humaines ne sont pas une innovation ou une théorie intellectuelle peut être appliquée par celui qui y croit ou rejetée par celui qui n'y croit pas. C'est une volonté divine que chaque personne doit y répondre et y inviter et on doit affronter toute personne qui empêche sa propagation entre les gens. C'est parce que celui qui refuse la valeur de l'amour, appelle donc à la haine et à l'intolérance ; celui qui rejette la valeur de la paix et de la sécurité, appelle donc à la guerre et au terrorisme et qui refuse la valeur de la justice, appelle à l'injustice, et ainsi de suite.

Tous les sages d'aujourd'hui sont peut-être d'accord que la véritable crise de l'homme contemporain réside dans les valeurs humaines abandonnées volontairement ou forcément, par la domination des systèmes mondiaux matériels qui ne donnent pas d'importance à ces valeurs. «C'est pourquoi, la marginalisation de l'influence morale dirige le regard vers les valeurs pendant le mouvement de la vie et vers les erreurs produites dans le processus de théorisation des valeurs. Cette situation nécessite la réhabilitation des valeurs et la reconstruction de ses perceptions.»¹

1. Saif Ad-Dīn Abdel Fattāh, *Madkhal al-qiyam "Itār mar'ya'ī l-dirāsah al-'ilāqāt ad-dawaleyya fil islām*, p. 358, partie I, Le Caire, 1999.

qui renferment tous les principes spirituels communs, réunissent les gens ensemble, affirment la dignité humaine et son droit à la vie et appellent à la liberté de l'homme, à la paix, à la coexistence, à l'amour et à la fraternité humaine.

La seule garantie pour faire face aux crises qui frappent notre monde n'aura probablement lieu qu'à travers un véritable retour à ces valeurs humaines originales dérivées des enseignements religieux. C'est parce que les valeurs humaines, lorsque l'homme s'y attache, l'incitent au travail et à l'effort, le guident vers le sacrifice, l'appellent à l'amour et le lui apportent. Elles sont les critères du bien et du mal et la motivation de l'initiative et du don. Bref, les valeurs humaines sont le composant du vrai homme.

Par conséquent, il n'est pas superflu de rechercher les origines de ces valeurs et leurs références dans toutes les religions célestes et d'expliquer le lien entre ces valeurs et les lois des droits de l'homme représentées dans la **Déclaration universelle des droits de l'homme** promulguée le 10 Décembre 1948, et adoptée par quarante-huit pays.

Dans cette recherche, nous aborderons trois axes principaux :

- **Le premier axe : Le concept des valeurs humaines.**

- **Le deuxième axe : Les valeurs humaines entre la législation divine et les lois des droits de l'homme.**

- **Le troisième axe : La totalité des valeurs humaines dans les religions célestes et les principes de la Déclaration universelle des droits de l'homme.**

Le premier axe

Le concept des valeurs humaines

Puisque l'origine humaine est unique, il ne fait aucun doute que les valeurs humaines sont nécessairement uniques, ainsi que les droits de l'homme. L'essence donc des relations humaines sera fondée sur la dignité, la fraternité, l'amour, la justice, la liberté et la paix.

Les valeurs humaines sont un terme intégral pour tout le système éthique convenu par les natures humaines saines et les enseignements religieux sont venus pour les confirmer et les renforcer. C'est le centre autour duquel pivotaient les philosophes et les hommes sages et défendaient les poètes, les artistes, les écrivains et tous les théoriciens de la réforme de la pensée tout au long de l'histoire.

Les valeurs humaines sont liées nécessairement aux besoins fondamentaux de l'homme et à l'objectif qu'il vise à atteindre, que ce soit en soi-même, dans sa communauté ou dans le monde entier. On ne peut pas nier que l'ensemble des habitudes sociales qui touchent l'homme dans sa société et son environnement, influence sans doute son comportement et ses actions, forme ses val-



L'unité des valeurs humaines dans les religions célestes et les principes de la Déclaration universelle des droits de l'homme

Dr. Ahmed Abdelreheem

Traduction de/ Nelly Aly Achour

Préambule

Louange est due à Allah, Seigneur des Mondes et que la prière et la paix soient sur le Prophète fidèle et sur ses frères prophètes et messagers.

Actuellement, nous vivons dans un monde en proie à grands dangers et des crises successives qui représentent une menace grave

pour la vie de chaque être humain et son existence. Malheureusement, la cause principale de ces crises est l'homme lui-même, à cause du désordre de son système de valeurs et de son abandon des enseignements religieux. De là, on doit revenir aux valeurs humaines solides sur lesquelles toutes les religions célestes sont d'accord et

shrouded in mystery, takes place after the Flood. We may speculate that the post-Flood generation, seeing the disaster that an anarchistic society had brought, moved in the opposite direction. It created an Orwellian, homogenous, centrally controlled society, substituting the centripetal force of totalitarianism for the centrifugal force of anarchy. The individual was of little value; only the faceless mass was significant. The pithy description of the devaluation of the individual, reported by the Jewish Midrashic tradition, is noteworthy. If a brick fell from the top of the Tower, the Midrash states, people would mourn, for it involved so much effort to get it to the top. But if a person fell from the Tower, it was of no consequence. Only in the cohesiveness of the whole, the people thought, could they avoid the fate of the generation of the Flood.

God's dispersal of the society of Babel was not a punishment or retribution as much as it was a plan to free the individual from the bonds of a stifling society and affirm the diversity of the human experience, now represented and enhanced by the multilingual cacophony. No longer enslaved by a society of the Tower, which crushed the individual, the human experience would spread to new places and climes, precipitating new cultures and new mediums of human expression. This, claimed my teacher Rabbi Ahron Soloveichik, is what the rainbow symbolized. What

God seeks is not the monochromatic world of the valley of Shinar, but a multicolored one, in which the diversity of the human experience enhances and ennobles man, created in the image of God.¹

1 On the subject of freedom of inquiry, one of the leading rabbinic figures of the sixteenth century, R. Loew of Prague, better known as Maharal, wrote in his *Be'erHaGolah*:

Love of inquiry and knowledge guides us not to distance anything that opposes our opinion... even if what is said opposes your own faith and religion, [your opponent] should not be told: Do not talk, close your mouth. Such a [demand] would prevent the elucidation of religious issues. On the contrary, let him speak as much as he wants... Purging speech only negates and weakens the religion... Reason requires that nothing be hindered, that no mouth be closed and that religious dispute be open for everybody... This is the only way by which men can reach ultimate truth. Any proponent who wants to overcome his opponent and demonstrate his own correctness would very much want his opponent to confront him to his utmost; since only then, when he defeats his antagonist, will his strength be clearly manifested.

First published in Prague in 1598, *Be'erHaGolah* preceded by over seventy years Spinoza's celebrated argument for freedom of speech in his *Theological-Political Treatise*. See Maharal, *Be'erHaGolah*, *Be'er* 7, (Y. Hartman, ed., *Makhon Yerushalayim: Jerusalem*, 2003), vol. 2, pp. 425-426, cited by Aviezer Ravitzky, "Tolerance in the Jewish Religious Tradition," *Hazon Nahum: Studies in Jewish Law, Thought, and History Presented to Dr. Norman Lamm*, Y. Elman and J. S. Gurock, eds., (New York: Yeshiva University Press, 1997), p. 368.

words, all of humanity.¹

In the aftermath of the Great Flood, God re-established His covenant with humanity, which takes the shape of the seven laws of Noah, a universal code of law for human-

1 For an interesting perspective on the relationship between these two covenants, see Elijah Benamozegh, *Israel and Humanity*, M. Luria, ed., Paulist Press, 1995. See also R. Joseph B. Soloveitchik, *Abraham's Journey: Reflections on the Life of the Founding Patriarch*, D. Shatz, J. Wolowelsky, and R. Ziegler, eds., *TorasHorav Foundation*, 2008, pp. 182-183:

The Torah was not given to non-Jews directly, but the Almighty has offered it to all of mankind indirectly, as a promise, a vision, an eschatological expectation, the ultimate end of history. The Torah was given to us so many millenia ago. Our task was and still is to teach the Torah to mankind, to influence the non-Jewish world, to redeem it from an orgiastic way of living, from cruelty and insensitivity, to arouse in mankind a sense of justice and fairness. In a word, we are to teach the world the seven mitzvot that are binding on every human being. But we have also been assigned another mission: to be the message carrier and mentor not only of the seven mitzvot that apply to the descendants of Noah, that is, to the human race as a whole, but also of a total outlook on life, the entire moral system to which Jews are committed. The non-Jewish world is expected to take note of the Torah life we lead, to admire our ways, our customs and mores, our mishpatim and hukkim, both our rational and non-rational commandments. The Jews must stand out in society as exemplars; our way of life must impress and attract people and fascinate their curiosity...

ity, sometimes identified as a form of natural law.² Society at the time of the Flood was characterized by violence, licentiousness, and anarchy. The bonds of civil society had unraveled. God then brought the Flood, which eradicated all humanity, saving but Noah and his family.

The story of the Tower of Babel,

2 The Noahide laws are enumerated by Maimonides in his *Mishneh Torah*, *Hilkhot Melakhim*, chapters 9-10. On the controversial statement of Maimonides, *ibid.* 8:11, see S. Schwarzschild, "Do Noachites Have to Believe in Revelation? (A Passage in Dispute between Maimonides, Spinoza, Mendelssohn and H. Cohen). A Contribution to a Jewish View of Natural Law: The Textual Question," *The Jewish Quarterly Review*, Vol. 52, No. 4 (Apr., 1962), pp. 297-308; Vol. 53, No. 1 (Jul., 1962), pp. 30-65; Jacob I. Dienstag, "Natural Law in Maimonidean Thought and Scholarship," *The Jewish Law Annual* 6 (1987), pp. 64-77. See also R. Hanoch Teitelbaum, *Responsa Yad Hanokh*, 62. The question of the correct version of Maimonides' text regarding one who fulfills the Noahide law based on reason alone relates to the question of "self-evident truths." In the context of the American founding, John Adams addressed this very point: "My friend, again! the question before mankind is—how shall I state it? It is, whether authority is from nature and reason, or from miraculous revelation; from the revelation from God, by the human understanding, or from the revelation to Moses..." (*The Works of John Adams, Second President of the United States, Volume 10*, Little, Brown and Co., 1856, p. 170). See Zevulun Charlop, "God in History and Halakhah from the Perspective of American History," *The Torah U-Madda Journal*, Vol. 1 (1989), pp. 43-58.

tions of Euclid are true; but, nevertheless, he would fail, utterly, with one who should deny the definitions and axioms. The principles of Jefferson are the definitions and axioms of free society. And yet they are denied and evaded, with no small show of success.

One dashinglly calls them “glittering generalities”; another bluntly calls them “self-evident lies”; and still others insidiously argue that they apply only to “superior races.” These expressions, differing in form, are identical in object and effect the-supplanting the principles of free government, and restoring those of classification, caste, and legitimacy. They would delight a convocation of crowned heads, plotting against the people. They are the van-guard the miners, and sappers of returning despotism. We must repulse them, or they will subjugate us.¹

Lincoln concludes his letter by acknowledging Jefferson’s role in cementing this faith in human equality:

All honor to Jefferson to the man who, in the concrete pressure of a struggle for national independence by a single people, had the coolness, forecast, and capacity to introduce into a merely revolutionary document, an abstract truth, applicable

to all men and all times, and so to embalm it there, that to-day, and in all coming days, it shall be a rebuke and a stumbling-block to the very harbingers of re-appearing tyranny and oppression.

Perhaps it is the quasi-religious nature of the American creed which prompted Lincoln elsewhere to refer to Americans as the Almighty’s “almost chosen people.”

I am exceedingly anxious that this Union, the Constitution, and the liberties of the people shall be perpetuated in accordance with the original idea for which that struggle was made, and I shall be most happy indeed if I shall be an humble instrument in the hands of the Almighty, and of this, his almost chosen people, for perpetuating the object of that great struggle.²

But, of course, the concept that all men are created equal is a universal one.³ The Hebrew Bible contains not only the particular covenant between God and the people of Israel, but also the universal covenant between God and the “children of Noah,” in other

1 Abraham Lincoln, “Letter to Henry L. Pierce,” *Speeches and Writings, 1859-1865: Speeches, Letters, and Miscellaneous Writings, Presidential Messages and Proclamations* (The Library of America, 1989), Volume 1, pp. 18-19.

2 Abraham Lincoln, “Address to the New Jersey Senate at Trenton, New Jersey,” *Collected Works, Volume 4*, pp. 235-236.

3 Elsewhere, Lincoln referred to “something in that Declaration giving liberty, not alone to the people of this country, but hope to the world for all future time...This is the sentiment embodied in that Declaration of Independence” (“Speech in Independence Hall, Philadelphia, Pennsylvania,” *Collected Works, Volume 4*, p. 240).

Reason alone, in other words,

few perched at the top, and the feeble masses below them.

The history of this hierarchical notion is as old as mankind itself. Social stratification was an accepted phenomenon across the ancient Near East and its ruling empires. While Greece and Rome gave rise to democratic and republican regimes that introduced various forms of political and legal equality among their citizens, their economic systems, for the most part, continued to serve small, entitled groups... "From the hour of their birth," wrote Aristotle, "some are marked out for subjection, others for rule." The medieval mind, too, believed that in an ordered society each socio-economic class performed its tasks for the common good. Political theorists from classical times through the Italian Renaissance assumed that independence and freedom could not be achieved by those who did not already possess it...

The first political philosophy to rise up against this anti-egalitarian consensus, thus generating the ideals that are today considered the cornerstones of an enlightened society, emerged in the sacred writings of ancient Israel. It was composed in the literary, theological, and legal corpus known to us as the Pentateuch, or Torah—the Five Books of Moses, which narrate the stories of creation, the Patriarchs, the exodus from Egypt, the wandering in the desert, and the laws God gave to Moses on Mount Sinai. The Torah—primarily considered a religious text—revolutionized social and political thought in ways that still influence us today. Indeed, when seen against the backdrop of ancient norms, the social blueprint found in the Pentateuch represents a series of quantum leaps in a sophisticated matrix of theology, politics, and economics...

proves insufficient to the demand of sustaining the ideal of human equality. Ultimately, the foundational concept of democracy is based on religious faith. The greatest American president, Abraham Lincoln, recognized the centrality of the creed of the Declaration of Independence, and the necessity of faith in sustaining it. In his most famous words, opening the Gettysburg address, Lincoln identified the "new nation brought forth on this continent" with "the proposition that all men are created equal."

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.

But Lincoln recognized that the assertion of "self-evidence" required acceptance of axioms which cannot be rationally proven. In a letter written in honor of Thomas Jefferson's birthday, Lincoln remarked:

One would start with great confidence that he could convince any sane child that the simpler proposi-

Berman illustrates the Hebrew Bible's revolutionary doctrines of equality in such areas as property ownership, debt forgiveness, and taxation, in which the system of the Hebrew Bible represents a radical break with its time, forming a society modeled on the principle of every man's equality before God and His law. See also the book-length treatment of this subject in Joshua Berman, *Created Equal: How the Bible Broke with Ancient Political Thought*, Oxford University Press, 2008.

only to the entire species.

Man's rights to not devolve from the group or from society as a whole, but rather are the inherent endowment of each individual. In the age-old conflict between the rights of the individual and those of society, the depiction of man's creation clearly favors Thomas Jefferson's notion of the preeminence of the individual, as opposed to society. After all, the group or society only came forth subsequent to the creation of the individual.

The biblical story of creation celebrates the transcendence of the human spirit. Like God, man is lonely and alone; his majesty is manifest in his loneliness and singularity. His uniqueness is his defining quality. As such, each person is of infinite worth, a world in his own. We may therefore affirm, as we acknowledge the dignity and individuality of our fellow man, "For my sake was the world created."

In this vein, Rabbi Lord Jonathan Sacks comments:

Monotheism is not just a set of beliefs about God. It has deep implications for our understanding of humanity as well. Discovering God, singular and alone, humans discovered the significance of the individual, singular and alone.¹

The biblical concept of the preeminence of the individual is the

foundation of human rights. As Rabbi Sacks notes, while the Declaration of Independence boldly states, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights," this is not wholly accurate.

The irony of this sentence, as I have often noted, is that "these truths" are very far indeed from being "self-evident." They would have sounded absurd to Plato and Aristotle, both of whom believed that not all men are created equal and therefore they do not have equal rights. They were only self-evident to someone brought up in a culture that had deeply internalised the Hebrew Bible and the revolutionary idea set out in its first chapter, that we are each, regardless of colour, culture, class or creed, in the image and likeness of God. This was one of Judaism's world-changing ideas.²

2 Ibid., p. 3. See also a defense of the wording of the Declaration of Independence in Michael Zuckert, "Self-Evident Truth and the Declaration of Independence," *The Review of Politics*, Vol. 49, No. 3 (Summer, 1987), pp. 319-339. See Professor Joshua Berman, "The Biblical Origins of Equality," *Azure*, no. 37, Summer 5769/2009, who proposed the same argument as Rabbi Sacks:

Although the American founding fathers regarded equality as "self-evident," many civilizations throughout history did not share this view. In fact, they were based on precisely the opposite paradigm—that people are not created equal; rather, that the human community is like a pyramid, with the privileged

1 Rabbi Jonathan Sacks, *Essays on Ethics: A Weekly Reading of the Jewish Bible* (Maggid Books and OU Press, 2016), xxi.

ered by Scripture as if he had preserved an entire world.¹ And for the sake of peace among people, so that no man would tell his fellow man “My father is greater than yours.” And to teach the greatness of God. For a man mints many coins from one mold and they are all similar to the other, but God minted all men from the mold of Adam and not one of them is like his fellow man. Therefore, each person must say, “For my sake was the world created.” (Babylonian Talmud, *Sanhedrin* 37a)

Man was created alone to indicate his uniqueness and irreplaceability. Unlike the other creatures, which emerged at creation as species, man was created alone. While in the animal kingdom, each creature is but a representative of its species, man is singular, significant in his own right. He has infinite potential and a divine mandate to conquer and subdue the world.

The Talmud, therefore, indicates that, remarkably, while all humans are made from Adam’s mold, they are all different from one another. For the defining dimension of Adam is his distinctiveness; the essence of

his mold is his uniqueness. Consequently, it is that quality which he imprints upon his progeny—they, too, are all different. In contrast to the rest of creation, man is not defined merely as part of the class, but as a being in and for himself. Maimonides believed,² followed in this by Thomas Aquinas, that God’s providence relates to each person, but is limited in the animal kingdom

2 Maimonides, *Guide of the Perplexed* III:17 (trans. S. Pines, University of Chicago Press: Chicago and London, 1963, p. 471): “For I for one believe that in this lowly world—I mean that which is beneath the sphere of the moon—divine providence watches only over the individuals belonging to the human species and that in this species alone all the circumstances of the individuals and the good and evil that befall them are consequent upon the deserts, just as it says: ‘For all His ways are judgment’ [Deut. 8:3]. But regarding all the other animals and, all the more, the plants and other things, my opinion is that of Aristotle. For I do not by any means believe that this particular leaf has fallen because of a providence watching over it; nor that this spider has devoured this fly because God has now decreed and willed something concerning individuals; nor that the spittle spat by Zayd has moved till it came down in one particular place upon a gnat and killed it by a divine decree and judgment; nor that when this fish snatched this worm from the face of the water, this happened in virtue of a divine volition concerning individuals. For all this is in my opinion due to pure chance, just as Aristotle holds.” Cf. R. Saadya Gaon, *Book of Doctrines and Beliefs* III:10; R. David Kimhi, commentary to *Psalms* 145:17.

1 See Ephraim Urbach, “‘Kol HameqayyemNefeshAhat...’ Development of the Version, Vicissitudes of Censorship, and Business Manipulations of Printers,” *Tarbiz*, vol. 40 (1971), pp. 268-284 [Hebrew]; Menachem Kellner, “A New and Unexpected Textual Witness to the Reading ‘He Who Kills a Single Person — It is as if He Destroyed an Entire World,’” *Tarbiz*, vol. 75 (2006), pp. 565-566 [Hebrew].



Judaism and Human Rights

The Biblical Proposition that All Men Are Created Equal

By Rabbi Menachem Genack

And God said, Let us make man in our image, after our likeness: and let them have dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth.

So God created man in His own image, in the image of God created He him; male and female created He them. (Genesis 1:26–27)

Rabbi Akiva...used to say: Beloved is man, for he was created in the image of God. As a gesture of special

love, it was made known to him that he was created in the image of God, as it is said, “For in the image of God He made man.” (Avot 3:18)

Man, unlike all the other animals, was created alone. Rabbinic tradition, recorded in the Talmud, interprets the reason for man’s lonely emergence as follows:

Man was created singly to teach that whoever destroys a single life is considered by Scripture as if he had destroyed an entire world, while one who preserves a single life is consid-

are developed at such meetings can be crucial in facilitating interfaith communication and in promoting an understanding of the complex relationship between secular modernity and religious tradition within a constructive framework.

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above) with certain struggles that have shaped the rights discourse. Within this context, American prophetic language rooted as it is in its narratives of founding (for instance, Puritan narrative of escape from religious persecution in Europe) has tended to emphasize the right to freedom of religious belief and practice as a universal human right. Moreover, the U.S. International Religious Freedom Act of 1998 has set policy requiring the President of the U.S. enforces religious freedom globally by deploying economic sanctions against countries that persecuted believers and most especially Christians.¹

In conclusion we can say that human rights (whatever their origins) are intended for our pluralist world in which religious and secular people live. In such a world there is a much needed human rights commitment beyond the imperatives of the law to remove oppression, injustice and suffering that we see all around us. This further requires the establishment of theologies of inclusive citizenship to promote both pluralist citizenship and pluralist civic identities, while de-emphasizing theologies of exclusion. The latter (theologies of exclusion) that undergird militant trends

are divisive and counter-productive and cannot serve as a locus for fostering pluralist identities. Nevertheless, communities should be allowed to forge their own pluralisms of faith and civic identity without having proponents of secular orthodoxy dictate what these identities should be.² Successful narratives of inclusive citizenship depend on key markers outside of modernist secular orthodoxy that can also be quite intolerant. Accordingly, convergent pluralisms of faith and civic identity are a vital antidote to the fog that obscures the roots as well as the implications of today's extremist trends.

Hence the necessity for inter-faith dialogues by representatives of different religious faiths to enter into discussions and conversations at congregational, scholarly and grassroots levels. These conversations are and can be similar to their secular counterparts except that they generally employ religious language and texts and unlock the power of such religious tradition to forge peace-building and thereby serving a greater good. The meetings provide an opportunity to listen with an open mind and consider views contrary to one's own. Friendships that

1 See section 2 (a) and other sections of the U.S. International Religious Freedom Act of 1998. See also the discussion in Talal Asad, "What Human Rights Do?", 7.

2 Amin Sajoo. "The Fog of Extremism: Governance, Identity, and Minstrels of Exclusion" *COGITATIO Social Inclusion*, 4, (2): 2016: 26-39.

specifically, the concept of “natural right” (acquired from birth), connected to the medieval European feudal organizations, was what later enabled seventeenth century contractarian theorists such as John Locke to invoke such rights against the arbitrary government of the early modern state with its growing public debt.¹ It was from these natural rights (later, citizenship rights) that human rights developed and depended on national rights that states were supposed to protect. The struggles between classes/nations whether in the context of the 17th century English civil war, the 18th century American War of Independence, the 18th century French Revolution or the Second World War to defeat Nazism were the basis from which the English, US and French Bill of Rights/Rights of Man developed and eventually the United Nation’s 1948 Declaration of Human Rights emerged from. In effect, The Universal Declaration of Human Rights deployed the concept of human rights by extending its sphere of relevance from a national context (limited to citizens only) to the abstract universality of the entire “human family.”²

1 J.G.A. Pocock, “Modernity and Anti-Modernity,” in *Patterns and Modernity, vol. 1: the West* edited by S.N. Eisenstadt (London: Farnis printer, 1987), 50-51.

2 Talal Asad, “What Human Rights Do? An Anthropological Enquiry,” *Theory and Event* 4: 4: 2000, 3.

Paradoxically, in the West and especially the US, “the rule of law” (which is supposed to protect human rights) is more important than the expectations of just and moral behavior (viz. vis the rights of its black citizens particularly in the pre-civil rights era).³ In other words, what is lawful may not necessarily be tolerable and laws have been passed that are quite discriminatory against certain social, ethnic and racial groups as in apartheid South Africa. Also, when Greece joined the European Union its citizens were prohibited (according to European charter of human rights) from including any information in their identity cards that related to, among other things, their religion/Greek orthodox Christian affiliation. Nevertheless, the resulting demonstrations in the country did not induce or persuade the Greek government from complying with these requirements. In Britain, on the other hand, until recently a member of the European Union, the idea of requiring Identity cards was rejected as it was seen as infringing the citizen’s civil rights.

What the above discussion suggests is that the human rights language cannot be totally divorced from rights that existed before (including the natural rights of the medieval Christian Europe of the feudal era) and have evolved (as mentioned

3 Talal Asad, “What Human Rights Do?”, 3.

on that unifying legacy and collective memories of our forefathers as the starting point for our inclusivity. This calls for either reaching out to each other and embracing our common humanity or retreating to the safety of our insular communities and becoming provincial/tribalistic and hateful toward the other. We need to remember that Abraham is a pivotal figure and the patriarch of diversity and plurality and wherever we are we witnesses to his inclusivity. Our ties are further strengthened by the belief that as children of Adam we have been created equal (this, for instance, is explicitly stated in the American Declaration of Independence though historically Americans have not lived up to this lofty ideal). It requires that we live up to our civic and religious creeds proclaiming human equality and upholding the dignity of human life. Furthermore, it calls for affirming the idea that every human being irrespective of their status, class, religion has an inherent dignity deriving from being human with a capacity to think, reason and self-reflect beyond simply following instincts. With this understanding, religion in this context can be ennobling if it is not debased to deny other people's humanity as the Other (whether they be members of another sect, religion, ethnic or racial group). If the Prophet came as a mercy where is our mercy or that of

members of other faiths, creeds, etc to other human beings?

The questions that may be asked at this point include: are human rights universal and are they rooted in religious rights or secular rights? Can human rights be reconciled with each country's national economic and political interests that include protecting specific rights of the country's citizens? The last section of this paper will address some of these questions.

We can begin by mentioning that the first section of the Article of the Universal Declaration of Human Rights states that everyone has the right to a certain standard of living (relating to food, clothing, housing, medical care, social services etc) that allows them to maintain the health and well-being of themselves and their families and the right to security. Unfortunately, as has been pointed out by some critics, the implementation or the creation of conditions under which these rights will be applied is left to the "national economy" that may be too weakened by the policies of the IMF or World Bank or the US and other major world powers with their own economic and political interests.

In any case, with respect to the historical roots of human rights, these have their origins in the idea of natural law (in Western Christendom) and its further engagement with Aristotelian thought. More

with the many newer immigrants who live in the midst of European societies as the Other.

There are, in fact, struggles by newest immigrants to Europe to navigate their personal identity in a new land in the midst of a political identity that is being forged in some circles to exclude them. Questions they confront, include: what church, mosque or temple should they belong to or whose religious service should they attend? What affiliation with a particular community should they seek—an ethnic one, a religious one, a secular one? Are they active in the local community that they identify with or have they forged an independent sphere of life away from the church, mosque or temple? In other words, to what extent have some of them been “unmosqued, unchurched or untemplated” as they struggle to find an identity niche for themselves in their new societies? This is all part of the bewildering pluralist diversity with which the modern world is associated. How does religion function in this day and age of autonomy of choice, of fragmented communities and frayed varied traditions? Within this context those who are disenchanted with the world for whatever reason may, as one option, become insular or turn to what they consider to be the authentic structure of imagined pristine Islam to give meaning to their life (this leads

to, as Charles Taylor would put it, radical narrowing of their understanding of Islam).

Sometimes proponents of secularism argue that the modern secular governance is necessary to keep religious demands at bay and to protect everyone, including religious minorities, from a fractious religious politics. Saba challenges this view and argues that, on the contrary, secular governance in the Middle East and Egypt in particular has exacerbated religious tensions and inequalities rather than reduced them. She bases her view on the case of two religious minorities in Egypt (Orthodox Coptic Christians and Bahá'ís), and explores how the problem of religious difference has been managed in the Middle East, from the Ottoman period to the present.¹

So, what is the way out of these radical narrowing perspectives whether of the secularist or religious/exclusivist variety? The starting point is acceptance of our original Adamic/human family to which we all belong. As people who are related to each other we may fight but we are still members of the same human family. We are also members of the Abrahamic family and our pluralism, especially in the West, builds

1 Saba Mahmood, *Religious Difference in a Secular Age: A Minority Report*. (Princeton: Princeton University Press, 2015). Her arguments focus on the relationship between religion and state.

space and time that produced a relatively tolerant faith (especially the traditional/mystical expressions of it) that should not to be confused with later manifestations or variants of the “jihadist” understanding of the faith. Lest we forget, Muslims contributed to the non-violent strategy of India during the time of the anti-colonial struggles that were led by Mahatma Gandhi. Muslim leaders deployed and understood the concept of Jihad as standing for a spiritual struggle (to transform both themselves as individuals and their societies—also integrated their struggles to the Indian Khilafat movement) aligned this understanding of Islam with Gandhi’s non-violent movement.¹

In any case, whatever the claims of secularists, any discussions of universal human rights should not lose sight of the fact that Western secular values developed within the context of Western Christianity and arose from developments within it and the challenges to church authority by the Enlightenment thinkers. Thus, rather than religion being swept away by secularism and modernity, some scholars have, in fact, argued that belief in God has emerged as one option among oth-

ers in our radical pluralist world.² Without acknowledging this fact it would make no sense for the European Union constitution to make references to shared “Christian values” or to “Judeo-Christian” legacy even when European societies are thoroughly secular.

It is clear that globalization and modernization have produced religious pluralism in European and North American societies that are multi-ethnic/national. Accordingly communities can find ways for their members to live together as equals by focusing on what binds the different groups together not what divides them. To achieve this, they should draw on modern ideas that emphasize human rights, equal rights and (all these various rights) call for inclusion. For instance, within the US (plagued by a history of racial inequality) in the 19th century ethnic groups such as Irish were not initially accepted as being white—they were seen as papists or Catholic outsiders in a Protestant dominated society. In contrast Muslims in the past (though not without their own problems), nevertheless, were generally known for their inclusion of others although today there are some (a minority) who espouse the politics of exclusion in the name of a so-called khilafat. In the West there is also currently cultural discomfort

1 Mohammad Manzoor, *The role of Muslims in Indian Freedom Struggle, (1857-1947)*. Retrieved May 1 2016, from http://www.iosworld.org/document/role_of_muslims.htm

2 Charles Taylor, *Secular Age*. (Cambridge, Mass: Harvard University Press, 2007)

not clear how the values of Muslim immigrants who are European citizens fit into the assumed core values of Europe that relate to managing growing European diversity and generating a sense of national belonging to the nation state that is secular in its social, economic and political orientation. In the case of France (perhaps the most secular of all European states) the debate, for instance, over the headcover for Muslim women in France assumed that in the case of a conflict between constitutional principles the state's right to defend its secular personality trumps all other rights and especially those related to belief.¹ Accordingly, both the 2004 law banning the display of "conspicuous religious signs" in public schools as well as the 2010 law forbidding all full-face coverings from public space did not come as a surprise.

In contrast, the situation is different in Muslim countries where secular values are not deeply rooted in society and where the role of religion is still important both in private and public life. In these countries there is neither the equivalent of a church (represented by, for in-

rence E. Sullivan. (NY: Fordham University, 2006), 495. Also, Talal Asad, "What Do Human Rights Do? An Anthropological Enquiry," *Theory and Event* 4(4) 2000.

1 Asad, "Trying to Understand French Secularism," 500.

stance, the Vatican/papacy) nor a class of ordained ministers; instead, we have trained scholars (ulamaa) and, more importantly, we have schools of law whose understanding have to a large extent evolved with time to accommodate modern developments. Within this context, Muslims still view themselves and their role as vicegerents (khilafa) placed here on earth to take care of its affairs, not to exploit it for short term economic gain. These two discourses (one nurturing and the other exploitative) tend to flow together.

This leads us to ask the question: does religion necessarily demarcate the dividing line between or among people of different traditions or, to put it differently, can universal values be derived from religion in the modern era of national identities in which it is claimed by secularists that only the sovereign state can impose the principle of abstract equality on all citizens irrespective of their ethnic, religious and other backgrounds? But this overlooks the fact that in the past tribal society did not distinguish between religious and non-religious categories² and differences could be accommodated as they still can today. For instance, Islam grew over

2 Saba Mahmood, "Secularism, Hermeneutics, and Empire: The Politics of Islamic Reformation," *Public Culture* 18: 2 (2006), 323-47.

these rights? This paper hopes to examine these and other questions related to such issues in the context of understanding secularism, religious pluralism and so on.

Introduction: Globalization, modernity and religious pluralism

In modern society there is a multiplicity of religious beliefs and identities despite the claims of the secularization thesis, namely that the more modern we become the more secular we become. In other words, modernization, it is pointed out, produces a differentiation between religious commitment and political status with the result that the place and role of religion in the public space is undermined. Expressed differently, what is being asserted is that the secularization process by necessity ultimately leads to the decline in religion. This claim notwithstanding, developments in different parts of the world since the last decades of the twentieth century have brought this into doubt. This thesis has limited applicability particularly with regards to the Muslim majority countries where this causal relationship cannot be empirically demonstrated. For instance, based on the secularization thesis one could not have predicted the eruption of the Islamic revolution in Iran.

Western scholars have tended to generalize from the European

experience (that has been different from that of the Muslim majority countries) in which developments on that continent led to the power and influence of the church as well as the role of religion in the public life being seriously undermined. Nevertheless, in the U.S. socially conservative evangelical forms of Protestantism continue to play a major role in local society in politics, and, moreover, religion has tended to intrude in the political matters even at the national level as the campaigns and politics of the Republican presidential primaries in 2016 so clearly demonstrated.¹ Furthermore, even in Europe, in the context of the European Union, there is an invocation of a nebulous “shared religious heritage based on Christian values” (the bitter conflict and religious wars of the past centuries notwithstanding) in addition to the mention of the “Judeo-Christian legacy” (with Islam considered the unnamed stranger in this legacy) even as there is the insistence that all citizens have the same civil and political rights irrespective of belief, race and gender.² Yet, it is still

1 See the discussion in Judith Butler, Jürgen Habermas, Charles Taylor and Cornel West. *The Power of Religion in the Public Sphere*. (N.Y.: Columbia University Press, 2011).

2 Talal Asad, “Trying to Understand French Secularism,” in *Political Theologies: Public Religions in a Post-Secular World* edited by Hent De Vries and Law-



Globalization, Modernity and Human Rights & Religious Pluralism

By Abdin Chande

Modernity has not necessarily led to the demise of religion, contrary to the predictions of secular pundits. Religious diversity has been the norm in many parts of the world where religious beliefs, human rights and even religious rights, and globalization have all interacted to create active transnational religious communities. Modern developments have increasingly brought the different religious (and secular oriented) communities into contact with each other. The challenge in such situations has been the transformation of potential conflict

into opportunities for interfaith dialogue, genuine religious tolerance, and concern for human rights and the fostering of some sustainable form of peace-building among these communities. Can religious pluralism be reconciled with a common identity rooted in human rights on the one hand and with competing universalist positions in the market place of religious ideas on the other? Are human rights rooted in religious rights or are they separate from them—and how do secular definitions of human rights square with religious understanding of

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peoples' human rights and responses that have been generated not only from human rights activists but also from academics and Christian's NGOs. I addressed the last section of the paper with few suggestions on how the Nigerian Christians and the biblical cum religious scholars who specialize in biblical scholarship should see human rights problem as a real problem that need urgent and critical interventions. But due to space constraint, this paper shall be concluded on the note that Nigerian Christians need to mine those passages in both the Old and New testaments that speak to the rights of people in terms of justice and equity. My opinion is that fighting for those peoples' rights, whose faiths or belief systems are different than our own is a Christian duty and responsibility. Jesus went about doing good to everybody he came in contact with, without forcing his religious opinion on them. When he asked, who is my neighbor? I believe his theology first touched on humanity before touching on religiosity. Someone says, authentic Christianity is leaving the world a better place than it was met.

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Lastly, Nigerian theologians or academics in the secular universities concentrating on theological writings should focus on how their researches must engage with human rights issue. In America, black theologians have addressed and continued to constantly address the gross inequality, racism, slavery, sexism and classism that have characterized American political history. Such writers are now more needed than ever in a Trump's governed America, which makes racism and sexual discrimination and abuse of women part and parcel of its polity.¹ In Nigeria, where most politicians, including the present president Muhammed Buhari² and as stated

1 One will need to read books written by Cornell West titled: *Race Matters*, 25th Anniversary edition, (Boston: Beacon Press, 2017); James H. Cone, *A Black Theology of Liberation*, (NY: Orbis Books, 2010 edition); James H. Cone, *The Cross and the Lynching Tree* (NY: Orbis Books, 2013 edition), and some others. Or the liberation theologian in Latin America, such as Leonardo Boff and Clodovis Boff already quoted in this paper.

2 A president who made a bold statement in public that his wife belonged to a room and next room and kitchen cannot guarantee women rights. I am tempted to believe that majority of Nigerian politicians do not have an idea of what human rights mean to talk more of defending it. See the US Edition of the story in *The Guardian* of 14 October, 2016 and read the article contributed by James Burke an African correspondence. <https://www.theguardian.com/>

before, virtually all the House of Assembly men have continued to trample upon people's human rights and very unfortunate, either PDP or APC seem not to be better and hence none of them could serve as hope for a better life for Nigerian masses that are seriously suffering from anomic life condition. This is where I think that religious scholars who are engaged in religion and politics, or international relations, or gender relations and so on should focus on. Academic writers and Christian theologians should be able to see that "the purpose of human rights, as rightly argued, is to protect human agency and therefore to protect human agents against abuse and oppression."³

Conclusion

In this paper, I addressed the Nigerian Christians' conception of human rights, in a secular state and a vision for a new world order. In section one, I looked at the roles that Christian religions have been playing with regard to human rights since the ancient to the modern periods. Next, I briefly addressed what human rights mean and then showed through examples cross-culturally, how politicians and political leaders have been undermining

[world/2016/oct/14/nigerias-president-says-wife-belongs-to-my-kitchen](https://www.theguardian.com/world/2016/oct/14/nigerias-president-says-wife-belongs-to-my-kitchen)

3 See Newlands, Christ and Human Rights, page 25 where he quotes Michael Ignatieff.

Third, it is about time, Nigerian Christians developed a Christology that is modelled after Dietrich Bonhoeffer's, "to critique an ecclesiastical triumphalism which was unconcerned about those outside the church's own ranks, as he did in his own days."¹ Nigerian Christians should be inclusive in the way they conceive of human rights. Bonhoeffer's insistence that the church should be concerned for society in general and not simply for its own structure should be heeded by the twenty first century Nigerian Christians. In Nigeria, as in many other parts of the developed and developing countries, human rights are being violated by means of all sorts of complex routes.² Newlands gives graphic examples of human rights violations across countries both western and non-western alike. According to him, "in Western countries there remains a disturbing residue of institutionalized violence in a number of significant areas. In non-Western countries the scenario is often hardly more promising." He even shows how "in recent years, France has consistently offered financial support to corrupt regimes, and Russia pursues a policy of increasing authoritarianism at home and at its borders. Civilians suffer at the hands of soldiers. Soldiers are

themselves subjected to a culture of bullying and abuse, from Soviet barracks to the Deepcut scandal in Britain and continuing incidents in the United States."³

One can say without mincing words that this same culture of impunity is what the Nigerian political system is made of. Nigerian Christians may need to borrow a leaf from much human rights work that continues to be achieved through the efforts of humanitarian organizations such as Oxfam.⁴ Some of these bodies – for example, Christian Aid and Caritas Internationalis – have a distinctively Christian basis.⁵ What they embark upon is ending poverty, promoting justice, and restoring dignity of the vulnerable all over the world.⁶ And just like an appeal that is being made to all Christians all over the world, of which Nigerian Christians are part of, which says that "if the energy of the huge number of Christian people in the world could be brought to bear on human rights issues, there is no doubt that tangible progress could be made."⁷

1 Newlands, *Christ and Human Rights*, 94

2 Newlands, *Christ and Human Rights*, 175

3 Ibid, 175.

4 Oxfam is an international confederation of 20 NGOs working with partners in over 90 countries to end the injustices that cause poverty. <https://www.bing.com/search?q=oxfam&form=EDGEAR&qs=LS&cvid= =NG&setlang=en-US>

5 Ibid, 175

6 Readers can check their website for more information, <https://www.caritas.org/>

7 Newlands, *Christ and Human Rights*, 177.

most of Europe.¹The American civil rights movement that resulted in the outlawing of racial segregation and discrimination was led by Martin Luther King Jr., a Baptist pastor, and supported by many Christian churches and groups. I think many of the policies of the past and the present Nigerian government leaderships are so steeped in injustices, oppressions and unfortunately too, the readiness to persecute or exterminate political opponents, that something radical has to be done to address that situation by the Nigerian Christians. One of those injustices and crimes against Nigerian people is for the state and federal governments to make laws that are indeed laws of the rulers that present as rules of law.

The unfortunate thing again is that many of the Nigerian politicians today are Christians that one tends to ask, where their Christian's conscience is? A good example can be cited. Speaking with the correspondent of the Daily Post of 30 November, 2017, a Benue citizen, Akogwu Micheal said, "Ortom is a failure, he did nothing for Benue as a governor; while others are commissioning great projects in their various states to commemorate their sec-

ond anniversary, his own achievement is wheelbarrow and chasing of witchcraft. This is sad."²While one cannot rule out the fact that the person speaking could be a political opponent, the governor's response in the preceding paragraph of the paper shows that he is truly busy chasing witches as if that is his primary business in governance. Another good example is that of the Nigerian Senate President, who was indicted for corruption and was taken to court but nothing came out of it. Yet, he and his associates in the Senate are busy making laws and bills to prosecute crimes, corruptions and "illegal behaviours" as they always frame them. Yet still, majority of the people that occupy the Nigerian senate seats are never answerable to anybody and hence trampling under feet the fundamental human rights of the Nigerian citizens who are supposed to know what goes on in governance.

1 See Wayne Grudem, *Politics – According to the Bible: A Comprehensive Resource for Understanding Modern Political Issues in Light of Scripture* (Grand Rapids: Zondervan, 2010).

2 Governor Samuel Ortom is said to be a Pastor of the fastest growing church in Africa not only in Nigeria, unfortunately, many stories that are being told about him since he has occupied the governorship position belied his claim to Christianity. See more of the story in *The Daily Post* of May 30, 2017, with the title: *Two Years in Office, Benue Residents Blast Ortom over Poor Performance* by Ameh Comrade Godwin. <http://dailypost.ng/2017/05/30/two-years-office-benue-residents-blast-ortom-poor-performance/> downloaded December 1, 2017 at 3.00pm.

ally resolve the tension between competing interests and various visions of how the world should be; rather, human rights ideas provide the vocabulary for arguing about which interests should prevail and how best to achieve the ends we have chosen.”¹

First, the starting point for Nigerian Christians is to embrace ideas once practiced in other parts of the world and that really achieved their goals, such as practiced in Latin America, and South Africa during apartheid. What I am driving at here is that, if genuine human rights were to be achieved, social gospel needs to be incorporated into the doctrinal emphases of all Nigerian Christians. By social gospel, I am referring to religious social-reform movement prominent in the United States from about 1870 to 1920. Advocates of the movement interpreted the Kingdom of God as requiring social as well as individual salvation and sought the betterment of industrialized society through application of the biblical principles of charity and justice.² That takes the form of Liberation theology that was practiced in Latin America. Mark J. Cartledge says that “with the advent of liberation theology there came a

turn to contemporary praxis as the starting point and in particular the use of Marxist social theory to diagnose the “problem” to be solved by liberating practices. This meant that practitioners and academics used the hermeneutical tools of liberation theology to be suspicious about power relations and the need for those on the margins to be heard and empowered.”³ There is no doubt, there are such masses of people in Nigeria who are at the margins who needed to be heard and empowered. Nigerian Christians have responsibility towards those categories of people.

Second, Christianity throughout its history, observers claim, has been involved in fighting against injustice and activity geared towards lessening pathetic human condition. For example, in England, William Wilberforce, a devout Christian, led the successful effort to abolish the slave trade and then slavery itself throughout the British Empire by 1840. Christians had a decisive influence in opposing and often abolishing slavery in the Roman Empire, in Ireland, and in

1 Clapham, *Human Rights: A Very Short Introduction*, xxviii

2 See <https://www.britannica.com/event/Social-Gospel>

3 Mark J. Cartledge, “Practical Theology” in Alan Anderson, Michael Bergunder, Andre Droogers, and Cornelis van der Laan (eds.), *Studying Global Pentecostalism: Theories and Methods*, (Berkeley, California: University of California Press, 2010), 268-285, see especially p.268

as could be found elsewhere in our modern world, is that it challenges their internal structures or organizational make ups. I believe John Witte Jr., sees it correctly, when he says that (I will quote him at length):

Human rights norms, religious skeptics argue, challenge the structure of religious bodies. While human rights norms teach liberty and equality, most religious bodies teach authority and hierarchy. While human rights norms encourage pluralism and diversity, many religious bodies require orthodoxy and uniformity. While human rights norms teach freedoms of speech and petition, several religions teach duties of silence and submission. To draw human rights norms into the structures of religion would only seem to embolden members to demand greater access to religious governance, greater freedom from religious discipline, greater latitude in the definition of religious doctrine and liturgy. So why import them?¹

It is about time Nigerian Christians moved out of narrow confine of denominational religiosity and embrace the genuine gospel of Jesus Christ. It has been rightly observed that “the social consequences of the kingdom of God in the teaching of Jesus were love, peace and

justice.”² Reading through the gospel of Luke, one is convinced that Jesus Christ was on the side of the poor, politically and economically disfranchised, alienated and oppressed women and children, and strangers and was able to break down the ethnically and racially dividing walls of His days, which unfortunately has not only characterized our world but also Christian religious doctrines all over the world today. The divisive doctrine of “I am of Paul and not of Apollo” is still part and parcel of not only Christians’ denominational orthodoxy but also of their orthopraxis.

This paper is an awakened call to all Nigerian Christians of any denominations, to be willing to contribute to “action towards human flourishing and to making an effective difference to human rights outcomes in local practice”.³ There are many ways to do this. In what follows, I will propose those practical ways that I feel Nigerian Christians can contribute to human rights in spite of the diverse and at times conflicting ideas of how human rights should be conceived. At the beginning of this paper, I made a reference to Andrew Clapham, who says that, “Human rights do not re-

1 John Witte Jr., “A Dickensian Era of Religious Rights” in Shepherd, *The Christian And Human Rights*, pp.21-44, see especially p.29

2 George Newlands, *Christ and Human Rights: The Transformative Engagements*, (Burlington, VT: Ashgate Publishing Company, 1998), 38.

3 Newlands, *Christ and Human Rights*, 93.

Darfur in Sudan and the murder of Tutsis in Rwanda is not too far from it. All take the form of ethnic purity, which unfortunately undermined the fundamental human rights of those people who were murdered.

Nigerian Christians' Response to Human Rights problems

As a starting point to this section, it is good to quote Eleanor Pontoriero, who rightly observes that "although the United Nations' three generations of human rights have been ratified in one form or another by most heads of state and have become the basis for international law, flagrant abuses and violations of human rights continue."¹ Nothing can be closer to the truth than this great observation of Pontoriero. It is even not out of point to nuance that peoples' human rights are not being respected in many countries, especially in Nigeria, where the rights of people are being trampled under feet by the political and religious leaders of any traditions. While diverse religious groups in Nigeria, especially, Christian religious leaders are arguing for religious freedoms, they need to be willing to use

that freedom in fighting for fundamental human rights of the people, irrespective of their religious affiliations or political leanings. A situation, where Nigerian government leaders are overtly exploiting masses and trampling upon their rights should be a concern to Nigerian Christians instead of thinking about the only right to proselytize. Or perhaps fighting against the wearing of hijab, which is considered a religiously fundamental right of Muslims worldwide.

Perhaps the reason why many Christian denominations in Nigeria, seem to be quiet or apathetic towards appalling socio-economic conditions of the masses is because they also have the oppressive structure erected within their polities, and hence, they see no reason why they should criticize the political oppressors or fight on the side of the oppressed. I think the reason why many human rights activists continue to criticize religion, especially Christianity in Nigeria is its poor response to masses' plights, but instead the many Christians leaders concentrate on the gospel, often times the gospel that is directed to untamed acquisition of wealth, which unfortunately could only be found in the hands of few preachers.

I will like to argue that thereason why human rights issue has not been giving enough concern by religious groups or bodies in Nigeria,

1 (see her article on "Remembering Auschwitz: Emmanuel Levinas on Religion and Violence" in *Religion and Violence in a Secular World: Toward a New Political Theology* edited by Clayton Crockett, (Charlottesville, Virginia: University of Virginia Press, 2006), 85-107, see p. 88

tion in one's mode of thought.¹One is tempted to believe that our modern world system in which politics takes a lion share, is characterized by the presence of "a ruthless individualism, expressed primarily through a market mentality, which has invaded every sphere of lives, undermining those institutions, such as the family or the university, that have traditionally functioned as foci of collective purposes, history, and culture."²With respect to individualistic America, Robert Bellah and his co-authors in their book *The Good Society*, note that "American society is faced with growing homelessness, rising unemployment, crumbling highways, and impending ecological disaster. In spite of these appalling situations, the authors note, American response is one of apathy, frustration, cynicism, and retreat into

their private worlds."³

If Christians would practice what they preach, the starting point is to fight against the individualistic culture that directs attention to self; a narcissistic behaviour that has become social or cultural problem in our modern world. Christians need to develop that capacity for mutual respect for others, and beyond this, to have a compassionate heart that looks out for others following the ethical principle of Emmanuel Levinas. Levinas says, "in abdicating my responsibility for another's persecution, suffering, or murder, I become the accomplice by way of my indifference."⁴ Levinas thinks that by returning to religion (ironically many people in our world today suggest otherwise as a result of violence religion engenders), will help reduce dehumanization that is pandemic.⁵I am not oblivious to the fact that Levinas says this with respect to the persecution of the Jews by Adolf Hitler. Yet, there is a sense in thinking that such action (which may not have been as terrible as that witnessed on a large scale in Germany during the reign of terror of Hitler), that is, the genocide in

1 Enoch O. Gbadegesin, "Collective Social Action: A Challenge to Enlightenment Ethic and the Rise of Modern Individualism" forthcoming in *Africa and the World: Challenges of Globalization, Governance, and Creativity* edited by Toyin Falola and Kenneth Kalu, (NY: Palgrave Macmillan), No Publication date yet.

2 Here I am quoting from Claire Andre and Manuel Velasquez. These authors speak with respect to American culture of individualism, which according to them has continued to affect American social life. See their article on <https://www.scu.edu/ethics/ethics-resources/ethical-decision-making/creating-the-good-society/>

3 See their article on <https://www.scu.edu/ethics/ethics-resources/ethical-decision->

4 Emmanuel Levinas, *Of God who Comes to Mind*, trans. Bettina Bergo (Stanford, CA: Stanford University Press, 1998), 162.

5 Levinas, *Of God*, 162.

Christianity in fighting for human rights cross-culturally, one is compelled to say that Nigerian Christianity in contemporary times have more roles to continue to play in ensuring that an appalling degrading human conditions are urgently addressed

Christian Religion and the Crisis of the Modern World

There are different views by different religions about politics. While Islam sees no artificial bifurcation of religion and politics, Christian throughout its history has had complicated relationship with politics. At one side of Christian's understanding of politics is that of indifference, partly due to the fact that, life here does not make sense or make any meaning, but joys in other life have a compensation for the present world misery. It is also the concern of some Christians that joining politics may corrupt one, since politics is a dirty game. On the other hand, however, some, just like in Islamic religious thought, hold the view that as a matter of civic duty, Christians must be involved in politics.¹Thoburn observes with re-

1 Robert L. Thoburn, *The Christian and Politics*, (Tyler, Texas: Thoburn Press, 1984), Thoburn was once a Member, Virginia House of Delegates between 1978 and 1980, in the United States political history. Much of Thoburn's discussion here is an appeal to Christians to see politics as a call to service.

spect to the United States of American politics, that "Politics has to do with civil government. Politicians get elected, make laws, tax, spend, regulate, and control. Every law passed and every spending decision is based on some moral system."²I think, without mincing words, Christianity has a lot of roles to play in politics and political discourses in the present dispensation, not with a view topopagating its faith but with a desire to change present human condition that is highly obtuse and corrupted through greed and avarice of the political actors and their allies, especially in Nigeria. The reason for such greed and avarice is as a result of the new culture of individualism that has begun to enter into modern world political system.

As already mentioned above, John Locke once remarked that notion of rights and freedoms grounded in autonomy and individualism lacked the necessary component of obligation or responsibility toward others.I have already shown elsewhere the many problems connected with individualistic and atomic life; the desire to have more than one deserves, the acquisition of (illegal) wealth by a single individual, such that belongs to a whole society, and of course, the fragmentation of society, and isolation and privatiza-

2 Thoburn, *The Christian and Politics*, p. 5

poor.¹ Even in Vietnam, Evangelical Christians were said to fight against oppression perpetuated by the government agency-the police.²In their edited book titled: *Religion, Mobilization and Social Action*, Anson Shupe and Bronislaw Misztal, say that “ religious movements...have become a new, enticing avenue for collective action either to resist or support change of social systems.

Religious values and traditions, they argue, offer cohesive rallying points around which the critical masses for social movements (both in terms of memberships and ideological justifications) can coalesce.”³The collective (social)

actions and efforts of diverse Christians with their different theologies have been “honed in the struggle against apartheid in South Africa” according to De Gruchy⁴, contrary to his earlier inadequate argument, “that theologians outside of southern Africa have not generally developed a critical political theology able to help churches resist tyranny, overcome ethnic tension, and establish a just democratic order.”⁵One needs to agree with Shepherd, who says that:

To be sure, Christianity continues to be confounded by some behavior that amounts to little more than ethnocentric attempts to convert heathens. But power relations have changed and Christian cosmopolitanism has grown to the extent that an increasing proportion of Christians are deeply engaged in a genuine struggle for human rights. These Christians are often the most likely to collaborate with those outside of their faith tradition. This collaboration creates conditions in which Christians are compelled to shed a narrow focus and instead work for genuine and universal human rights.⁶

Given these important roles of

- 1 See Leonardo Boff and Clodovis Boff, *Introducing Liberation Theology*, translated from the Portuguese by Paul Burns, (NY: Orbis Books, 1988); see also Thomas Bamat, “The Rights of the Poor: Christian Theology and Human Rights Practices in Latin America’s Andean Region” in Fredrick M. Shepherd (ed.), *Christianity and Human Rights: Christian and Struggles for Global Justice* (NY: Rowman & Littlefield Publishers Inc., 2009), 179-194
- 2 James F. Lewis, “Christianity and Human Rights in Vietnam: The Case of Ethnic Minorities, 1975-2007 in Shepherd (ed.), *Christianity and Human Rights*, 195-212, see especially pp. 200-203.
- 3 Anson Shupe and Bronislaw Misztal, “Fundamentalism and Globalization: Fundamentalist Movements at the Twilight of the Twentieth Century”, in Anson Shupe and Bronislaw Misztal (eds.), *Religion, Mobilization and Social Action*, (Westport, CT: Praeger Publishers, 1998), 3-14, but see p.5 in particular.

4 See Gifford, *African Christianity*, p.30

5 See John W. De Gruchy, *The Church Struggle in South Africa*, (Grand Rapids: W.B. Eerdmans Pub. Co., 1979) quoted in Gifford, *African Christianity*, p.30.

6 Shepherd, *Christianity and Human Rights*, p. xvi

of international human rights is that states are responsible for satisfying certain conditions in their treatment of their own people and that failures or prospective failures to do so may justify some form of remedial or preventive action by the world community or those acting as its agents. This idea is incorporated in the human rights' provisions of the United Nations Charter, which, as a US court put it, "makes it clear that in this modern age a state's treatment of its own citizens is a matter of international concern."¹

History of Christian Religion and Human Rights

The public roles of Christian religion in guaranteeing the improvement of human condition have been looked at from various scholarly perspectives. In spite of paradoxes contained within it; promising liberation from oppressions and injustices, yet alienating and erecting within it the oppressive structure, Christian religion worldwide still has been serving some useful functions. In his introduction to his edited book, Shepherd, says that "consistent and widespread failure to preserve human rights—taking the form of both acts of omission and bloody acts of commission—is an undeniable part of the Christian

human rights record."² Roger Gottlieb observes rightly that "as in the past, religious voices are needed to achieve the goals of justice, community, and a rational society. This need becomes increasingly obvious, I think, if we realized that the happy Enlightenment prediction that democracy plus science would produce freedom and happiness has been, at best, only minimally fulfilled."³

With respect to Africa, Paul Gifford looked at the public roles of Christianity and its contribution to the liberation of African peoples not only from the colonialists but also the criticism of the native political leaders who turned out to rule their people autocratically. For example, Gifford says that, in Kenya, the most articulate criticism of President Moi came from individual bishops before the Council of Churches in Kenya did the same.⁴ In other parts of the world, especially in Latin America, Christianity played an important role in criticizing the government officials and also through liberation theology, fought for the rights of the

1 Beitz, *The Idea of Human Rights*, 13

2 Shepherd, "Introduction" in Fredrick M. Shepherd (ed.), ix.

3 Roger S. Gottlieb (ed.), *Liberating Faith: Religious Voices for Justice, Peace and Ecological Wisdom* (NY: Rowman & Littlefield Publishers, Inc. 2003), xviii

4 Paul Gifford, *African Christianity: Its Public Roles*. (Bloomington, Indianapolis: Indiana University Press, 1998), 21

implies that proselytization ought to be forbidden. Unfortunately, the ambiguity that characterizes the Nigerian religio-political rhetoric opens up a space for thinking that if Nigeria is a secular state, and at the same time a multi-religious state, then a religious person is free to exercise his or her right by preaching his or her faith anywhere, anyhow and anytime without fear of being intimidated or harassed. The problem connected with this though, is that there will be competing faith claims, leading to violence that is already part and parcel of our current world system. As Fredrick Shepherd earlier observed:

Any study of Christianity and human rights must confront the issue of religious freedom. Freedom of religion is generally included in most groupings of basic human rights. But it is important to distinguish between religious rights and human rights. Occasionally, the two can come into conflict. For example, one person's right to proselytize or convert can be seen by some as an infringement on another person's more basic rights to freedom.¹

This observation becomes important in a country where multi-religiosity has often led to constant

bickering and religious crises, and at times religious violence. Even though Nigerian constitution does not prohibit the free exercise of religion and freedom of speech, how that freedom does not lead to destabilization of the state should be the utmost concern of well-meaning Nigerian Christians.

What is Human Rights?

The concept of human rights has been looked at from different perspectives; To some, it means ensuring that everyone is treated with respect for their inherent dignity and human worth. As already articulated elsewhere, "the doctrine of human rights is the articulation in the public morality of world politics of the idea that each person is a subject of global concern. Everyone has human rights, and responsibilities to respect and protect these rights may, in principle, extend across political and social boundaries."² According to the Universal Declaration of Human Rights, "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." The Universal Declaration of Human Rights has thirty articles that need not be reproduced here. But the central idea

1 Fredrick M. Shepherd, "Introduction" in Fredrick M. Shepherd (ed.), *Christianity and Human Rights: Christiana and Struggles for Global Justice* (NY: Rowman & Littlefield Publishers Inc., 2009), ix-xxiii, see especially p.xiii

2 Charles R. Beitz, *The Idea of Human Rights*, (New York: Oxford University Press, 2009), 1

on earth stood for hope of better life for all of these categories of people. In a world riddled with violence against women, children, sexuality, gender inequality and that is characterized by political oppression, marginalization and annihilation of the people, especially those who do not align themselves with popular political opinions, Nigerian Christians need to rise up in challenging the dominant rules (the rules of the political elites), that are being used to put people in perpetual oppression and marginalization. As a method of enquiry, I shall engage this paper using phenomenological approach.

I shall consider this paper in four different, yet interrelated sections apart from introduction and conclusion. The first section, which will proceed with an assumption is that religion, especially Christian religion has played leading role in every progressive movement, especially in social and political reform throughout world history. The second section, which is also an assumption, will argue that religion and politics, even though not related have always worked together for the betterment of lives of the citizens. The third section will argue, following John Locke that “notion of rights and freedoms grounded in autonomy and individualism lacked the necessary component of obligation or responsibility toward

others.”¹ And lastly, the proposition that Nigerian Christians need to engage in a more authentic form of worship that allows for the divine purpose interferes in the crisis of dehumanization and degradation that characterize the present world’s political order. In essence, Nigerian Christians (of all shades and colors) should come together and fight against oppression, dehumanization and marginalization that characterize Nigerian political system.

The question of whether Nigeria is indeed a secular state or multireligious state has not been adequately addressed by successive political leaders. Nigeria has been constantly regarded as not only a secular nation-state but also a multi-ethnic and multireligious state. The implication of this assertion is that Nigeria could not adopt any religion as a state religion neither should any government authority, be it at local, state or the federal level make any religion a state religion. If this is correct, then no religion ought to impose its teachings and doctrines on the citizens of the state other than its own members. By extending the argument further, that clause also

1 Eleanor Pontoriero, *Remembering Auschwitz: Emmanuel Levinas on Religion and Violence* in Clayton Crockett (ed.) *Religion and Violence in a Secular World: Toward a New Political Theology*, (Charlottesville, Virginia: University of Virginia Press, 2006), 90.



Christians' Concept of Human Rights in a Secular Nigerian State and the Vision for a New World Order

By Enoch Olujide Gbadegesin

Human rights do not really resolve the tension between competing interests and various visions of how the world should be; rather, human rights ideas provide the vocabulary for arguing about which interests should prevail and how best to achieve the ends we have chosen.¹

Introduction

This paper is an exercise in philosophical cum religious way of thinking about human rights and not necessarily an exercise in theological apologetics. In this paper, I argue that Nigerian Christians have a lot of roles to play in using their-religious rights (freedoms) to prospectively fight for the legitimate (human) rights of the oppressed, the downtrodden, disfranchised, poor and the vulnerable. The reason is that Jesus Christ in his days here

¹ Andrew Clapham, *Human Rights: A Very Short Introduction*, (NY: Oxford University Press, Inc., 2007), xxviii

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12. Velikonja, M. (2003) *Religious Separation and Political Intolerance in Bosnia-Herzegovina* (College Station, TX, Texas A & M University Press).

faces because each community has its own version of the truth or how they recall the narrative of the conflict. This research identified several other factors that affect the reconciliation process. The forgiving and reconciling are difficult. It becomes very difficult to leave the past behind and focus on the future. The country remains divided among the three ethnic groups, obviously the government “cannot provide” its citizens with true justice and peace.

In addition to this, the study revealed that the religious communities in Bosnia have enormous potential for properly addressing the reconciliation barriers and to change stereotypes, but they have not yet adequately responded to this challenge. A large number of interviewees believe that the key process of reconciliation should be encouraged by religious communities for two reasons: the core message of religions is the same, being the message of peace; and second religious communities still have a great influence on the formation of the Bosnian reality. Furthermore, the religious communities should devote a lot more attention to dealing with the past as well as issues of nationalism than they currently do. As well, the role of religion in the process of pacification within the

public sphere can play an important role, as long as politics is a source of criticism and not legitimacy. Additionally, the research has found out that the Interreligious Council of Bosnia and Herzegovina meaningfully contributed to the dialogue and reconciliation process. However, they did not go far enough and could still do more. The reason why interreligious communities do not contribute to greater results in the dialogue is because they are related to politics and ethnicity. Evidently, if they acted independently and if they were to exploit their potential on the ground, they could do a lot. Another reason is lack of financial resources and government support. They have limited financial resources. It could better be addressed at the national level.

This research represents a small contribution to a large and complex field of study. It goes beyond the scope and lack of time available. Since this issue is related to my home country and has a personal significance, it encourages me to further develop and build on this work in the near future.

ployees, only six of them. Such thing directly reflects the situation on the ground”¹. Whereas, Bosnia’s government spending has amounted to (47 %) of total output (GDP)² over the past three years, it is very high. Furthermore, Father Ivo Markovic shared other concerns. He is worried about inter-religious dialogue in Bosnia and Herzegovina. “The goals are not clearly defined. If meetings of religious dignitaries are the only evidence that they are doing something for “the cause of peace,” then it is not enough. In his opinion, these meetings should include a study of methods on how to encourage their followers to be better faithful believers, thus better people and not argue to whom the bigger evil has been done. I prefer to state the opinion of the people, who say that the unfruitfulness of the inter-religious dialogue can be seen from far away. It is necessary to ask oneself what might have caused such lack of positive results³”. In regard to this point, Emir Kovacevic, senior advisor for IRC Bosnia- Herzegovina said; “we are trying to change the things for better. Even though there is resistance within our own community, like political problems, prejudices,

1 Ibid

2 Index of Economic Freedom (2017). Retrieved from <http://www.heritage.org/index/country/bosniaherzegovina>

3 Ibid

we are still doing our best to reach reconciliation. Bosnia is an interesting country in many ways, where the answers to fundamental questions have not been deciphered. If our faith was the starting point of what we do and say; things would have been much better”⁴.

To put it briefly, there is hope that, since religion has been a key divider of identity in Bosnia, inter-faith dialogue could contribute to the multi-ethnic and multi-national tolerance. The religious communities must make full use of its huge potential both within and outside of the community. Their potential is not fully utilized. The challenge for the Bosnia and Herzegovina would be to show that religion can counter extreme nationalism and can be a source of peace because of the close link between culture and national identity.

Conclusion:

Bosnia and Herzegovina remains a problematic area far from true reconciliation. Despite various attempts by the international mediators, and experts involved in the reconciliation process, and millions of dollars spent on peace initiatives and programs, Bosnia is still in a state of frozen war. Still, justice was not served. The truth has three

4 Ibid

not pay enough attention to matters related to reconciliation, because they gain formal positions of power on ethnic tensions in the pre-election period, that keep them in power¹. In addition to these views, citizens continue criticizing the religious establishments because they moved away from the people and their ordinary needs, and are too often occupied with themselves. According to Father Ivo Markovic², religious communities could contribute a lot more to the dialogue. The reason why inter-religious communities do not contribute to greater results in the dialogue, is because they are related to politics. Mato Zovkic³ a former member of the Inter-religious Council in Bosnia and Herzegovina (IRC BiH)⁴ shared the same opinion of Father Ivo Markovic. In his opinion, religious communities could contribute more to the interfaith dialogue, and operate quite differently. They have a huge potential, but they are more often in the service of the ethno-national division than not. On the other side, the priest Kristof Cimer believes that in the process of a dialogue it

is necessary to include the positive values that existed before the war⁵. According to Erdin Kadunic⁶, political scientist and project coordinator of the Konrad Adenauer Foundation in Bosnia, “the period of peace and co-existence of Jews, Catholics, Orthodox and Muslims in Bosnia and Herzegovina is far longer than the period of conflict, and it is a good investment in the future”. In addition to this point Bozana Ivelic-Katava, the expert associates in the Interreligious Council in Bosnia says that “young scholars are interested in cooperation among religions, for the development of co-existence and the construction of a common future, but they don’t always get the opportunity to meet, discuss and agree upon some joint projects”.⁷ With regard to this, Mato Zovkic said⁸; “I’m not satisfied with the current situation in the field of reconciliation at all. We operated with limited financial resources. The IRC BiH is receiving a symbolic financial support on an annual basis from the state 50 000.00 euros. It’s not enough to cover just manage single projects well. Above all, the IRC BiH has limited number of em-

1 Suljic, V. (2017, January 24). Personal interview with Mirnes Kovac.

2 Suljic, V. (2017, February 7). Personal interview with Father Ivo, Markovic

3 Suljic, V. (2017, February 13). Personal interview with Father Zovkic, Mato

4 MRV (1997). Retrieved from www.mrv.ba

5 *Ibid*

6 DW (2016) Retrieved from <http://www.dw.com/bs/me%C4%91ureligijski-dijalog-kao-put-pomirenja-i-integracije-u-bih/a-15610932>

7 *Ibid*

8 *Ibid*

of the treatment process of memory could be especially those who have survived the worst and still strive for coexistence and those who are able to face their prophetic collective guilt for the sufferings of others. However, the bulk of this process should take place within the education system, but the problem just continues from there on, because the curriculum and schools in Bosnia is divided between the ethnic groups. Children are indoctrinated to different historically false and romanticized images of history which is why, as time goes on; it will be all the harder to achieve reconciliation.

Further important factors that influence the stagnation of post-conflict development process are the discriminatory attitude of majorities towards minorities and returnees throughout the country. Bosnia and Herzegovina is a country where there are, unfortunately, many reasons for the various forms of hatred. In such an atmosphere, the basic task of religion was to offer many ways for reconciliation. For what, reconciliation is no longer achievable if it only comes from below, from the disturbed everyday interpersonal relationships, as many expect. It takes a two-way process, requiring reconciliation and impulses from below and above, which would meet in the dynamic process, launching a general catharsis.¹ It is

an illusion to expect that reconciliation will come by itself. It can be reached only by building a culture of reconciliation, of which the brakes, but also possible catalysts are described here. If the matter was left to time, it would only freeze the resentment, which could defrost in any unfavorable moment and ignite the Balkans region over again.

Reflections on the Interfaith Dialogue in BiH :

The international community has donated tens of millions of dollars through the various peace-building initiatives and programmes in Bosnia and Herzegovina, since the war ended². Still, the inter-ethnic relations are very poor. Again and again, such platforms have been proven unsuccessful according to research done by the Friedrich-Ebert-Stiftung Global Policy³ and Development department. Experts in reconciliation issues say there are two reasons for this: the first reason is that not enough has been invested in the projects that focus on healing and reconciliation and the second reason is that the political elites do

1 Ibid

2 Chris, H. (1997), On Bosnia's Ethnic Fault Lines, Its Still Tense, but World Is Silent. Retrieved from <http://www.nytimes.com/1997/02/28/world/on-bosnia-s-ethnic-fault-lines-it-s-still-tense-but-world-is-silent.html>

3 Friedrich-Ebert-Stiftung. Retrieved from http://www.fes.de/GPol/en/project_examples.htm

parties¹, which are until nowadays trying to alienate people from each other. Also, a number of ordinary people strongly and emotionally accepted the propaganda of nationalistic concepts and mostly through social networks² - where there is ascertain physical detachment from reality, and thus the physical security and anonymity - spreading hatred and exclusivity more than any Bosnian ethno-national ideologist³. On the other hand, the biggest stopper to reconciliation is the attitude towards the war victims. Victimizing the speech of their own victims and martyrs, and political bidding of their number - the more, the better - is leading into a more difficult homogenization of the ethno confessions.⁴ Unfortunately, political parties are leading in those rhetoric speeches⁵. Often they just resist the recognition of members of their own collective guilt for the suffering of others, but also forgiveness for

others suffered harm. Most often out of concern for the possible loss of authority and influence among members of its own team. The other biggest obstacle to reconciliation is the perception of shared history. Today, in Bosnia there are three national images of history, all based on the pseudo images. The way in which the war ended, has enabled each of these three pseudo-histories to conquer a political, ideological and educational space for itself. (I. Lovrenović).⁶ Religious communities in this process played an important role as guardians of the collective historical memory.⁷ Due to the ongoing unfavorable historical circumstances, those collective memories are now preserved as a collective resentment and they remain one of the biggest barriers for reconciliation in Bosnia and Herzegovina. This syndrome resentment must be met critically and cured carefully. Zeljko Mardesic says, "Today's peace in the world is mostly being threatened by unfinished wars of the past, which continue in the minds of injured communities, peoples and individuals."⁸ Leaders

1 Ibid

2 Nidzara, A. (2016, September). Bosnia: Dangerous referendum ignores real problems. Euobserver. Retrieved from <https://euobserver.com/beyond-brussels/134976>

3 Pesic, V. (1996). Serbian Nationalism and the Origins of the Yugoslav Crisis. UN Institute of Peace. Retrieved from https://www.files.ethz.ch/isn/30963/1996_april_pwks8.pdf

4 Ibid

5 Bodo, W. (2015). A report from Atlantic Initiative & Democratization Policy Council. Retrieved from <http://democratizationpolicy.org>

6 Ibid

7 Janine, N. C. (2010). Religion and Reconciliation in Bosnia & Herzegovina: Are Religious Actors Doing Enough? Pp 671-694. Retrieved from <http://dx.doi.org/10.1080/09668131003737019>

8 Zeljka, B. (2002). Peace in Croatia. Retrieved from <http://www.rsp.hr/ojs2/index.php/rsp/article/view-File/178/1029>

Catholic-Croats and with the advent of the 16th century, Sephardic Jews¹ were added as a fourth. Among their followers, these religions had produced a climate in which a sense of acceptance, affirmation and recognition of the other and different was a positive and constructive society. The tradition of coexistence between Jews, Orthodox, Christians and Muslims in Bosnia and Herzegovina was present for more than 500 years.² Members of the three revealed religions lived together, with each other, in the same city, street, apartment block etc... Before the war in Bosnia there were no national, cultural and denominational homogeneous spaces. But, nowadays the situation is different.

The Process of Reconciliation in Bosnia and Herzegovina:

After the war and the horrible massacre that took place in Bosnia and Herzegovina (1992-1995)³, is not easy to continue to live together. Religious communities see salvation in continuing religious dialogue. The

war relations between members of different religious and ethnic groups are still strained. The consequences of the atrocities that were committed to each other have not yet been fully overcome. A large number of notable people with whom I spoke during this study believes that the key process of reconciliation for the Bosnian future, should be encouraged by religious communities, for two reasons: (1) core message of religions, the message of peace; and (2) religious communities still have a great influence on the formation of the Bosnian reality.

The impression is that those religious communities have not yet adequately responded to this challenge, and to make a lot more. Bosnian citizens see the lack of authentic spirituality and tying religion and nationalism as the biggest obstacle to reconciliation. It must be admitted that there is a good number of charismatic clerics in Bosnia engaged in the process of reconciliation, but there is still much work left to be done on this field. Before stepping deeper into the theme of reconciliation, many skeptics will first ask whether, after a bloody, still in mind present war experience, reconciliation in Bosnia and Herzegovina is possible at all? Some claim that it is possible to reconcile the relationship between ordinary people and impossible between the ethno-nationalist

1 Finci, P. (2014). A Sephardic Culture in Bosnia. Retrieved from www.elmundo-sefarad.eu

2 Centropa. (n.d.) Jews in BiH. Retrieved from <http://centropa.wixsite.com/sarajevo/jews-in-bosnia-herzegovina>

3 Institute for Genocide (2011). Aggression against the Republic of Bosnia and Herzegovina and Genocide against Bosniaks. University of Sarajevo, BiH. Retrieved from <http://instituteforgenocide.org>

Introduction:

More than twenty years after the end of the war in Bosnia and Herzegovina, building trust and reconciliation remains one of the most important objectives. The matter of peace building and reconciliation represents a key issue in the post-war Bosnian society. The future of the country depends on an appropriate reconciliation process. It is more than obvious that these issues are not popular in Bosnia for the reason that the wounds are still fresh after all these years. Through recent years there have been several initiatives aimed at achieving full reconciliation. Unfortunately, they were often short-lived, due to the lack of information and wrong approaches. Therefore, the problem remains a not sufficiently investigated topic and the literature does not give us a full picture of the existing problem. Much has been written about the course of events that led to the tragedy of the war in Bosnia-Herzegovina instead of concrete objectives for problem solving. The most prominent writers in relation to the research were focusing generally on challenges for dialogue, desired goals and outcomes, and possible effects of interfaith dialogue on participants. They were looking at it from a global perspective whereas they should be more locally oriented and well informed. In view of

that, this research explores the nature of the problem. The main focus was thrown on religious communities, impact and implications of interfaith dialogue, because religion and religious communities have a major impact and significance in the process of reconciliation. They are considered as a valuable asset. However, this topic of interfaith dialogue as a means of reconciliation is a complex and broad field of study. Due to the limitations of space and time, this research is only offers a primary overview of the current situation.

Multiculturalism and Coexistence:

Bosnia and Herzegovina is a country and a society with centuries of multicultural continuity. The tradition of Bosnian multiculturalism can be traced back to the Early Middle Ages¹. The world's largest religions, cultures and civilizations have met on the territory of Bosnia and Herzegovina². It consists of three confessional contexts: Bosniak Muslim, Serbian Orthodox, and

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- 1 Causevic, Dz. (2005). *Legal and Political Development of Bosnia and Herzegovina*, Sarajevo, p. 27.
 - 2 Maya, S. (2002). *Islam and Bosnia: Conflict Resolution and Foreign Policy in Multi-Ethnic States*. Montreal: McGill Queens, University Press, pp. 98-135. Retrieved from <http://www.heritage-sense-agency.com/assets/Uploads/sg-7-09-riedlmayer-from-the-ashes-en.pdf>



Implications of Interfaith Dialogue to Social Peace and Cohesion in Bosnia

By Vahid Suljic

Abstract:

Bosnia remains a problematic area far from true reconciliation and with other numerous unsolved problems. The aim of this research is to identify what are the implications of interfaith dialogue to social peace and cohesion in Bosnia. The key questions addressed in this research are threefold. Firstly, can the interreligious dialogue be a key factor in social reconciliation and building a more sustainable future for Bosnia? Secondly, what are the factors that influence the stagnation of post-conflict social and economic

development of Bosnia and Herzegovina? Thirdly, in the worst-case scenario, if religious institutions prove powerless to reach national reconciliation, what is the alternative solution? The study will reveal that the religious communities in Bosnia have enormous potential for properly addressing the reconciliation impediment, but they have not yet adequately responded to this challenge. Lastly, the study will help future intermediaries, governments, NGOs, and policy makers to effectively address the problem.

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that Prophet allowed a converted Muslim to return to his previous faith without *pressuring* him to retain Islamic faith or giving him any capital punishment.

However, in some, apparently paradoxical situations, apostates were met with 'sword', because those incidents, apostasy was not result of one's 'intellectual' decision, rather it was political, accompanied by the act of treason and grave threat to the state and public order. In view of the concept of 'right to belief' in Islam, the constructive practice of *intercultural* and *interfaith* dialogue is a constructive expression of our God-given nature. It sheds light on the proper relationship of a Muslim to those of different faiths and cultures. In short, it gives a hope that we may learn how to live together in our increasingly multicultural and globalized international society based on dialogue while respecting each other rights.

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8. Haleem, Muhammad Abdel. 1999. *Understanding the Qur'ān: Themes and Style*, London and New York: I.B. Tauris.
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11. Kurucan, Ahmet., Kasım, Erol Mustafa. 2012. *Dialogue in Islam*. London: Dialogue Society, pp. 77-79 Khan, Majid Ali. 1998. *Muhammad The Final Messenger*. New Delhi: Islamic Book service.
12. Margoliouth, D.S. 1905. *Mohammad and the Rise of Islam* (third edition). New York, London: G.P. Putnam's sons; The Knickerbocker Press.

of 'religious freedom'. Is not an end but it is a means to achieve dialogue, which in turn promote exchange of values, commonalities, mutual understanding, and peaceful coexistence? If one realizes that compelling people to believe against their will has no place in Islam, he (she) will logically become tolerant towards people of other faiths.

- **Cooperation:** This principle leads to 'inter-community action'. Once, there is equality, mutual respect, and tolerance, joint-cooperation is a natural consequence. It is a point, where two parties have acquired a level of trust to work with each other for a common good. It paves the way for 'dialogue of action' not only between those specific two parties, but with others as well, so that all may cooperate in laying down the foundation for peace and stability at global level.

Conclusion:

During this paper, numerous statements from the sacred texts of *Qur'ān* and *hadith* have been referred to reason out that Islam provides an unyielding base for human rights, in particular to right to freedom of religion. The Islamic theology advocates *anthropocentric* understanding of the universe. It believes, among whole creation, only human beings, holding centrality, are bestowed with rational capacity and *free-will* which make them dignitary

beings by natural characterization. Thus, dignity and liberty, furnishing ethical, theological and practical basis of *rights*, from an Islamic perspective, are not granted to humans just because UN countries signed UDHR in 1948 or OIC signed CDHRI in 1990 as a Muslim response to *West-oriented* UDHR. Rather, the *rights* are bestowed upon human beings since God created the first 'human couple', namely Adam and Eve, and sent them on earth with honour and dignity. Implying, the concept of *rights* is 'core element' to Islam's universalistic faith-based structure and not an outcome of any socio-political *incident* or consolidation between nations and peoples.

The discussions above reveal the *divine* nature of the relation between 'right to belief' and Islamic theology. It resolves, God has created *diversity* of faiths and categorically denounces the assumption that diversity is *essentially* result of *satanic* endeavour. When one looks upon the 'civilizational framework' of Islam through Prophetic paradigm to find that to what extent people could express their *differences* with Islam, it becomes crystal-clear how artificial and false the often-expressed view that Islam is an *exclusivist* religion is. Moreover, the alleged 'consensus' in the views of classical Muslim jurists, expressed over the centuries, concerning the issue of capital punishment of apostasy is also subject to *question* in view of the *hadith* which mentions

engage in ‘dialogue of action’ with their fellow human beings from different cultural and religious groups. It is a context in which Muslims are asked to express their support for *dialogue* so that they will be able to talk to and listen to each other, getting to know and learning to understand the ‘other’. Simultaneously, it can enhance their understanding of being Muslim because, by *contextualising* themselves among ‘others’ who are different, they can see their beliefs, values and identities more clearly. In this context, I see dialogue as an integral process of any religious development in Islam. As such, dialogue needs to be *revived* and not *invented*. Thus, within the framework of ‘religious freedom’, dialogue is a natural demand that cannot be ignored. However, there are other requirements, which are necessarily to be filled to make dialogue more meaningful and more practical. These requirements are basically *outcome* of accepting paradigm of ‘religious freedom’ from Islamic perspective. Some of these requirements are as following:

- **Recognising Equality:** According to Islam, all human beings are equal in terms of basic human dignity and form one family. They all belong to same parents Adam and Eve. Thus, all humans are fundamentally equal before law and justice, without any discrimination based on race, colour, language, belief, sex, re-

ligion, political affiliation, social status or other considerations (*Qur’ān*, 49:13). When principle of *equality* is observed in context of ‘religious freedom’, it implies that for a reason of being *Muslim* does not give anyone special privileges over ‘other’. Having a preconceived notion of being superior and treating ‘other’ with a sense that he (she) is a ‘lesser human’ must be shunned down at first place. It will automatically change meaning and form of entire dialogue process.

- **Mutual Respect:** Again, I will mention the same point that mere recognition of ‘other’ is not sufficient to achieve goals of ‘religious freedom’ until there is no respect for ‘other’, along with his (her) religion, faith, beliefs, customs, traditions, civilization and cultural characteristics. It is worth to mention, after equality, such ‘mutual respect’ will form a concrete basis for any sustainable dialogue and cooperation between the two parties engaged in dialogue. Sometimes the principle of ‘mutual respect’ is mistaken with agreeing for everything. However, that is not true understanding of the principle. It determines the willingness of each party to listen to the other and to accept in a constructive way his (her) ideas or criticism.
- **Tolerance:** The principle of tolerance is an essential outcome

whole discussion?" And, the second question is, "How that *outcome* can be applied as a 'structural framework' to determine the present strategy concerning engaging different religions and cultures in the process of dialogue?" So, answering to first question, I will say, the *outcome* is a 'pragmatic approach' to understand the law of nature. An *inclusive* rational thinking, guided by theological preferences, that human creation is based on the *universalistic* law of diversity- representing multiplicity of race, colour, gender, religion and culture. A transformation of thought, accepting diversity not as a devilish characterization, rather, a phenomenon based on *divine* wisdom. Moreover, the *outcome* is a belief that we all humans share a common origin, the God, who manifested His *will* in the form of creating diversity. Therefore, accepting 'religious difference' with due respect is positive state of one's faith. Just because, the theology you believe affirms *truth* of your religion, does not mean all *other* religions are *false* and must be suppressed or wiped off. If anyone (in this case, any Muslim) tries to do that, he (she) is basically desecrating the established principles with regard to 'religious freedom' and that way making mischief and going against the law of nature.

While answering to second question, I will say, knowing the fact that we all, including both Muslims as well as non-Muslim, are in-

separable and interrelated part of the *universalistic* law of diversity; we should abide to centrality of the law and its derivative formulations. Practically, it would mean that *we* (Muslims) consciously accept that 'living together' with a higher sense of *belongingness* is the only preference we are left with. It is the only way to accomplish the goals of common good. To serve that purpose, there emerges a logical requirement of active interaction and exchange. And, the best form of interaction, in case of actualizing the principle of 'living together' is none other than *dialogue*. Only dialogue has the capacity to connect people, to engage them, and allow them to understand each other with a mutual sense of love and respect. Thus, if there is no provision of diversity, there is no provision of dialogue. And, if there is no dialogue there is no peace. Dialogue is a natural manifestation of diversity. And, a *constructive* dialogue is result of a *respected* diversity- one positively supporting the other. This is an established principle. Now, it is responsibility of every individual Muslim to explore the many ways, informal or organised, in which they can take part in dialogue. The experience of engaging with people of other faiths and cultures will enrich their experience as Muslims.

The phenomenon of 'religious freedom', approved by *Qur'an* and the *Sunnah* is a humanistic religious call that all Muslims need to

even accept a gross contradiction between what Prophet is reported to have *said* and what Prophet is reported to have *done*. Because, there is one authentic *hadith*, reported by Imam al-Bukhari, which mention that a man who came to Medina and converted to Islam. After some time, this man wanted to return to his former religion and asked the Prophet for permission to do so. The Prophet let him leave freely without imposing the death penalty or any other punishment.¹

To my understanding, the possible agreement between two *seemingly* contradicting sides is that if a person changes his (her) religion because of 'intellectual' pursuits, not intending any hostility or enmity toward Islam and Muslim community, would not trigger any temporal punishment. However, if apostasy is motivated for political or other interests and, is in fact, threatening the security and stability of the established 'Islamic state' and its governance structures then state has right to defend its political stability.² In the former case, neither state nor society has any right to interfere in matter of choosing faith. And, in the

latter case, state can make any punishment, after properly following the procedure of criminal justice, but, again, state has no right to compel him (her) to return to religion of Islam.³ From the discussion, it is evident that categorisation of *irtidad* as a capital crime was neither given in the *Qur'an* nor was it part of the Prophetic Sunnah. Thus, the current position of categorising *irtidad* as a capital crime is an *ijtihad* of the classical scholars and jurists. And, *ijtihad* has always a scope of change.

Diversity and Dialogue: Religious Freedom Promotes Interfaith Relations

In the preceding discussions, I explained the Islamic position on human rights, particularly the 'right to belief'. Moreover, I shed light on *apostasy* and presented the issue in its historical context to prove that apostasy was never dealt with capital punishment until it has some political motivation. Now, two important questions arise here which need to be answered to make the whole historical discourse relevant to present situation. The first question is, "What is the *outcome* of the

1 Sahih al-Bukhari ,Volume 9, Book 92, No, 424.

2 For example, the wars fought by Abu Bakr known as ridda wars were more political and less religious. The communities not just apostatized but also rose against the central government and actively participated in political acts of rebellion against the state.

3 I have inferred my opinion from one of the hadith on apostasy narrated by A'ishah more specifically. Her version states: 'And a man who leaves Islam and engages in fighting against Allah and His Prophet shall be executed, crucified or exiled.' This hadith is reported by Abu Dawud, in his Sunan Abu Dawud, book 33, No, 4339.

According to Alalwani, one of the leading experts on Islamic jurisprudence, the affirmation of apostasy through various periods of history has constituted a *prevailing* notion in the entire Muslim world that there was ‘consensus’ concerning the ruling of capital punishment over apostasy.¹ However, this *prevailing* notion is based on a generalized historical preposition that has got no basis in *Qur’ān* and *hadith* as such. The *Qur’ān* refer to apostates as those led astray by Satan (*Qur’ān*, 47:25), those who will not be forgiven or given guidance unless they repent (*Qur’ān*, 4:137), those who will be punished in this world and the hereafter by Allah Himself (*Qur’ān*, 9:74; 2:217; 3:176-7), and those who will be forbidden to enter paradise (*Qur’ān*, 5:72, 3:85). None of the verses referred above makes any mention of capital punishment for the sin of apostasy; nor do they mention that in case of refusal to return to Islam an apostate must be killed. Hence, it could be said conclusively, the only concrete punishment for apostasy that the *Qur’ān* consistently sanctions is Hell Fire.

1 Alalwani, Taha Jabir. 2012. *Apostasy in Islam: A Historical and Scriptural Analysis*, London: International Institute of Islamic Thought, pp. 4-5.

25. Alalwani, Taha Jabir. 2012. *Apostasy in Islam: A Historical and Scriptural Analysis*, London: International Institute of Islamic Thought, pp. 12.

However, there are few Prophetic reports, another binding source of clarification, available regarding capital punishment over the issue of apostasy. It is quite interesting to note, during life time of the Prophet there happened hundreds of cases of apostasy but in no case, did the Prophet respond by calling for death of the apostate. To put it in Alalwani’s words;

“if he (Prophet) had known that he had been commanded to kill those who apostatized from his religion and that this was a ruling from God, he would not have hesitated to carry out this ruling for any reason whatsoever”.

Now, coming to few solitary verbal statements of the Prophet to kill an apostate, the first thing that I would like to clarify is that these verbal statements have to be seen in a specific socio-political context. And, by principle, if *context* is ignored means *application* is ignored. For examples, if canonical statements like, “If anyone changes his (her) religion, put him to death”² are considered at their literal understanding then we accept contradiction *Qur’ān* between and *hadith*- otherwise mutually supporting sources of evidence- because *Qur’ān*, in clear words, talks about ‘non-coercive’ policy in religious matters. Furthermore, we have to

2 Sahih al Bukhari, Volume 9, Book 84, No. 57.

Najran' puts an illuminating proof for all those, both Muslims and non-Muslims, who think that Islam does not permit other faiths to *exist* within its power jurisdiction and advocates a state of perpetual war. Notwithstanding disagreements, the Prophet gave them accord that, "No bishop shall be removed from his bishopric, no monk from his monasticism and no devotee from his devotions. Whoever fails to follow these rules will be violating God's treaty and opposing His Messenger. [...] No Christian shall be forced to convert to Islam. [...] If they (Christians) need help from Muslims with repairing their churches, monasteries or any other religious or worldly business, Muslims shall help them without placing them under any obligation; help and support for their religious needs shall be provided out of abiding by the promise of God's Messenger, as a donation and as God's grace."¹ The tune of the language used by the Prophet in the Charter is not mere political. Instead, it holds a deep ethical and moral base. Its content is universalistic in appeal and sketches the real picture of Islam regarding the concept of religious freedom.²

1 Ibn S'ad. 2009. *Tabaqat al-kubra*, Quoted by "Asif Hussein, in *Tolerance in Islam, Muslim Women's Research and Action Forum*, 2012.

2 For further details regarding covenants signed in the formative period of Islamic civilization please consult *Islam*

Religious Freedom and the Question of Apostasy

In the preceding section, I referred to verses of the Qur'an and then pointed out some practical evidences from life of the Prophet to underline the fact that Islam laid down the principles for building a multi-religious community where every individual is *free* to practice his (her) religion without any *outside* pressure. However, the contemporary position of Islamic jurisprudence concerning the ruling of apostasy (*ridda*)³ has drawn severe criticism from different international human rights agencies. This criticism is based on the principle that religious legitimization of capital punishment (*hudud*) against one who leaves Islam and converts to some other religion or turns atheist is clear violation of human rights, particularly 'right to belief'. Thus, in such a controversial situation, it is imperative to approach Islamic position on apostasy methodologically so that facts are established considering text and context and delusion of juristic "consensus" over apostasy is wiped off.

and *Religious Freedom: A Sourcebook of Scriptural, Theological, and Legal Texts* edited by Mathew Anderson and Karen Taliaferro. The book is published by Berkley Center for Religion, Peace & World Affairs, Georgetown University, 2014.

3 The Qur'anic term *irtidad* or *riddah* is used in a sense to retreat from and openly shun down Islamic beliefs.

we are Muslims.”¹ In the concluding part, after *dawah* (invitation) to understand the message of Islam, the Prophet kept it at the *free will* of people to accept it or not. The content and context of these letters outline the fact that Prophet never used his missionary efforts as a war-tactic to suppress the religious freedom of the people. It is quite important to mention that, if there had been any scope of *suppression* of religious freedom than Prophet would have never said, “*I have conveyed the message, and it is up to you to accept it (or not)*”. Thus, this statement stands *torchbearer* for all Muslims, guiding them to maintain tolerance, respect and civility and shun down acts of violence and hate.

Now, I will take another case, where Prophet wrote to one of his emissaries while guiding him on maintaining relations with Christians of Mount Sinai. In the letter, historically referred as ‘Charter of Privileges’, the Prophet has stressed the protection of fundamental rights of minorities, particularly ‘right to belief’. Every single clause of this charter appreciates *coexistence* of faiths and promotes sense of *belongingness* between Muslims and Christians. For example, the mention of, “Verily I (Mohammad), the servants, the helpers, and my

followers defend them (Christians), because they are my citizens; and by God! I hold out against anything that displeases them. No compulsion is to be on them. Neither are their judges to be removed from their jobs nor their monks from their monasteries. No one is to destroy a house of their religion, to damage it, or to carry anything from it to the Muslims’ houses. Should anyone take any of these, he (she) would spoil God’s covenant and disobey His Prophet”² in the *covenant* is quite remarkable. The Prophet, who stands highest legal authority next to *Allah*, provides maximum constitutional space to Christians so that they could freely practice their religion without any state interference. Not to mention of hurting or insulting their religious beliefs, even to carry *anything* from their Churches was treated as act of breach to the covenant.

In the concluding part of this discussion, I will refer to yet another unparallel example outlining the scope of religious freedom in Islam known as ‘Treaty of Najran’. It is quite interesting to note, the treaty was not conclusion of agreements, rather, an outcome of *disagreements* between the Prophet Mohammad and notable scholars and chiefs of the Christians of Najran over *different* religious issues. The ‘Treaty of

1 Margoliouth, D.S. 1905. *Mohammad and the Rise of Islam* (third edition). New York, London: G.P. Putnam’s sons; The Knickerbocker Press.

2 Ahmad, Sakr. 2010. *Muslim and Non-Muslims, Face-to-Face*. Lombard IL: Foundation for Islamic Knowledge.

ple.” This first article is quite appealing to all *dialogue* theorists. Through introducing the concept of ‘one community’, people of all faiths were considered equal ‘participatory citizens’ under the reformed Medinian society. It encouraged all parties, regardless of their religious backgrounds to cultivate the atmosphere of coexistence mutual trust in their relations and initiated the process of transforming community conflicts into peace through respecting each other’s religious differences.¹

- Article 25: In this article it is mentioned that “*the Jews have their religion and the Muslims have theirs*” which outlines the fact that any means of coercion and interference in religious matters is intolerable in all circumstances. Moreover, it guarantees that Jews are free to abide to their religious beliefs and Muslims to theirs, which is a clear evidence of religious freedom in the formative period of Islamic tradition.

1 It is noteworthy that during Indo-Pak division, Mawlana Hussein Madani, then President of Jamaat Ulama-i-Hind, refused Jinnah’s two-nation theory on the grounds of composite nationhood (*muttihadah qaumiyyat*). In support of his argument he quoted *methaq-i-Medina* and referred to the concept of composite community (*ummatunwahidah*). He called it the predecessor of the modern concept of nation.

Similar to the ‘Charter of Medina’, we have other historical examples in the form of *letters* that Prophet wrote to different kings and his emissaries.² The characteristic feature of these letters is that they have almost same *content* and *articulation*. Here again, I will just discuss that part of the subject which is significantly relevant while avoiding other details. For example, while writing to King of Abyssinia, the Prophet wrote, “I invite you and your people to Allah, the Mighty, the Glorious. I have conveyed the message, and it is up to you to accept it. Once again, peace be upon him who follows the path of guidance.”³ And, similarly, Prophet wrote to Muqawqis, the King of Egypt and a Coptic Christian, “I invite you to accept the message of Islam. Accept it and you shall prosper. But, if you turn away, then upon you shall also fall the sin of the Copts. [...] And if they turn away, then say: Bear witness that

2 Historians have reported that about 25 letters were sent by the Prophet to various rulers and tribal leaders and among them we see the following names: Dihyah al-Kalbī sent to Heraclius, the Emperor of Byzantine; `Amr bin Umayyah Zamrī to the Negus, the King of Abyssinia; Hāt’ib bin Abī Baltā’a sent to the Muqawqis, the King of Egypt; and the tribes of Ghassan and Ḥanīfah (in northern Arabia)

3 Khan, Majid Ali. 1998. *Muhammad The Final Messenger*. New Delhi: Islamic Book service.

a year on a condition that Prophet reciprocates the same. In response, the 109th *Qur'ānic* chapter was revealed, ordering the Prophet to tell the disbelievers: "I do not worship those that you worship, nor do you worship Him Whom I worship [...]. To you is your religion, and to me, my religion." This precise chapter, according to Kamali, stands clear proof that *Qur'ān* convincingly accepts the scope of religious *pluralism* in Islam.¹

Now, after having analyzed the theoretical framework, I will straightway move to the practical side of the *question* under discussion. And, that practical side is life (*seerah*) of the Prophet- *the actual reference model*- that reflects practical application of *Qur'ānic* injunctions on religious freedom. So, I will start this part of discussion with one of his blessed sayings, "God's most favoured religion is the tolerant true religion (*al-hanāfiyyah al-samḥah*)".² This *hadith* of the Prophet provides a moral baseline with regard to principle of *tolerance*, which, of course, includes tolerance towards adherents of other faiths and attest

Islam's affirmative stance on pluralism.³ While referring to paradigmatic life of the Prophet, with regard to 'right to belief', the first thing that need much emphasis is the historical agreement signed between Muslims, Jews, Christians, and idolaters of Medina known as 'Charter of Medina' (*mithaq al-Medina*).⁴ This document established a relation and *value-system* that connected people of Medina through religion and citizenship. Based on 47 articles, the 'Charter of Medina' was a roadmap for the newly established *pluralistic society* of Medina to ensure harmony, stability and peaceful coexistence among diverse groups. The charter, inter alia, maintained protection of fundamental human rights such as equality, cooperation, freedom of conscience and freedom of religion for all citizens of Medina.⁵ Here, I will just refer to two articles of the constitution that are directly relevant to our discussion.

- Article 1: "They (all parties to covenant) are a single community (*ummah*) distinct from (other) peo-

1 Kamali, Mohammad Hashim. 2009. Diversity and Pluralism: A Qur'ānic Perspective, *Islam and Civilisational Renewal: Islam And Pluralism*. pp. 24-54.

2 Cf., Muhammad Abdel Haleem, *Understanding the Qur'ān: Themes and Style* (London and New York: I.B. Tauris, 1999), 74; see also *Encyclopaedia of Religion and Ethics* (1921), 12: 360.

3 Alatas, Syed Farid, 2008. *An Islamic Perspective on the Commitment to Inter-Religious Dialogue* (Kuala Lumpur: International Institute of Advanced Islamic Studies, pp. 14.

4 Akram, Diya al-Umar. 1995. *Madinan Society at the Time of the Prophet*. Islamabad: International Islamic Publishing House.

5 Kurucan, Ahmet., Kasim, Erol Mustafa. 2012. *Dialogue in Islam*. London: Dialogue Society, pp. 77-79

al-dīniyyah)¹ underline the fact that Islam fundamentally encourages the creative perception of *living together* and embracing the dynamics of *multiplicity* positively. This recognition of religious *pluralism* basically establishes the legal and moral underpinnings of “right to belief” in Islam. The mode of divine articulation that “*had your Lord willed*” is self-sufficient evidence that *diversity of faiths* is not an accidental manifestation or outcome of human manipulation. Instead, it is the God’s divine *will* that empowered *humans* with intellectual and rational capacities to *accept or reject* in the matter of choosing a particular religion.² Thus, making a ‘choice in choosing’ is basically outcome of man’s personal verification of shift towards either of the sides; from truth (*al-haq*) to falsehood (*baltil*) or vice versa. And, any form of *coercion*, in clear terms, is indeed a denigration of his (her) freedom and a violation of his (her) dignity.³ Negat-

ing the idea of compulsion in choosing a religion, the *Qur’ān* says:

“Let there be no compulsion in religion. Truth has been made clear from error (Qur’ān, 10:99)”

“So, if they dispute with you, say ‘I have submitted my whole self to God, and so have those who follow me. ...But if they turn away, your duty is only to convey the message. And in your God’s sight are all of His servants (Qur’ān, 3: 20).”

As a matter of fact, it is through man’s *free-will* to accept or to reject that he (she) can be tested and held accountable for his (her) undertakings and actions in the life hereafter. Thus, denouncing *free-will* would logically tantamount to denouncing the concept of man’s accountability for his (her) actions.⁴ It would not be out of place to mention that Islam’s commitment to freedom of belief was put to *test* right in the early Meccan period of Islam. What happened actually, a group of pagans came to the Prophet with a proposal of worshipping *Allah* for

1 This term is used by Dr. Yusuf al-Qara’awīn in one of his research papers titled “Pluralism from the Islamic Perspective” at a conference in Amman, Jordan in 2005.

2 It must be noted, accepting diversity of faiths does not mean that Quran affirms the notion of “all religions are equally true before God”. The Quran promotes the absolute truth of Islam. Nevertheless, it keeps the choice with every individual to accept the truth or to reject it.

3 The Prophet is directed to adopt this principle in his dawah (inviting people

to Allah) methodology. The Qur’an repeatedly reminded Prophet that he did not have the authority to force people to convert to Islam; rather, conversion was a choice that individuals should make for themselves (see Qur’an 24:54).

4 While explaining of freedom of belief as a Qur’ānic authorization, al-Qara’awī maintains that any form of coercion compelling people to accept Islam or any other religion is violation of freedom of religion and an act of sedition (fitnah).

relations corresponds to *pluralism*, which can be used to legitimize the concept of 'right to belief' in Islamic tradition. And, to support my argument, I will profoundly refer to two basic sources of Islam; *Qur'ān* and *hadith*.¹ Firstly, I will enumerate some of the *Qur'ānic* principles regarding the issue of *religious freedoms* authoritative statements, with the aim to give an account of Islamic perspective on 'right to belief'. Secondly, I will refer to that paradigmatic period of Islamic history which Prophet of Islam himself referred as "best period" (*khair al-quroon*), in order see how this *reference model* understood and applied the concept of 'right to belief' both theoretically and practically.

The *Qur'ān* provides a three-fold basis, philosophical, moral and legal, to defend *religious freedom*²

1 Islamic sources are classified in the descending order of their importance and authenticity. The Quran (word of God) and hadith (sayings, doings and tacit approval of the Prophet of Islam) are called as basic sources and stand at the top. They are followed by ijma (consensus of learned people), qiyas (analogical deduction) and ijihad (independent juristic reasoning) called as subsidiary sources. Then comes auxiliary sources such as maslahah mursalah (public good), istihsaan (juristic equity), dhurrah (essential), hajiyyah (complementary) and tahsiniyah (embellishment).

2 To protect and promote religious freedom, two conditions are necessarily to be fulfilled. The first one is that every individual should be given right to

and enable Muslims to live in peace with non-Muslims- the religious 'other'. Thus, it may be said that *diversity* of faiths is an entrenched feature of religious philosophy of the *Qur'ān*. At numerous places, *Qur'ān* explicitly mention about embracing the nature of religious diversity and corresponds repudiation of rights of 'other' to hold beliefs not compatible to Islam to utter denial of God's absolute divine wisdom (*hikmah*)- Who Himself created diversity and willed it to prevail. In that effect, *Qur'ān* says:

"If your Lord had so desired, all the people on the earth would surely have come to believe, all of them; do you then think, that you could compel people to believe? (Qur'ān, 10: 99)"

"And had your Lord so willed, He could surely have made all human beings into one single community: but (He willed it otherwise, and so) they continue to hold divergent views (Qur'ān, 11:118)."

"He it is Who created you; some from among you are disbelievers and some of you are believers (Qur'ān, 64:2)."

"And proclaim: this is the truth from your Lord. Now whosoever wills, let him believe, and whosoever wills, let him disbelieve (Qur'ān, 18:29)"

These authoritative and clear-crystal assertions vis-à-vis religious *pluralism (al-ta'addudiyah*

accept, change or deny any religion or value anytime he/she wants. And, the second is that state should remain neutral with religious life.

by other two important concepts; one is related to the human *form* and other the human *essence*. The first one is “*fundamental oneness of all human beings*” that implies all human beings share common origin, therefore, they are equal insight of God (*Qur’ān*, 49:13). And, second one is “*divine quality of human spirit*” that implies God has manifested many divine attributes in humans. Combining these two principles with *karamah*, what comes out logically is that dignity is innate in every human being regardless of national, religious or ethnic affiliation.

The principle of *karamah* broadly ascertains four types of dignity that *Allah* has bestowed upon humankind. First is individual dignity (*karamah fardiyah*) which guarantees spiritual, psychological and material development of human personality. Second is collective dignity (*karamah ijtimaiyyah*) which means all human beings are of socially important and equal regardless of their religious or ethnic background. Third is political dignity (*karamah siyasiyyah*) which implies every individual has right to elect and to be elected for a political position. And, fourth is economic dignity (*karamah iqtisadiyah*) which means every individual has right to work and earn. These four concepts have been thoroughly elaborated in order to develop a link between Islam and fundamental aspects of

human rights: right to life, right to honour, right to freedom of religion, right to freedom of expression, right to equality, right to justice, right to own property, right to work, and right to education and instruction.

As referred above, all kinds of rights are equally important in Islam. However, given the vulnerability of present ‘conflict situations’ associated with religion, particularly Islam, the “right to belief” has unleashed a fierce debate ever since. Different narratives have generated around the question. The overwhelming notion is that, Islam is ideologically fanatical and advocates aggressive proselytization methods. As such, Muslims are intrinsically *intolerant* toward the people of *other* faiths. In the next section, I will approach this problematic ‘generalization’ about Islam through content analysis method to find out what Islam has to say about issue of ‘religious freedom’.

Religious Freedom in Islam: Analysis of Theoretical Framework and Practical Evidence

In the preceding section, it was outlined that concept of human rights in Islamic tradition is fundamentally engrossed in its *sources*. These *sources* configure the entire structural foundations of Islam ranging from religious to social, spiritual to material, and ethical to political. Islamic view on interfaith

the epistemological and theological teachings, Islam asserts that human rights are essentially divine in nature. For that matter, the Islamic Law (*shari'ah*) speaks in clear words that adopting human rights (*huquq al-'ibad*) is a prerequisite to attain *required* state of worship (*'ibadah*) and approved God-consciousness (*taqwa*). The approach of entailing rights as a requirement for completion of the faith (*takmeel-i-emaan*), explicitly advocates that Islamic position on human rights is technically different from the rest formulations generated around this concept.¹ It connects rights with spiritual and psychological dimensions of human personality, rather than, making it a mere state or constitutional dictate. Since, human rights in Islam are conferred by the *Allah*, the absolute sovereignty, therefore, no legislative assembly or any other governmental structure has the right to make

Allah), hadith (sayings, doings and tacit approval of the Prophet of Islam), ijma (consensus or unanimous judgement of scholars) and, qiyas (reason or analogy of a qualified scholar).

1 Since most of the member-countries of The Organization of Islamic Conference (OIC) had argued that, the language used in UDHR in 1948 is "western" in style and not appropriate to Muslim cultures. Therefore, in 1990 OIC drafted the Cairo Declaration of Human Rights in Islam on the foundational lines that, according to OIC, are universal in application but at the same time respect cultural relativism as well.

any change in the rights conferred by Him. And, no authority has right to abrogate or withdraw them. To say it conclusively, human rights in Islam, basically, form the basis for the religiously 'approved behaviour' while dealing with relations between man and himself, man and other people, and man the Universe.

It is also noteworthy that *Islamic* philosophy of human rights is fundamentally ascertained in the concept of '*karamah*' or 'dignity'. The principle of *karamah* is mentioned in the *Qur'an* in chapter 17 and verse 70 which says that "*Indeed we (Allah) have honoured (karamna) the children of Adam...and conferred on them special favours*". On one hand, it means humankind possess *dignity* because God has chosen *humans* for His blessed favour by making them special, in terms of form and essence, amongst other creations. On the other hand, it acknowledges the principle of *equality* and conveys Islam's appreciation for a universalistic human society free of prejudice and discrimination. Thus, just at the level of *being human* all people are equal in insight of God and deserve 'equal honour' regardless of religious, nationality or any other diacritical mark. Since, rights practically manifest human dignity, therefore, recognizing and respecting rights means honouring human dignity in true sense. The principle of *karamah* is supported

have *potential* receptivity towards *otherizing* the 'other'. Consequently, allowing its adherents (*Muslims*) to fight with 'other' (*non-Muslims*) for the cause of establishing the *divine* truth.

Notwithstanding all criticism, I argue that 'freedom of belief' is acknowledged in the epistemological and legal theory of Islam. It is inseparable component of its incredibly high ethical base. And, there is gross misunderstanding about Muslims and Islamic culture which demands intense academic discourse for a change in *perception*. Against this backdrop, this paper addresses three main issues: first, the *Islamic* position on the concept of 'human rights' in general; second, the viewpoint of Islam toward 'right to belief' in the light of *Qur'ānic* theory and Prophetic practice; and third, the role of 'religious freedom' in promoting the inclusive 'framework of action' for interfaith dialogue.

Islamic Perspective on Human Rights: Nature and Source

Human history is witness to the fact that Islamic civilization, right from its formative period, has contributed a lot to the development of the concept of human rights. Prior to The French Revolution's Declaration of the Rights of Man, Magna Carta, Bill of Rights and Universal Declaration of Human Rights, Islam unequivocally talked about rights

and freedoms.¹ Unfortunately, it stands largely unnoticed that Islamic concept of human rights, contrary to development of human rights in the West, is not a socio-political construct that has evolved out of a progressive historical process. It is neither absolute outcome of any intellectual "evolutionary process" nor a "total" response to some particular "negative" incident.² Rather, the fundamental underpinnings of human rights in Islam are deeply engrossed in epistemological and theological sources of the Islamic law.³ Thus, being *conceptualized* in

1 Human rights are fundamentally a secular concept and, hence, not compatible with Islam. This is how people, including many Muslims too, generally think about Islam's relation with human rights. In the recent years, the issue of "incompatibility" has been highly politicized, particularly after emergence of "political Islam" and "Islamophobia" discourses, which have fluxed the impression of "intolerant Islam" in the minds of millions of people. Thus, alleged incompatibility between the concept of human rights and religion of Islam needs to be examined in an unbiased way.

2 The Universal declaration of Human Rights was largely an immediate response to human loss during World War-I and World War-II. However, it was articulated along the lines of philosophical and historical trends that have shaped Western world during the last three centuries.

3 The sources of Human Rights in Islam are composed of four basic epistemological sources; Quran (Holy book of

in Islamic system is fundamentally an *inclusive* framework that guides both individual and community towards preserving their *specificness* without suppressing particularities of the 'other'. In this backdrop, the present paper is an attempt to analyze the 'right to belief' in Islam and the *constructive* role that it can play towards a *sustainable* dialogue process between Muslims and 'other'.

Key Words: *Human Rights, Right to Belief, Right to Belief in Islam, Inter-faith Dialogue*

Introduction:

Religious intolerance is the state of mind unwilling to accept 'differences' based on religious beliefs and practices. As a result, adherents of religion, individually or collectively, tend to cut-off all means of interpersonal and inter-community engagements- a reactionary psychological characterization based on *exclusivism*. This *reactionary* psychology gives blood and flesh to the phenomenon of *safeguarding* religion at the cost of violating and suppressing the *rights* of religious 'other'. In such a troublesome situation, the first thing that comes about, by default, is psychological construction of 'behavioural indifference' that further culminates into a set of *symbolized* religious identities. Each *symbol* is recognized of having a unique capacity of characterising the *differ-*

ence ostensibly. Consequently, the functional space of *values* and *rights* gets narrowed-down. And, challenges are raised to the universality, determinacy and efficacy of the concept of *human rights*. As matter of fact, when rights are either violated or subjugated, the fundamental nature of humanity- recognising universal *centrality* of humans and *subordinate* nature of all other beings- is inflicted with a trauma having profound psychological, spiritual and physical implications.

However, violence is not perpetual human proclivity. Thus, to reacquire the lost state of 'living together'- natural order of universe- and reconnect the 'broken links', serious efforts are being put to action in the form of *dialogue*. And, dialogue is the only way forward to encourage 'mutually progressive' relations between *religiously* different groups. Since, it isn't possible to enjoy peace and equal rights until all religious confessions are engaged *inclusively* and given opportunities of equal participation. Therefore, at the first place, 'freedom of religion' needs to be endorsed and all religious scripts, practices and symbols, treated with recognition and respect. However, in the post-modern secular world, psychology of religion, particularly Muslim psychology, seems intrinsically intolerant and violent. The religion of Islam, being a socio-political ideology, is allegedly believed to



The Concept of ‘Right to Belief’ in Islam: A Way Forward to Sustainable “Dialogue” Process

By Bilal Ahmad Malik

Abstract:

Notwithstanding the ‘violence’ and ‘extremism’ that has allegedly erupted in the name of Islam, particularly after 9/11, what has largely been unnoticed is the fact that Islam, both as religion (*al-din*) as well as civilization (*al-hadarah*), essentially ascertain the principle of justice, tolerance and coexistence. Considering these principles, there has been a constant effort from the *mainstream* Islamic representations to denounce the emergence and spread of all types of *marginal*

violent voices. In addition, for that matter, Islamic concept of ‘right to belief’, as an “inclusive” doctrinal structure and framework of action to engage with ‘other’, has received profound scholarly attention. Of course, debating ‘right to belief’ from an Islamic perspective positively communicates a range of characteristics (for example, love, tolerance, respect and mutual acceptance) that one needs to inculcate as a *believer*, and, equally, broadens the scope of ‘dialogue’ from experience to action. Thus, ‘right to belief’

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10. Saalih ibn Husain Al-'Aayir. 1428AH. *HuquuqGhairilMuslimeen fi BilaadilIslaam*. WazaaratulshShu'uunilIslaamiyyahwalAwqaaf wad Da'awahwallIrshaad, Saudi Arabia.

mine its effect on the society. Over the years, the Kaduna state government has been blamed for failure to effectively address the real causes of ethnic and inter-religious conflicts through traditional African norms of tolerance and mutually accommodating behaviours, such as debates and dialogue, true and genuine mediation and negotiation in order to ensure peaceful coexistence. The government was also accused of selective treatment and taking some of the sponsors of and actors in inter-communal and inter-religious crisis as sacred cows who cannot be dealt with decisively.

Many opinion leaders have pointed that the state has often embarked on a fire-brigade approach to respond to inter-religious and inter-cultural crisis by deploying security operatives in most cases the mobile police or military to quell these conflicts whenever and wherever they occur. The approach, which many stakeholders considered ineffective and inefficient has proved to be a near-complete failure as those involved in such crisis often disregard the presence of security personnel to carry out onslaught on their targets. In view of the foregoing, this paper argues that interfaith dialogue approach could serve as a better and more effective approach to preventing the occurrence of and managing inter-religious crisis in the state. The paper also posits that

in view of the religiosity of the good people of the state as indicated by the presence of many religious bodies and centres, and as attested to by several international organisations, scholars and clergies have an important role to play in facilitating peaceful coexistence among members of different religions through interfaith dialogue.

Conclusion and Suggestions

Kaduna is a multi-religious state in which people are free to practice the religion of their choice. As it is the case with countries and/or societies with adherents of different faiths, conflicts may occur from time to time between followers of the different religions, which will consequently threaten peace and security.

To achieve peaceful coexistence in the state, government should partner with Muslim scholars and leaders of other faiths to organise positive interfaith dialogue for adherents of different religions and members of different communities at all levels. The objective should be to make followers of different religions respect the religion of one another; and adhere to the teachings of their own faith regarding relationship with followers of other faiths.

ences among themselves and find a common ground away; unravel the truth to people; improve relations between different groups or even resolve conflicts; and give dialogists the opportunity to talk to and listen to each other, and make them to know and learn to understand the 'other'.

The Qur'an contains many examples of dialogues: between Allah (TWT) and His creations (2:30-32; 5:116-117); between prophets (AHS) and their people (6:74-83, 7:59-93, 104-128, 11:32); between a believer and a disbeliever (18:27, 40:28, 46:29-32); amongst believers (18:66-82, 58:1); amongst unbelievers (26:34-37); and between a human being and an animal (27:22-28). In the Hadith, the Prophet (SAW) mentioned the arguments of the believers with their Lord for their brothers who have entered the Fire [Nasaa'i]; and the dialogue of Prophets Adam and Musa [Bukhari] among others. The Prophet (peace and blessings of Allah be upon him) also dialogued with the young man who sought permission to indulge in fornication.¹ In addition, the great dialogues between Caliph Ali ibn Abi Taalib and Ibn Abbaas (may Allah be pleased with them) on the one hand and *Kharijites* on the other hand were documented in a number of sources.

Positive dialogue with followers

1 Reported by Ahmad

of other faiths in order to clarify issues, learn to understand the 'other', narrow the range of differences and improve relations between adherents of different religions is recommended for those who have knowledge. Scholars are well positioned to not only facilitate inter-religious dialogue but also positively engage in it. The Qur'an encourages dialogue between Muslims and people of the Book² and declares that the dialogue should be a positive one³. It also explains that positive dialogue is the basis for achieving a common ground between Muslims and followers of other religions.⁴ The Prophet (peace and blessings of Allah be upon him) on his part was reported to have dialogued with a Christian delegation from *Najran*.⁵

It is noteworthy that interfaith dialogue requires sound knowledge of the religion. It requires building trust and confidence in dialogists and making them understand that the objective of the dialogue is to clarify issues and advice, better understand the 'other' and improve mutual respect and peaceful relationship.

4. Reflection for Kaduna State

Conflict is part of every human community. However, its nature, management and resolution deter-

2 Qur'an, 16:125

3 Qur'an, 29:46

4 Qur'an, 3:64

5 As reported by Bukhari in his Sahih.

persecuted in Makkah. Throughout the ages of caliphate and rulership, Muslims have accommodated members of other faiths, and accorded them many rights and privileges under Muslim society. In non-Muslim societies, Muslims have tolerated adherent of other religions and lived peacefully with them based on certain pacts. An example is the *Saheefah*, which represented the constitution written in Madinah to guide the relationship between the Prophet (peace and blessings of Allah be upon him) and his companions (may Allah be pleased with them) on the one hand, and Jews, Christians and idolaters on the other hand.

Even after the time of the Prophet (peace and blessings of Allah be upon him) and the caliphs, Christian and Jewish communities flourished for 800 years in Muslim Andalusia (Spain) with presence of tens of cathedral, churches, as well as synagogues.¹ Under the Abbasid government, the Muslims related well with the Jews and Christians through the accommodation of rights to freedom of religion and security of life. Jews and Christians were accorded the right to practice their religion in Synagogues and Monasteries in Baghdad. In Greece, Christianity survived 500 years of Turkish rule

with Muslims and non-Muslims living peacefully. It was only at the time of wars between Islamic State and other non-Muslim societies that such tolerance was not extended, but still ethics of war were adhered to.^{2,3}

3.2 Promotion of Interfaith Dialogue

Dialogue involves a meaningful interaction and exchange between people of different social, religious or ideological affiliations through various kinds of conversations or activities with a view to increasing understanding. It describes a conversation under conditions of absence of coercive influences, listening with empathy in order to understand, and bringing assumptions out into the open. The import of dialogue is predicated upon the fact that people differ in their opinions, faiths, attitudes, intellectual abilities and perception of matters, issues and rulings. They need to exercise dialogue, and exchange opinions and different points of view with logical evidence in order to narrow the range of differ-

1 This is based on the freedom of religion that Islam accorded them as in Qur'an, 2:256; 10:99; 12:103; 18:29

2 Tabaraani reported on the authority of Abu Azeez bin Umayr that the Prophet (peace and blessings of Allah be upon him) said: "Treat prisoners of war with kindness".

3 Ahmad Bello Dogarawa. 2015. Role of Scholars in Countering Terrorism in Nigeria. <http://liguesahel.org/index.php/english/item/1434-role-of-scholars-in-countering-religious-extremism-in-nigeria>

the Prophet (peace and blessings of Allah be upon him) said: “Whoever guarantees the safety of man but later kill him; I shall have nothing to do with the killer even if the killed is a disbeliever.”¹ The Prophet (peace and blessings of Allah be upon him) also said: “Do not enter the houses of people of the Book (Jews and Christians) nor eat anything of their fruits except with their permission.”² In yet another *Hadith*, the Prophet (peace and blessings of Allah be upon him) said: “Whoever oppress a non-Muslim who has peace agreement with Muslims or short-changed him or place on him a burden more than he can bear or forcefully collect anything from him, I shall stand against him on the Last Day (day of judgement).”³ Furthermore, Islam commands Muslims to be just and fair in their dealings with non-Muslims;⁴ be kind and good to them as non-Muslim parents⁵ or relations⁶; and maintain

good neighbourliness with them.⁷ In addition, Islam encourages its followers to exchange gift with them⁸; visit them⁹; and pray for them for Allah’s guidance.¹⁰

By way of being practical, scholars could use historical facts to buttress the teaching of Islam regarding peaceful coexistence. Historical records have confirmed the early cordial interactions between Muslims and Christians. The Abyssinian Christians under the good leadership of Negus gave warm reception to the Muslim refugees who were

1 Reported by Baihaqi and Tabaraani

2 Reported by Abu Daawud

3 Reported by Abu Daawud

4 Qur’an, 5:8; 60:8

5 This is based on the Hadith reported Bukhari and Muslim on the authority of Asmaabint Abi Bakr (may Allah be pleased with her)

6 This is based on aHadith reported by Muslim that the Prophet (peace and blessings of Allah be upon him) instructed his companions to be kind to non-Muslims in Egypt when they conquer the city because some of his in-laws and relations of one of his wives reside in Egypt.

7 Reported by Bukhari in Al-AdabulMufrad

8 Bukhari and Muslim reported that the Prophet (peace and blessings of Allah be upon him) gave Caliph Umar (may Allah be pleased with him) an expensive cloth. Umar in turn gave it out to his brother who was then an idolater in Makkah.

9 Ahmad, Bukhari and Abu Daawud reported that when the Prophet (peace and blessings of Allah be upon him) learned that his house help who happened to be a young Jew was sick; he visited him in the company of some of his companions.

10 This is based on the Hadith reported by Bukhari and Muslim that the Prophet (peace and blessings of Allah be upon him) was requested to pray against the tribe of Daus (for its wickedness against the Muslims). The Prophet (peace and blessings of Allah be upon him) instead prayed for its guidance. Also, Bukhari reported in Al-AdabulMufrad that Abdullah bin Umar (may Allah be pleased with him) prayed for a non-Muslim to be blessed with children and wealth.

other, caution against dangers of religious conflicts and violence. The second role is to promote meaningful interfaith dialogue.

Muslim scholars are well positioned to play these twin roles in view of the fact that they teach people, preach to them and some of them address large congregations weekly and even a larger gathering twice in a year through the Friday and *Eid* sermons respectively. As educators, social reformers, moral trainers, mediators and peace makers in the society, the role of scholars in peaceful coexistence cannot be overemphasised.

3.1 Sensitisation on Peaceful Coexistence and Tolerance

Scholars are to sensitise their followers and members of the public in general on tolerance and peaceful coexistence based on the texts of the Qur'an and Hadith. Texts on tolerance and peaceful coexistence are abundant in the *Qur'an* and *Hadith*. The texts provide detailed guidelines on the conduct and behaviour of a Muslim towards his fellow Muslim and his relationship with non-Muslims. The texts also spell out the rights of both Muslims and non-Muslims in an Islamic society that would guarantee protection

of life, religion, wealth, honour and dignity, and intellect.

In the Qur'an, Allah (the Almighty) says: "Allah does not forbid you from those who do not fight you because of religion and do not expel you from your homes – from being righteous (excellence in moral, social and economic relationship) toward them and acting justly toward them. Indeed, Allah loves those who act justly."² Thus, the Qur'an prohibits Muslims from showing aggression towards people who do not show aggression towards them. For example, as Islam prohibits theft, fraud and cheating in relation to the Muslims so it prohibits it in relation to the non-Muslims. The means that the things a Muslim cannot do to a Muslim, he also cannot do to a non-Muslim.³

Also, many *Hadith* recognised the sanctity of the blood of non-Muslims and accorded respect for their lives, properties, dignity and honour. The Prophet (peace and blessings of Allah be upon him) said: "Whosoever kills a non-Muslim who has peace agreement with Muslims shall not smell the fragrance of Paradise though its fragrance is felt from a distance of forty years (journey)."⁴ In another *Hadith*,

1 For more explanation, see the Author's contribution to the chapter on "Religious Programme Intervention" published in Nigeria De-Radicalisation Programme Guide, Office of the National Security Adviser, 2016.

2 Qur'an, 60:8

3 Abdullah bin Bayyah. 1999. Muslims Living in Non-Muslim Lands. Being an excerpt from a Lecture given on July 31, 1999 at the Santa Clara Convention Center in Santa Clara, California.

4 Reported by Bukhari

cussed in the Bible.¹For example, the word, which has been translated as Shalom, meaning “live in peace”, or “have friends” occurs about 236 times in the Old Testament alone. From the perspective of Christianity, the divine purpose for humanity is peace and harmony. In Matthew, 5:9, the Bible declares: “Blessed are the peacemakers, for they shall be called children of God”. In addition, Romans, 12:18 states: “If possible, so far as it depends on you, live peaceably with all”, 1 Peter, 3:11, declares: “Let him turn away from evil and do good; let him seek peace and pursue it”, and Hebrews, 12:14 commands: “Strive for peace with everyone, and for the holiness without which no one will see the Lord.”Furthermore, justice and tolerance, which serve as strong pillars of peaceful coexistence, have been given a lot of prominence in Christianity. The biblical injunction in the Gospel of Mathew, 7: 12: “so in everything, do to others what you would have them do to you, for this sum up the Law and the Prophets” clearly points to the need for justice because where there is no justice, there can be no peace. It also underscores the importance of tolerance and peaceful co-existence through recognition of and respect for dif-

ferent opinions, practices, faith or behaviour of others.

3. Role of Scholars in Achieving Peaceful Co-existence in Multi-Religious Societies

Islam respects scholars and reveres them because they are the heirs of the Prophets (peace and blessing of Allah be upon them) who learn and teach, acquire and impart, and serve as guides for mankind. Righteous scholars are trustees over the religion of Islam. They safeguard the religion from alterations; acquaint the *Ummah* with the realities of Islam and protect her from misleading ideologies.² They are the vanguards of Islam who direct people to Allah with their sayings and deeds and explain to them the lawful and unlawful things.

Addressing the menace of ethno-religious conflicts requires thorough understanding of what religion says about peace, security and peaceful coexistence. This reality underlies the important role of scholars in this regard. Muslim scholars have two important roles to play in achieving peaceful coexistence in multi-religious societies. The first role is to sensitise on importance of tolerance and peaceful coexistence on one hand, and on

1 See Atta Barkindo’s contribution to the chapter on “Religious Programme Intervention” published in Nigeria De-Radicalisation Programme Guide, Office of the National Security Adviser, 2016.

2 Ahmad Bello Dogarawa (2015). Role of Scholars in Countering Terrorism in Nigeria. <http://liguesahel.org/index.php/english/item/1434-role-of-scholars-in-countering-religious-extremism-in-nigeria>

to him (family and property), free from bodily ailment, and has what to eat throughout the day, is as if the whole world is given to him".¹

According to the Qur'an, protection of life, property and dignity is one of the attributes of the believers;² and according to the Prophet (peace and blessings of Allah be upon him) the life of a believer is more sacred in the sight of Allah than the *Ka'abah*.³ The Prophet (peace and blessings of Allah be upon him) has prohibited Muslims from frightening other fellow Muslims⁴ because frightening others amounts to threatening their peace and security. He has also forbidden any action or speech that can lead to harming a fellow Muslim.⁵ In addition, the Prophet (peace and blessings of Allah be upon him) mentioned that a Muslim whose Muslim or non-Muslim neighbour is not safe from his harm is not considered to be a true believer;⁶ and that the disintegration of the world and its extinction is easier to Allah than killing an innocent Muslim.⁷

In Islam, peace and security are not meant only for Muslims but also non-Muslims who live with Muslims

in any society. This is because it has been decreed that not everybody will believe in Allah or accept Islam as religion.⁸ Thus, while Muslims are required to call others to Islam with wisdom and beautiful preaching,⁹ they are made to understand that their duty is to spread the message while guidance is in the hands of Allah.¹⁰ In line with the contents of *Qur'an*, 49:13, Islam requires Muslims to tolerate one another and to live peacefully with adherents of other faiths based on principles of equity and justice. The spirit of tolerance and peaceful coexistence are what underlie upright attitudes; benevolent dealings, respect, compassion, patience, forgiveness, self-restraint and courtesy for others irrespective of religion.¹¹

Interestingly, in Christianity, peace and security, and peaceful coexistence are also considered of paramount importance to the continued existence of humankind. The subjects have been extensively dis-

1 Reported by Tirmidhi and Baihaqi

2 Qur'an, 25:68-69

3 Recorded by Baihaqi in *Shu'ubulEemaan*

4 Reported by Tirmidhi

5 Reported by Bukhari and Muslim

6 Reported by Bukhari and Muslim

7 Reported by Tirmidhi

8 Qur'an, 64:2, 11:118-119

9 Qur'an, 16:125

10 Qur'an, 13:40; 6:107

11 Ahmad Bello Dogarawa. 2015. *Moral Decadence and its Implication to the Ummah*. Being a Paper Presented at the 9th NTA/FRCN and VON (Kaduna National Stations) Annual Ramadan Lecture held on 6th July, 2014 at Umaru Musa Yar'adua Multi-purpose Hall, Murtala Muhammad Square, Kaduna. Published in 2015 by Amal Printing Press Nigeria Limited, Kaduna

responsibilities and act towards all individuals or groups or any other creature with whom he may come into contact in the different walks of life. He used to teach his followers that Islam respects the rights of the individual and within a broad Islamic framework; it is also concerned with the moral health of the society. Thus, everything that leads to the welfare of the individual and the society is morally good in Islam, and whatever is harmful is morally bad.^{1,2} The Prophet (peace all blessing of Allah be upon him) further taught his followers that social behaviour, like all facets of the life of Muslims, is influenced by Islamic principles. The general principle as far as social conduct of a Muslim is concerned is to desire for others what one desires for his self. In Islam, the manner in which one interacts with others is a manifestation of his faith in Allah. The *Qur'an* and *Hadith* have outlined essential components of all relationships between all people. These include, among many others, respect, kindness, honesty, tolerance, self-re-

straint, patience, forgiveness and compassion. Such virtues apply between parents and children, spouses, business partners, neighbours and friends, regardless of gender³ and religion.⁴

As a universal religion whose Prophet was sent as mercy to the entire humanity, Islam attaches a lot of importance to peaceful coexistence as the basis for peace and security which in turn will serve as the bedrock for preservation of life, religion, wealth, honour and intellect in any society. Muslims are encouraged to pray for peace and security on daily basis and at the beginning of every month.⁵ This is because attainment of peace and security is one of the best things in this world that can happen to a man in a day. The Prophet (peace and blessings of Allah be upon him) said: "Whoever amongst you wakes up (in the morning) secured in what belongs

1 Social Ties Society. 2013. Morality and Ethics in Islam. <http://www.whyyislam.org/social-values-in-islam/social-ties/morality-ethics-in-islam/>

2 Jawed Akhtar Mohammed. 2013. The Islamic Paradigm of Morality: Toward a Humanism Approach. In *Cross-cultural Perspectives on Ethical Practices in Organizations*. (eds) Shiban Khan and Wolfgang Amann, Palgrave Macmillan

3 Islamic Social Zone. 2014. https://www.facebook.com/permalink.php?id=353854531462218&story_fbid=356990407815297

4 Ahmad Bello Dogarawa. 2015. Moral Decadence and its Implication to the Ummah. Being a Paper Presented at the 9th NTA/FRCN and VON (Kaduna National Stations) Annual Ramadan Lecture held on 6th July, 2014 at Umaru Musa Yar'adua Multi-purpose Hall, Murtala Muhammad Square, Kaduna. Published in 2015 by Amal Printing Press Nigeria Limited, Kaduna

5 This is based on a Hadith recorded by Ahmad, Munziriy, Tirmidhi and Ibn Hibbaan

four expounds the need for Kaduna state to employ interfaith dialogue as an alternative tool for achieving peaceful coexistence in the state. Section five concludes the paper and offers suggestions.

2. Islam and Peaceful Coexistence¹

The word *Islam* derives from the root *salam*, which means a condition of peace, security and safety from harm that is attained through belief in Allah and as a great favour from Him.² In Islam, peace begins with Allah; as according to the Qur'an He is *As-Salaam*, peace and giver of safety and security,³ and peace is the greeting, language, and condition of Paradise.⁴

The main objectives of the message of Islam are three. First: removing harm from five things; religion, soul, intellect, honour and property.⁵ Second: realising benefits in all fields of human endeavour and blocking the doors that leads to harm. Third: adherence to noble morals and sublime practi-

es.⁶ Adherence to noble morals and sublime practices requires the servant of Allah to embrace redeeming qualities and virtues, and avoid destructive qualities or vices to build a good character which comprises all virtues. Moral virtues are those things that are beneficial to the individuals and society. Vices are those things that are harmful to the individuals or the society. In view of the importance of morality to a healthy and just society, Islam supports all forms of moral and social virtues and matters that lead to the enhancement of virtues, and stands in the way of vices and matters that lead to the spreading of corruption in the society.⁷

Since the beginning of Islam, the Prophet (peace and blessings of Allah be upon him) was mainly concerned with teaching and disciplining Muslims to have the best manners and the best personal characteristics. He also used to give general and specific instructions and advice concerning the rights of men on each other, and the duty they owe to all created beings in general; and how man will fulfil his

1 For a detailed discussion, read the Author's contribution to the chapter on "Religious Programme Intervention" published in Nigeria De-Radicalisation Programme Guide, Office of the National Security Adviser, 2016.

2 Qur'an, 6:82; 106:1-4

3 Qur'an, 59:23

4 Qur'an, 10:10, 14:23, 19:62, 36:58; 10:25

5 These are called Maqaasidush Shari'ah, that is, the higher objectives of the teachings of Islam

6 Non-Muslims Rights in Muslim Society compiled by Islamweb.net. retrieved from

<http://www.English.islamweb.net/emainpage>

7 Social Ties Society. 2013. Morality and Ethics in Islam. <http://www.whyislam.org/social-values-in-islam/social-ties/morality-ethics-in-islam/>

derives from the innermost nature of humankind. By their nature, human beings desire a peaceful environment and security for their lives and properties, which in multi-religious societies can only be achieved when there is peaceful coexistence among adherents of different religions. Peaceful coexistence entails existing together in mutual tolerance, learning to recognize and live with difference, interacting with a commitment to tolerance and mutual respect; and the agreement to settle conflicts without recourse to violence irrespective of religion or tribe.

Despite abundant scriptural evidences on the obligation to love and mutually respect one another, tolerate and leave peacefully with adherents of other religions, it has been observed that conflicts involving Muslims and particularly Christians have been on the rise in many communities in Kaduna State especially in its southern part. The crisis, which is often spurred, planned and executed in the name of ethnic-cum-religious differences is making many onlookers and less informed persons to misconstrue particularly the message of Islam and have the impression that intolerance and non-accommodation of other faiths are part of what the religion teaches.

Incidentally, Nigeria, though a non-religious state, as it is being claimed, is ranked topmost on the

list of countries with high level of religiosity. Even though followers of traditional religion exist, more than 95% of Nigeria's population is either Muslim or Christian. This explains why religion is always misused to heat up the country's polity, justify conflicts of all sorts, and used by unscrupulous power blocs to fuel inter-religious conflicts even where such conflicts have no religious origin. It also points to the important role that custodians of religions need to play in addressing the menace of ethno-religious conflicts and achieving peaceful societies in the country.

In view of the foregoing, this paper discusses the role of Muslim Scholars in achieving peaceful coexistence in multi-religious societies in Kaduna state through interfaith dialogue. The paper uses both literature survey and descriptive analysis approach to expound the strategic role of religious scholars in brokering peace in the society through interfaith dialogue. The paper contributes to the discourse on alternative non-violent, non-military means of realising a peaceful society full of love and mutual respect.

The paper is divided into five sections. Section two highlights the teaching of Islam on peaceful coexistence and tolerance. Section three explains the role of Muslim scholars in achieving peaceful coexistence in multi-religious societies. Section

Human Right Watch estimated that people who lost their life to various ethno-religious crisis in Nigeria from 1999 to 2010 are not less than 13,500.¹ With the ongoing activities of insurgent groups in North East Nigeria and herdersmen-farmers clashes in North East and North Central with its attending consequences on peace and security, the number of victims of ethno-religious conflicts in the country is now in tens of thousands.

Kaduna state, which is considered as the centre of northern Nigeria and the most strategically located state in the North, has had its own share of ethno-religious conflict. The hitherto peaceful state had in the late 1980s and early 1990s experienced some upheavals leading to the loss of many lives and destruction of properties. The situation even worsens in 2000 through to 2001 when the issue of Shari'ah came up in the state and the subsequent post-election violence of 2011 that caused the death of many people. The current Executive Governor, Malam Nasir El-Rufa'i, has estimated that more than 20,000

people have died in various conflicts over the last three decades in the state.²

Although the causes of ethno-religious conflicts in Kaduna state are many, studies over the years have shown that the main causes include intolerance and bigotry, failure to understand and appreciate differences through positive dialogue, mistrust and suspicion among and between different religious and ethnic groups, deviation from religious teaching and societal values, frustration and deprivation especially among youth due to joblessness and idleness, moral decadence due to poor parenting, and vested interest of some political and religious actors who often incite and/or fund conflict for their selfish political gains. The combination of the above factors has led to breach of peace and security in many communities in the State over the years.³

Yearning for peace and security

Experience. Unpublished PhD Thesis submitted to the School of Postgraduate Studies, University of Jos, p.5

1 Human Rights Watch. 2010. Nigeria: Use restraint in curbing Jos violence. 19 January: <http://www.hrw.org/news/2010/01/19/nigeria-use-restraint-curbing-jos-violence>

2 <https://www.vanguardngr.com/2016/08/20000-people-killed-during-conflicts-in-kaduna-el-rufai/>

3 Ahmad Bello Dogarawa. 2016. Resolving Inter-Communal and Inter-Religious Conflicts in Kaduna State: Some Social and Religious Imperatives. Keynote address delivered during the Signing and Presentation of the Kafanchan Peace Declaration and Recommendations for Peace to the Kaduna State Governor, His Excellency Malam Nasir El-Rufai on Wednesday, March 23, 2016 at Unity Wonder Land Hotel Conference Hall, Kafanchan

religious societies such as Kaduna state through interfaith dialogue as alternative to the use of security personnel alone to quell ethno-religious conflicts whenever they occur. The paper argues that interfaith dialogue approach could serve as a better and more effective approach to preventing the occurrence of and managing ethno-religious crisis in the state. It also posits that in view of the religiosity of the good people of the state as indicated by the presence of many religious bodies and centres, and as attested to by several international organisations, scholars and clergies have an important role to play in facilitating peaceful coexistence among members of different religions through interfaith dialogue. The paper therefore suggests that to achieve peaceful coexistence in Kaduna state, government should partner with Muslim scholars and other faith leaders to organise positive interfaith dialogue for adherents of different religions and members of different communities at all levels to make followers of different religions respect the religion of one another; and adhere to the teachings of their own faith regarding relationship with followers of other faiths.

Keywords: *Interfaith dialogue, Multi-religious societies, Muslim scholars, Nigeria, Peaceful coexistence*

1. Introduction

Nigeria is a heterogeneous country comprising of several pluralities mainly ethnic and religious. Though, a country with federal structure of government, Nigeria is yet to find a lasting solution to the problem of ethno-religious conflicts among its more than 300 ethnic groups and different religious communities. As a result, the relationship between members of many communities and followers of different faiths in its multi-ethnic and multi-religious societies is characterised by suspicion, fear, lack of cordiality and a tendency towards violent confrontation and crisis with all its attending consequences.

Ethno-religious crisis has become a common feature of the Nigerian society. The country has been rated in 2008 as the 8th country with people under threat of genocide or mass killing or other systemic violent repression as a result of inter-communal and/or inter-religious conflicts.¹ Between 1999 and 2004, Nigeria was said to have recorded over 100 violent conflicts in different parts of the country leading to the death of over 10,000 people while 800,000 others were displaced from their homes.² In 2010,

1 Minority Rights Group International. 2008. *State of the World's Minorities 2008*. Edited by Ishbel Matheson, p.74

2 Raphael NoahSule. 2015. *Ethno-religious Conflicts, Mass Media and National Development: The Northern Nigeria*



Role of Muslim Scholars in Achieving Peaceful Coexistence in Multi-Religious Societies through Interfaith Dialogue: A Case for Kaduna State, Nigeria

By Ahmad Bello Dogarawa

Abstract

Over the years, the government of Kaduna state, Nigeria has been blamed for failure to effectively address the real causes of ethno-religious conflicts that have caused the death of more than 20,000 people over the last three decades. Despite religiosity of its citizens and the abundant scriptural evidences on the obligation to love and mutually respect one another, tolerate and

leave peacefully with adherents of other religions, it has been observed that conflicts involving Muslims and particularly Christians in the name of ethnic-cum-religious differences have been on the rise in many communities especially in southern part of the state. Using both literature survey and descriptive analysis approach, this paper discusses the role of Muslim Scholars in achieving peaceful coexistence in multi-

- 10) Sukran Vahide, [1996], *Translation of The Damascus Sermon*, Sozler Publications.
- 11) Sukran Vahide, [1998], *The Rays Collection, Volume 4 of the Risale-i Nur Collection*, Sozler Publications.
- 12) Sukran Vahide, [2000], *From the Risale-i Nur Collection; The Flashes Collection*, Sozler Publications.
- 13) Zeki Saritoprak, [2010], *Bediuzzaman Said Nursi's Paradigm of Islamic Nonviolence*, Washington DC, United States Institute of Peace,
- 14) Zeyneb Sayilgan and Salih Sayilgan, [2011], "*Bediuzzaman Said Nursi's Ethics of Non-Violence: Implications for Christian-Muslim Relations Today*", *Dialog: A Journal of Theology*, Volume 50, Number 3.
- 15) Emel Tastekin, [2014], *Secular Trauma and Religious Myth: The Case of Said Nursi Bediuzzaman's Risale-i Nur* retrieved from [https://www.academia.edu/9106868/Secular Trauma and Religious Myth The Case of Said Nursi Bediuzzaman's Risale-i Nur](https://www.academia.edu/9106868/Secular_Trauma_and_Religious_Myth_The_Case_of_Said_Nursi_Bediuzzaman's_Risale-i_Nur).
- 16) Ghilan Mohamed. (2016), *CVE, Afghanistan, and the Theological Castration of Muslims*, retrieved from: <http://almadinainstitute.org/blog/cve-afghanistan-and-the-theological-castration-of-muslims/>
- 17) Islamic Relief.(2013). *Understanding an Islamic framework for peacebuilding*, retrieved from: http://policy.islamic-relief.com/wp-content/uploads/2014/05/Understanding-an-Islamic-Framework-for-Peacebuilding_IRWP_2013-02.pdf.
- 18) <http://www.thepenmagazine.net/said-nursi-muslim-advocate-of-non-violence/>
- 19) <https://ummahwide.com/said-nursi-and-contemporary-muslim-educational-institutions-2c5c13764137#.memwzndfc>
- 20) <http://www.iikv.org/en/a-chronology-of-bediuzzaman-said-nursis-life>
- 21) <http://www.iikv.org/en/a-contemporary-perspective-on-islamic-jihad-from-said-nurs>

dom are in great psychological pain over the injustices that are inflicted upon them shows that their distress must be heard and taken seriously. Injustices can be remedied with a stable and ethical socio-political atmosphere. Sadly, if the victims are stuck in the perpetual cycle of being victimized, and the prerogative for justice is taken away; these victims take to remedy the unjust and cruel situations themselves and their actions will be driven by revenge and anger. This is the psychological reality of a human being.

Religion will always be invoked wherever it can to galvanize the self and to justify major campaigns, conflicts and even wars. Take away religion, conflicts and wars will still happen. The formula in maintaining harmony is quite simple; one does not need to fight for his rights if there is justice.

It is equally important to know that violence provokes violence, terror begets terror, injustice breeds extremism. Unfortunately, the voices of people at the receiving end are ignored in the noise of strategy, plots, war and killing, but it is their silence of the tongue and action of the limbs that will speak loud and clear on the day of true and absolute justice when we return to our Lord. **Wallahu 'Alam.**

References:

- 1) Colin Turner and Hasan Horkuc, [2009], *Makers of Islamic Civilization*; Said Nursi, I.B. Tauris & Co. Ltd.
- 2) Irani, G, (1998), *Reconciliation and Peace: Rituals For the Middle East*, Middle East Insight.
- 3) Ibrahim M. Abu-Rabi', [2003], *Islam at the Crossroads, On The Life and Thought of Bediuzzaman Said Nursi*, State University of New York Press.
- 4) Ibrahim M. Abu-Rabi', [2006], *The Blackwell Companion to Contemporary Islamic Thought*, Blackwell Publishing.
- 5) Ian Markham and Ibrahim Ozdemir, [2005], *Globalization, Ethics and Islam The Case of Bediuzzaman Said Nursi*, Ashgate Publishing.
- 6) Ian S. Markham, [2009] *Engaging with Bediuzzaman Said Nursi: A Model of Interfaith Dialogue* Ashgate Publishing.
- 7) Ian S. Markham and Suendam Birinci, [2011], *An Introduction To Said Nursi Life, Thought and Writings*, Ashgate Publishing.
- 8) Mohammed Abu-Nimer, (2008), *A Framework for Nonviolence and Peacebuilding in Islam*, Majlis Ugamma Islam Singapura.
- 9) Nooraihan Ali, Asyraf Ab Rahman, and Hailan Salamun, [2015], *The Establishment of An Islamic Community (Al- Mujtama' Al-Islami): Bediuzzaman Said Nursi And Sayyid Qutb's Approaches*. Working paper. Centre for Fundamental and Liberal Education Universiti Malaysia Terengganu, Universiti Sultan Zainal Abidin, Malaysia.

pardons and makes reconciliation - his reward is [due] from Allah .”¹

Justice is not the exclusive right of Muslims or any individual. The *Qura`n* constantly reminds about the universality of justice and calls Muslims to stand up and confront injustice even if a Muslim perpetuates it. Allah says:

“O you who have believed, be persistent in standing firm for justice as witnesses for Allah, even if it be against yourselves or parents and relatives. Whether one is rich or poor, Allah is worthier of both. So, follow not [personal] inclination, lest you not be just. And if you distort [your testimony] or refuse [to give it], then indeed Allah is well, acquainted with whatever you do.”²

This shows the importance of standing for justice regardless of the circumstance. Nevertheless, it is equally important to understand that in confronting injustices, one must be patient and wise. For the one who has patience will victor over the one who is bent by rage and anger.

6) Conclusion:

Said Nursi’s endeavors for peace were directed towards the renewal of faith that is bounded by the concept of *Mujahadah* in Islam; to liberate the I from the ego and overcome barriers between you and God. These undertakings, according

to Nursi would withstand the onslaughts of modernity and materialists thought that is the essential reason for the fracture of *Ummah*.

Sayligan [2011] aptly describes:

“Nursi was rightly characterized as a “Homo Sapiens Qur’anicus” a human being deeply immersed in the Qur’anic worldview and dedicated to bringing Muslims back to the core of scripture. Compassion, mercy, love, justice, respect-terms often disassociated from Islam were not merely abstract ideas for Nursi but were consistently modeled in his own actions.”³

It can also be argued *vis-à-vis* the corpus of Quranic ethos, Said Nursi’s *Risale-I Nur* should be treated on equal footing with Abdullah Daraz’s *‘Dustoor Al-Akhalq fi Al-Qur’an’* and Toshihiko Izutsu’s ‘Ethico-Religious Concepts in the Quran’.

In addition, the points that were covered on the primacy of peace and justice in the revelation have proven that tyranny and transgression are anomalous to Islam. Educating people on these universal peace values is an important step towards peaceful and just relations between Muslims and non-Muslims. Upon saying this, undertaking this responsibility should not be the end, but a means towards the end.

The fact that seekers of martyr-

3 Zeyneb Sayilgan and Salih Sayilgan, [2011], “Bediuzzaman Said Nursi’s Ethics of Non-Violence: Implications for Christian-Muslim Relations Today”, p. 251.

1 Quran 42:40

2 Quran 4:135.

- **Ta'awun:** Working together to establish goodness and harmony.
- **Hikmah al maw'izat al-hasanah** (Wisdom and goodly advice): Urges Muslims to go beyond just co-existing but invites them to work together with other communities for the betterment of the world.

c) **Reconciliation (Musalaha)**

It aims at repairing relationships broken as a result of conflict. **Musalaha** is a conflict resolution mechanism that dates back to pre-Islamic era, where attempts were made to reconcile conflicts between tribes. The Quran highlights the importance of this principle. Allah says:

*“And reconciliation is better”*¹

Thus it can be seen that reconciliation is highly encouraged for conflicting parties for it would protect their dignity in the long run. According to Jordanian judge Abu-Hassan, there are two types of **sulh** processes; private and public **sulh**.² Private **sulh** takes place when there is a conflict between the members of a community who know each other. The aim of private **sulh** is to avoid revenge and to restore harmony between both parties. On the other hand, public **sulh** can be compared to the signing of a peace treaty to resolve conflicts between tribes

1 Quran 4:128.

2 Irani, G, (1998), *Reconciliation and Peace: Rituals For the Middle East*, Middle East Insight.

or countries. The treaty of Hudaibiya which was signed between the Prophet PBUH and the Meccans is an example of public **sulh**.

d) **Emphasis on restorative justice**

In order for the process of peacebuilding to be successful, it has to first be cognizant that justice is essential in establishing peace, as the victims of violence are often dehumanized and deprived through injustice acts. Very often they are not given a voice hence it leads to grievances and resentment. Thus, one of the key aspects in restoring peace is the emphasis on restorative justice rather than retributive justice.

The aim of restorative justice is to repair relationships that were broken by the conflict and to heal wounds caused by it. In simpler terms, it views the oppression that was inflicted upon the victims as a crime and involves making amends and aims to restore justice and order and more importantly prevents it from happening again.³ This is also known as being empathic and has a profound psychological impact in healing the victims. In other words, we cannot cry injustice when we feel offended but stay silent when the rights of others are being violated. Allah says:

“And the retribution for an evil act is an evil one like it, but whoever

3 Islamic Relief. (2013). *Understanding an Islamic framework for peacebuilding*, p. 26.

tutions. Hence, Islam calls for a proactive and positive concept of peace.

Such concept has been best exemplified and put into practice by Prophet Muhammad PBUH on his approach in diplomacy and arbitration. Coming to terms with adversaries and enemies and the contractual guaranteeing of agreements were cornerstones of the Prophet's policies, and he would always seize the opportunity to call for peaceful resolutions despite sometimes being unfavourable for the Muslim community on the surface.¹

However, as mentioned earlier, the full potential of Islam to address social and political conflicts is yet to be fully realized. Moreover, Muslim scholars lack the knowledge and hermeneutics relevant to nonviolent conflict transformation though its peaceful teachings. This is concerning, as Islam yields a set of values whereby, if consistently and systematically applied, can manage all forms of conflicts based on values such as justice, mercy and wisdom.²The following section will elaborate on peacebuilding concepts that are deeply rooted in the Quran and Prophetic traditions.

1 Islamic Relief. (2013). *Understanding an Islamic framework for peacebuilding*, p. 3, retrieved from http://policy.islamic-relief.com/wp-content/uploads/2014/05/Understanding-an-Islamic-Framework-for-Peacebuilding-IRWP_2013-02.pdf.

2 Ibid, pp. 3-4.

5) Peacebuilding concepts in Islam:

a) *Mediation*

Prophet Muhammad PBUH often used mediation to resolve conflicts and acted as a mediator himself. His reputation as '*Al-Amin*' (The faithful one) allowed him to be trusted by many. The prophet's intervention in resolving the problem of the 'black stone' in Mecca is a classic example of mediation. His role as mediator is also recognized, as he brilliantly constituted the Constitution of Medina that serves as a model for many mediation efforts in the Muslim world.

b) *Dialogue*

The concept of dialogue in Islam aims to clarify misunderstandings and increase accurate knowledge of others' perspectives. The goal of dialogue is not to eliminate differences, but it acts as a medium to build understanding and respect. Dialogue is an integral aspect of resolving conflicts between Muslims and non-Muslims since the time of the Prophet. One of the first recorded examples of Muslim-Christian dialogue took place in 615CE, Abyssinia between Muslim emigrants and King Negus. There are also several terms for dialogue which are expounded in the Quran:

- ***Ta'aruf***: Knowing, understanding and building relationships.
- ***Islah***: Building bridges and restoring relations.

This statement clearly explains Nursi's stance against institutionalization as he was in fact fighting against materialism and a struggle for material advantages destroys sincerity. Unfortunately, what followed after Nursi's demise was 'Death of the Author'-esque phenomenon. It created not only divisions but a 'central authority' that derogated the values of this movement for mainly two reasons¹. Firstly, it presented the opportunity for those in the 'center' to dominate the whole movement and instigated power struggle from those in the 'periphery'. Secondly, those who did not agree with the 'central authority' were repudiated. In short, the unity of the Nur movement dissolved as each division develops its own vision and goal that are contrary to the essence of Nursi's struggle to some extent. The controversial Gulenist movement symbolizes this unfortunate schism.

d) Downfall of Nur movement

There are a few reasons that can be posited to explain these criticisms.² Firstly, is the instrumentalization of Nursi's ideas by these factions for self-interest material goals

i Nur Collection; The Flashes Collection, Sozler Publications.

1 Ibrahim M. Abu-Rabi', [2003], *Islam at the Crossroads, On The Life and Thought of Bediuzzaman Said Nursi*, p. 282.

2 *Ibid*, pp. 287-288.

resulting in a lack of connection between the ontological explanations of the *Risale-I Nur* and its sociopolitical milieu. Secondly, the apologetical attitude concerning Western imperialism by some of the writers and academics within these factions. Lastly, the institutionalization of the movement was a grave mistake as it turned the *Risale-I Nur* from an open text, into a closed one. Due to these factors, it is rather unfortunate that the ideas of Said Nursi are not read in the light of his struggle but unjustly seen as monolithic movement in the light of the movement's schism. Nevertheless, Nursi's main message in pushing for a *mânevî jihad* to fight against any forms of oppression continue to lives. On that note, the following part of the paper will expound on the interplay between Islam and peacebuilding in the light of the *mânevî jihad*.

4) Islam and Peacebuilding:

Peace in Islam is a state of physical, mental and spiritual harmony. Islam also sees peace as a state of harmonious coordination and synchronization of all existences. It is also important to know that peace; together with justice is the heart of Islam. This is to clarify any thoughts that peace in Islam has a passive connotation to it. Instead, it refers to a process of rejection of all injustices and to fulfill the potential of social, economic and political insti-

b) Civilized Europeans

Another point of criticism is how Nursi perceived the Europeans as civilized and powerful and holds that as a result of this, the medieval period or the 'dark age' no longer exists.

*'Our action towards non-Muslims is persuasion, for we know them to be civilized, and to show them that Islam is and elevated religion and worthy of love' (Nursi, 'Diwan-I Harb-I Orfi)'*¹

One can agree on this point to a certain extent, but what is concerning for his critics is Nursi was not clear on what he means by 'civilized' and fails to give details as to the foundations of their 'civilized' nature.² Defining the Europeans at that point of time as 'civilized' without any clear explanation is a problem on many levels as they were the purporters of colonialism and which has brought severe implications that the world is suffering till today. It can be argued though that the technological and scientific advancement of the Europeans brought Nursi to define the Europeans as civilized³ but this nebulous

approach is problematic and may desensitize the implications of European imperialism.

c) Institutionalization of the Nur movement

Institutionalization of faith-based movements has always been a complex issue to deal with. One of main factors why such movements opt for it, is when they see the need to play a bigger role in society and governance, not just confined to the public sphere. Additionally, an institutionalized movement will facilitate fundings which is vital to sustain the movement in the long run. On the flip side, institutionalization also serves material goals and open doors to division and power struggle.

In the case of the *Nur* movement, institutionalization was an innovation and was in fact strongly opposed by Nursi. In the *Treatise on Sincerity*, Nursi declares:

*"If our way had been that of subjection to shaykh, there would have been a single rank, or limited ranks, and numerous capacities would have been appointed to them. There could have been envy and selfishness. But our way is brotherhood. There can be no position of father among brothers, nor can any assume the position of spiritual guide. The rank in brotherhood is broad; it cannot be the cause of envious jostling."*⁴

1 Sukran Vahide, [1996], Translation of The Damascus Sermon, Sozler Publications.

2 Colin Turner and Hasan Horkuc, [2009], Makers of Islamic Civilization; Said Nursi, p. 107.

3 Colin Turner and Hasan Horkuc, [2009], Makers of Islamic Civilization; Said Nursi, p. 107.

4 Sukran Vahide, [2000], From the Risale-

- 1) Transformation of the caliphate into a sultanate
- 2) Use of ethnicity in addition to religion as the central point of reference.
- 3) The politics of the sultanate based on despotism cultivated fatalism which was needed to strengthen its legitimacy.

Based on the above points, it is clear that Nursi from the very beginning was attempting to reform the socio-religious milieu in which he lived in by first creating individual consciousness as a precondition for a just society. In fact, Nursi's major goal was to make sense of contemporary Muslim intellectual heritage against the background of this disintegration. But just like any reformists, Nursi was not free from his critics.

Criticisms:

a) Obedience to authority

Through his writings, Nursi has always maintained that public order and security were conducive for social change and cautioned against any actions that might insinuate partisanship or discrimination.¹ Nursi posits five important principles that has to be adhered to strengthened public order:

“Five principles are necessary, nay, essential, at this strange time to

save the social life of this nation from anarchy. These are: respect; compassion, refraining from what is prohibited (haram); security; and the giving up of lawlessness and being obedient to authority. (Nursi, The Rays, 372)”²

It can be argued that Nursi to some extent was contradicting his own thesis of political quietism by calling for obedience to authority which is a political endeavor and could impede social change. A few questions should be raised upon reading these principles:

- 1) To what extent should the public be obedient to authority?
- 2) Should there be obedience when there is an absence of justice?
- 3) Peace precedes justice or justice precedes peace?

These questions are formulated against the background of a recent political phenomenon also known as ‘politics of peace’ that engages peace as a pretext to unjustly maintain social order and political sovereignty that ultimately stifles freedom and obscures democratic values. There has been a growing trend of dictators employing religious institutions and individuals as pawns of peace to legitimize despotic actions and policies based on self-interests which can be said as one of the conundrums of modern nation-states.

1 Colin Turner and Hasan Horkuc, [2009], *Makers of Islamic Civilization*; Said Nursi, I.B. Tauris & Co. Ltd, pp. 100-101.

2 Sukran Vahide, [1998], *The Rays Collection, Volume 4 of the Risale-i Nur Collection*, Sozler Publications.

nhas constructed, which according to him is the only viable alternative to the use of brute force. It is based on this point that the final part of the paper seeks to elaborate, which is to construct a modern-day framework for peacebuilding vis-à-vis the Quranic imperative to spread the word of peace when confronted with ignorance and enmity.¹

3)Importance of studying the context of his thought:

The importance of studying the context of Nursi's thought is of great importance as it provides an intimate glimpse of the socio political backdrop of his struggle. Furthermore, it allows the feasibility to critically analyze and extract lessons that are substantial precedents to address the problems of today.

Context of Nursi's thoughts

Risale-I Nur was a product of witnessing and responding to three distinct political regimes in Turkey from that of Sultan Abdülmecit, to the Young Turks and the secular, Kemalist Turkish Republic.² The nature of resistance that the *Risale-I Nur* purported was revolutionary in essence, as it provided an alterna-

tive to violent resistance which was the mainstream product of cultural as well as political collective consciousness.

It is important to note that Nursi was not the only Muslim figure that provided this alternative. Khan Abdul Ghaffar Khan³ and Shaykh Jawdaat Said⁴ are two out of many other non-violent activists who are devout Muslims and fought for social justice in distinctive ways. Thus, it supports the thesis of M. Abu Nimer, that there is a lack of scholarship on peacebuilding studies in Islam and there is more that needs to be done for it to be par importance with the mainstream thesis against socio-religious violence.

Another point that is important to consider is Nursi's call for an evaluation of human history within Islamic history, in which he concluded that the age of happiness can be comprehended by putting the Quran and the Prophet as the nucleus of any movement. Unfortunately, this age has been disintergrated due to the following factors:⁵

- 3 20th century leader of the Pashtuns who promoted Gandhian values of non-violence and non-possession to resist British imperialism.
- 4 Jawdat Said is a 20th century prominent Syrian Islamic scholar noted for his theory of nonviolence.
- 5 Ibrahim M. Abu-Rabi', [2003], *Islam at the Crossroads, On The Life and Thought of Bediuzzaman Said Nursi*, State University of New York Press, p. 267.

1 Quran 25:63.

2 Emel Tastekin, [2014], *Secular Trauma and Religious Myth : The Case of Said Nursi Bediuzzaman's Risale-i Nur* p. 67, retrieved from https://www.academia.edu/9106868/Secular_Trauma_and_Religious_Myth_The_Case_of_Said_Nursi_Bediuzzamans_Risale-i_Nur.

*“And of his signs is the creation of the heavens and earth and what He has dispersed throughout them of creatures.”*¹

Nursi added that the mentioned of divine names and attributes is a central theme in the Quran and every person is a reflection of these attributes and therefore, is sacred. Additionally it is mentioned in the Quran:

*“And we have indeed ennobled the children of Adam.”*²

Based on this fundamental truth; that man by nature is sanctified by God, it does not leave room to apply any violence to human beings. A crime against an innocent soul would mean transgressing God.

Another crucial element in his advocacy of non-violence is his interpretation of the recurring Qur’anic verse:

*“And no bearer of burdens will bear the burden of another.”*³

According to Nursi, this verse serves as evidence that no one can be a scapegoat for the mistakes of another individual. Nursi alluded to this principle by drawing an example of a ship. If there were, for instance, nine passengers on this ship who committed serious crimes and one innocent person, this would not justify burning or sinking the ship. The end does not justify the means

of killing an innocent person.⁴

Thus, it can be said that Nursi has closed the doors for collateral damage and collective punishment. Based on the aforementioned arguments, how does the concept of peace fit into Said Nursi’s ethical thought?

In his *Risale-I Nur*, Nursi categorized his approach of peace into three categories. Firstly, he identified peace in the eschatological sense, which according to him would give a higher meaning to individual acts of peace and more importantly acquire Divine pleasure. Secondly, Nursi recognized peace from a psychological sense, or better known as inner peace born of faith that enables the religious believer to face adversity without despair. Finally, when the basis of one’s actions is divinely in essence, and he acquired inner peace, he can manifest peace universally.⁵

It is important to note that Nursi’s framework of peace is not passive in nature, but on contrary it seeks to achieve justice through non-violent means that the Qura-

1 Quran 42:29

2 Quran 17:70

3 Quran 35:18

4 Zeyneb Sayilgan and Salih Sayilgan, [2011], “Bediuzzaman Said Nursi’s Ethics of

Non-Violence: Implications for Christian-Muslim Relations Today”, *Dialog: A Journal of Theology*, Volume 50, Number 3, p. 250.

5 Ian Markham and Ibrahim Ozdemir, [2005], *Globalization, Ethics and Islam The Case of Bediuzzaman Said Nursi*, Ashgate Publishing, pp. 41-42.

Islamic world. Nursi believed that the only way to reverse this decline was to instill in Muslims a Quranic worldview in a way where it would render them capable of coping with the intellectual and ethical challenges of their time. According to Nursi, morally strong believers would strengthen consolidation of society, which he felt was threatened due to the dissolution of Islam.¹

This was the starting point of the formulation of his magnum opus, *Risale-I Nur*, where he thematically expounded on the teachings of the *Qurān* that incorporates the traditional Islamic sciences and modern scientific knowledge to effectively refute the bases of materialist philosophy.

According to Maulana Maududi, Said Nursi possessed qualities of a revivalist, which he listed as the following:²

- 1) Diagnosis of the current ailments: to examine thoroughly how and to what extent Ignorance crept

in. Scheme for reformation: to determine exactly where to strike the blow. Intellectual revolution: to shape the ideas, beliefs and moral viewpoints of the people into the Islamic mold.

As mentioned above, Said Nursi diagnosed the current ailment as the weakness of faith and he called for its revitalization through the Quranic ethos. This scheme that Nursi adapted for the reconstruction of the Muslim society is known as the '*mânevî jihad*' which can be translated as 'positive action' or conceptually transmuted as the '*moraljihad*'.

In order to be able to pursue this jihad, Nursi insisted that his students avoided any use of force and disruptive action. Through 'positive action', and the maintenance of public order and security, the damage caused by the forces of unbelief could be repaired by the healing truths of the Qur'an. Thus, the *mânevî jihad* constitutes a powerful non-violent civic resistance that could be the basis of peacebuilding in Islam.

2) Nursi's Quranic Framework of Peace:

The touchstone of Said Nursi's ethical thought was the fundamental belief that every human being is created by God and is sacred on account of being a manifestation of God's most beautiful names and attributes. This is in accordance with the Quranic verse:

1 Ibrahim M. Abu-Rabi', [2006], *The Blackwell Companion to Contemporary Islamic Thought*, Blackwell Publishing, p. 55.

2 Nooraihan Ali, Asyraf Ab Rahman, and Hailan Salamun, [2015], *The Establishment Of An Islamic Community (Al-Mujtama' Al-Islami): Bediuzzaman Said Nursi And Sayyid Qutb's Approaches*. Working paper. Centre for Fundamental and Liberal Education Universiti Malaysia Terengganu, Universiti Sultan Zainal Abidin, Malaysia. p. 5.

to explore some of the elements that are drawn from Said Nursi's works and attempt to extract peacebuilding strategies that are based and shaped by Quranic ethos. It then seeks to question and evaluate the relevance of Said Nursi's ideas reflected in *Risale-I Nur* are pertinent to the field of peacebuilding. The second part of the paper attempts to extract peacebuilding strategies that are based on the Quran and Prophetic ethos that can also function as the basis of a peacebuilding framework for conflict resolution not necessarily in conflict areas, but in daily lives of Muslims. The paper concludes by emphasizing on the need to educate and concretize a methodology for ethics in the life of Muslims vital in forging just relations with the religious other and collectively resist against despotism and injustice.

1) Said Nursi life and works:

Said Nursi was born in the small village of Nurs, in the province of Bitlis in eastern Turkey. He started his education in a *madrasah* and became deeply learned in the traditional Islamic religious and intellectual sciences. By the age of twenty, Nursi also acquired proficiency in physical sciences, mathematics and philosophy.¹

1 Ibrahim M. Abu-Rabi', [2003], *Islam at the Crossroads, On The Life and Thought of Bediuzzaman Said Nursi*, State University of New York Press, p. xvii.

Said Nursi witnessed and participated in key events that affected the world. These include the two World Wars, the collapse of the Ottoman Empire, the birth of a secular Republic of Turkey, the continuing colonization of Muslim lands and the emergence of major ideologies and movements like capitalism and materialism. In short, the entire globe was re-shaped during the years covering Nursi's lifespan.²

While reflecting on the major social upheavals and turmoil, Ian Markham [2009] points out:

Nursi's situation has so many similarities with the situation that confronts every person of faith in the West. Nursi faced an aggressive secularism, as do Western Christians; Nursi wanted to affirm the achievements of science and democracy, as do we; Nursi felt it important to challenge unbelief, as do we; Nursi is a mirror that continues to reflect the challenges of the world in which we all live.³

Here, it is important to note that not in any way was Nursi against modernity, but his disdain was towards any form of materialist philosophy that he claimed has weakened the intellectual capacity of the

2 Ian S. Markham and Suendam Birinci, [2011], *An Introduction To Said Nursi Life, Thought and Writings*, Ashgate Publishing, p. 3.

3 Ian S. Markham, [2009] *Engaging with Bediuzzaman Said Nursi: A Model of Interfaith Dialogue* Ashgate Publishing p. 5.

sparked revolts from the opposing camp claiming that such retaliations are legitimate in the name of defending Islam, instrumentalizing concepts such as *Jihad* and martyrdom.

Additionally, it is claimed that we are possibly living in the largest Pavlovian conditioning experiment ever conducted, where we are trapped in a pernicious discourse that perpetuates a perception of a necessary connection between Islam and violence.¹ This is a result of epistemic islamophobia that runs through mainstream media and sweeping generalizations insinuated by political figures. Over time, these propagandas penetrate the psyche of ignorant beings where it creates a notion that Islam is incompatible with the demands of the modern world and it is an active ingredient in the recipe for violence.

But many forget, that history has acquainted us with the fact that religion has countless times been used as a tool to mediate differences and solve conflicts. Divinely sanctioned moral wisdom and spiritual enlightenment could guide the regulatory mechanisms by which neighbours in a covenant community settled differences fairly and lived harmo-

nously in good faith and conscience toward one another. Likewise, in Islam, the religious traditions that are used to justify violence and war, have inspired faith based movements and peacebuilding initiatives globally.

According to M. AbuNimer (2008), a paradigm shift is occurring in the field of conflict resolution; where experts laud the effectiveness of peaceful means to end disputes. This paradigm shift is reflected in the increasing number of programmes on peacebuilding in academia and workshops globally. Scholars and advocates of conflict resolution and peace studies have begun exploring the role of religion in formulating a framework for peacebuilding to shift away the focus on religion as the source of conflict and violence². Retrospectively speaking, one such figure in the 20th CE was known to be amongst the pioneers of peacebuilding movements in resisting against despotism and oppression. Said Nursi was known among some of his contemporaries as the “Ghandi of Turks”.³

The first part of the paper aims

1 Ghilan M. [2016]. CVE, Afghanistan, and the Theological Castration of Muslims, retrieved from: <http://almadinainstitute.org/blog/cve-afghanistan-and-the-theological-castration-of-muslims/>

2 Mohammed Abu-Nimer, [2008], “A Framework for Nonviolence and Peacebuilding in Islam”, *Majlis Ugama Islam Singapura*, p.2 .

3 Zeki Saritoprak, [2010], *Bediuzzaman Said Nursi’s Paradigm of Islamic Non-violence*, Washington DC, United States Institute of Peace, p. 95.



A Concise Framework of Peacebuilding in Islam: with reference to the life and thoughts of Said Nursi

By Cheikh Farouk

Introduction:

It is unfortunate that we are living in an age of paradoxes; an era where it is proclaimed to be the pinnacle of human civilization, but we are still witnessing the most horrendous of acts perpetrated by humans. Greed has poisoned the souls of men and barricaded their intellectual capacity which distinguishes them from animals. Machineries has turned men into narcissistic beasts that continuously exacerbate conflicts of our time. Considering such

conflicts, religion has been made a scapegoat and wrongly perceived to be the source of division, conflict and violence.

The relationship between violence and religion, in particular Islam, became a central discourse for scholars and policymakers after the heinous attacks on the Twin Towers and the Pentagon on September 11, 2001. What followed 9/11, was the advent of an equally heinous military campaign infamously known as “The War on Terror”. This campaign

nated and women's rights need to be restored. Woman's rights movements began in the 19th century and continued with the feminist movements that revived in the 1960s. This movement is an ongoing struggle as society still sets up barriers of patriarchy. Religion has contributed to this ongoing problem of subordinating and subjugating women. Therefore, Christianity's patriarchal leanings and tendencies need to be reexamined and dismantled. If Christianity is about liberation and empowerment, then that includes women.

Conclusion

There is a long history of women's subordination. Women have been viewed as property and have been Othered which continued to keep women in their place as subordinate and submissive.

Religion has also played a role in controlling women and making them subordinate to men. For example, Christianity's portrayal of a male god has contributed to the patriarchal understanding of religion as well as the patriarchal church and society. The result has portrayed men as the leader and the one whom women have to obey. However, this cannot continue as we need to work towards women's liberation. We must examine Christianity and other religions to see if there are any redemptive aspects

and teachings in it for women. When we find them, we need to emphasize those rather than ignore them.

In Christianity, we find that if God as Spirit is genderless and bodiless, then we can embrace this vision, rather than a patriarchal male, white God. With an embrace of a Spirit God, this understanding will help to stop portraying and reinforcing a patriarchal image of God. Embracing a Spirit God which is not confined by gender, but is free to be who God wants to be, frees us to be a just and equal society.

This reimagining of God as Spirit will help women to gain liberation and human rights as persons and prevent the exploitation of their body and personhood. If we understand that all people are created in the image of God, which includes people of different races, ethnicities, gender and sexuality, then we can work towards building a just society where all are treated with respect and honor.

The damaging effects of sexual exploitation are difficult to erase, but we can certainly act towards preventing further exploitation. Moving humanity in a direction towards liberation and the understanding of woman's rights as human rights will be a move in the right direction.

It is only too late that these young women find themselves in sexual slavery.

There are many ways in which women become trapped in sex trafficking. Some victims become involved with someone who forces them into prostitution. Others are enticed with promises of a job, and still, others are forced to sell sex by parents or other relatives.¹ Regardless of the source, sex trafficking is a violation of human rights.

It violates women's right to freedom, life and security. It violates a person's freedom from violence, exploitation and deprivations.² Such violations deprive full humanity towards women and continues the Othering of women. As such, it is important that we work towards eliminating such violations against women and try to create a society that will not allow such atrocities to happen.

Women's Rights as Human Rights

Generating a worldview that embraces heterogeneity, multi-

plicity, and differences among and within us moves us toward a recognition that all life is worthy of dignity and respect creating a world where women are treated as equals. As women seek to achieve equality, we turn to postcolonial notions to gain an understanding of the consequences of making one group of people the Other. Edward Said's notions of the fugue and contrapuntally³ can help us understand the dynamics of Othering. These musical terms reveal how it can help blur the lines of identity by questioning assumed binaries and it helps us recognize the hybridity of all cultures and identities. This further helps us understand how race, imperialism, colonization, gender, and sexuality work⁴ to subjugate others, in counterpoint to the massive movements in the last 200 years to free slaves and give voting rights to all races and women. The subjugation of women reinforces the status quo. It maintains women as the Other, especially non-white non-European women, and maintains women in the subordinate role.

We must understand that human trafficking needs to be elimi-

1 Polaris, "Sex Trafficking" <https://polarisproject.org/sex-trafficking> accessed October 6, 2017.

2 "Sex trafficking is a grave violation of human rights and a form of violence against women and children." <http://www.endvawnow.org/en/articles/538-sex-trafficking-is-a-grave-violation-of-human-rights-and-a-form-of-violence-against-women-and-children.html> accessed October 6, 2017.

3 For more discussion see Edward Said, *Orientalism* (New York: Vintage, 1979).

4 W. Anne Joh, "Race, Class, Gender, Sexuality" in *New Feminist Christianity: Many Voices, Many Views* edited by Mary E. Hunt & Diann L. Neu (Woodstock: Skylight Paths, 2010), 63.

constructed world of self and the Other, women easily fall into the Other. In the passages of Ezra 9 and 10, when the Israelites return from their exile, it becomes easy for them to ask the foreign women to leave their community, as they are viewed as the Other. Like the Other, women can be used and then discarded.

Biblical passages such as “Wives, respect and obey your husbands in the same way,” (1Peter 3:1) were used to argue for women obeying their husbands and to have a lesser role in the family than men. It was almost believed to be a divine proclamation that men rule over women.

The subordinate position of woman was believed to be willed in heaven and advantageous on earth. Different religions reflect this wish for the domination of women. In the stories of Eve and Pandora men have laid the blame for human woes on women. Men have used philosophy and theology, such as the quotations from Aristotle and St. Thomas, to illustrate the weakness of women. Montaigne said, ‘It is easier to accuse one sex than to excuse the other.’¹ This is what has been occurring in our religious history. Religions blame women for the downfall of men as shown in the Adam and Eve narrative of the fall.

The negative views within Christianity and the history of women’s subordination and the un-

derstanding of women as the Other has had negative consequences for women worldwide. Women have been blamed and scapegoated for many of society’s ills. Furthermore, it has led to sexual assault and sexual violence against women. This is a violation of women’s rights that should be addressed and eliminated from society. Thus far, the sexual trafficking of women continues to spread and the demands to stop this is not being recognized by political and religious powers.

Sex Trafficking as a Violation of Human Rights

Sex trafficking is a global problem. With the rise of refugees due to climate change and economic hardship, many women are getting trapped into the business of sex in the United States and around the world. It is now becoming the contemporary model for slavery where women are subjected to circumstances which can endanger their lives.

As women continue to be subordinate, they are easy prey for sexual violence and human trafficking. With climate change happening they lose their livelihood and homes, and some resort to working as sexual slaves without realizing what is happening to them. As they try to keep alive, they are offered jobs in factories under the pretense that they will be working in labor.

1 de Beauvoir, *The Second Sex*, xxviii.

the part of the subordinate and begin to believe and worship a patriarchal god. Men decide whether the divinities shall be females or males and women follow the lead of men. In certain ways, women's place in society is always that which men assign to them.

This holds true in Christianity. Christianity is a patriarchal religion, and even the dominant parts of the trivalent God are male. We cannot seem to rid ourselves of this idea that men have shaped and molded this religion to serve themselves. It kept women in their place and maintained women as the Other. Religion is a powerful force in our society, and it can have devastating effects on women if it shapes society, as it did in Christendom. It is important for all parties involved that this is recognized and that steps are taken to fix this problem. The liberation of women is the liberation of all.

Christianity's understanding and belief in a male god reinforced the power of men and the subjugation of women. As Mary Daly wrote, "If God is male, then the male is God."¹ This quote exemplifies and illustrates Christianity's historical attitude toward men and women. Men were revered and worshipped, while women were subordinated to men. This has been the patriarchal

narrative which was perpetuated by the Early Church Fathers and passed on to us today. There are biblical passages which perpetuate the lower status of women.

The patriarchal ideas embedded within Christianity needs to be challenged. Without this, it will continue to perpetuate negative ideas about women. This can also apply to people of different races. Christianity has become so westernized that anything non-western sounds untrue or even evil.

Christianity inherited its patriarchy from the Jewish scriptures. Among orthodox Jews and Muslims, women remain set apart from men, even more so than in 21st century White-European cultures.

Among biblical texts, Ezra-Nehemiah lends itself especially well to an analysis that recognizes the socially constructed nature of ideas of "Self" and "Other," and the malleability of the boundaries that separate groups. This is so on account of that work's overriding concern for self-definition and its establishment of a novel set of group boundaries distinguishing Judeans from others. There is a distinct purity ideology that draws upon a variety of precedents in what we might call the purity tradition.² In this socially

1 Mary Daly, *Beyond God the Father*, (Boston: Beacon Press, 1973), 9.

2 Saul M. Olyan, "Purity Ideology in Ezra-Nehemiah as a Tool to Reconstitute the Community," *Journal for the Study of Judaism*, XXXV (2004): 1.

is the destitute one. In men's framework the Other is always in the position of a victim.¹ Thus women have been victimized and continue to be victims in a patriarchal world.

Women find themselves living in a world where men compel them to assume the status of the Other. The reason for the Othering of women is that men profit in many ways from maintaining the Otherness of women.² It becomes easier to make women into sexual objects and hold them as sex workers against their will. It is easy to use violence against women and rape them if they are viewed as the other. It is easy to threaten women into obedience if they are the Other. The only 'safe' place for women is to subsume their identities into that of the male-led family.

Woman is viewed as an object for man. She is a sexual partner, a reproducer, an erotic object-an Other through whom he seeks himself.³ Women became dependent on men as men became the provider for the family. Men minimized women, and the more powerful men became, the more women declined.⁴ Patriarchal systems benefit and protect men and the family. Society, in turn,

demonizes sexuality and perceive unattached women as sexualized beings who will participate in sex and bring fulfillment to man. This has led to the world-wide problems of sex trafficking.

Religion and the Subordination of Women

Women's roles in society as perceived through religion is an important question for our time because of its effects on people.⁵ Religion plays an important part in our society, culture and politics, defining the roles of men and women, and in many cases, maintains the status quo.

Condemned to play the part of the Other, women are also condemned to obey men. This also occurs in the religious realm as religion has a strong role in society and influences how women act and think. Anthropologist James George Frazer stated, "Men make the gods; women worship them."⁶ Men portray themselves on the deities and women continue to listen and obey men. Women continue to fall into

1 Mayra Rivera, *The Touch of Transcendence: A Postcolonial Theology of God* (Louisville: Westminster John Knox Press, 2007), 91.

2 de Beauvoir, *The Second Sex*, xxxi, xxxv.

3 *Ibid.*, 59.

4 *Ibid.*, 78.

5 Patricia Martin Doyle "Women and Religion: Psychological and Cultural Implications" p. 15-40 in *Religion and Sexism: Images of Woman in the Jewish and Christian Traditions* (New York: Simon and Schuster, 1974), 15.

6 Sir James George Frazer, *Adonis, Attis, Osiris: Studies in the History of Oriental Religion* (London: Macmillan, 1907), 393.

rights would give women autonomy and power inside and outside the family.¹ This process of tying women to property ownership and then keeping them in the home stripped women of rights. They were viewed as second-class citizens who did not have the right to vote and did not have a place in the wider community outside of the home. Thus, the subordination of women has a long history and survives today in various forms in some cultures. Women's subordination leads to the process of making women the Other.

The Othering of Women

In a patriarchal society, women are often viewed as the Other. The Other is often seen as degenerate, subordinate and deviant. The Other, like slaves, are persons without roles, and men, or societies, are entitled to create roles for them, or, what is more likely, they are viewed as being born into subservient roles, such as wife, housekeeper, wet nurse, governess, or seamstress. They become further regulated as an outsider and are marginalized. In such accepted roles, one learns what it means to be silenced.² Women

in such preset roles do not possess much power and cannot fight the powers that keep them subordinate since they are imbedded in the society. Men use their power to suppress movements to earn rights for women.

Where there are roles embedded in society, there is a clear dichotomy between man and woman. Man views the world under the sign of duality.³ If we think in dualistic terms, it creates limitations to how we perceive the world and women. Freeing ourselves from dualistic thinking may be one of the steps to moving away from making the women the Other. Fear is often the basis of keeping not accepting the other as an equal.

To say that woman is the Other is to say that there did not exist between the sexes a reciprocal relation. Society has always been male, and women constitute a part of the identity of men. Women are regarded as the absolute Other, and it is impossible to consider them as another subject. They are always identified as under the guardianship of the males.⁴ It is only an illusion of power and authority that women seem to have in a marriage or family. But it is still the men that move or take women in and the power to absolve it is still within the males in many societies. The Other

1 Mary Ann Fay, *Unveiling the Harem: Elite Women and the Paradox of Seclusion in Eighteenth-Century Cairo* (Syracuse: Syracuse University Press, 2012), 153.

2 Steed Vernyl Davidson, *Empire and Exile: Postcolonial Readings of the Book of Jeremiah* (New York: T & T Clark International, 2011), 104.

3 de Beauvoir, *The Second Sex*, 69.

4 *Ibid.*, 70, 71.

imagine that it may be a better context and situation for women. In the nineteenth and twentieth centuries, millions of women left their homes and countries in Europe, Asia, and Latin America to immigrate to the United States. Many women immigrated in great hopes that life in America would be better and liberating. They had high hopes not only for their families but also for themselves as women.¹ But the reality that they found themselves in was different from their hopes and dreams. Their life in United States was bitter and difficult. Women who could find work were underpaid, unemployed and abused.² The new life that women immigrants were looking for the United States didn't come easily as they had imagined.

More specifically, U.S. immigration from the East were mostly men. When these young men wanted to bring wives from the East, many of these women were tied down to being a wife or a mother. These were the only options as their immigration status pushed them into these roles and restricted them from working outside the home. Domesticity became the price of admission³ into the U.S. and Asian women

became tied down to the home with many restrictions.

When we think of women making wages outside of the home, we think that it is a good way to increase one's wealth. But historically, the most important component of a family's wealth was not dependent on one's wages, but rather on one's inheritance.⁴ This inheritance can occur in the form of land, or of a home and garden, or even of a cow or other livestock. Women lost all their personal property and control of their real property to their husbands when they got married. Coverture eclipsed the legal identity of a married woman, leaving her unable to sign a contract or sue or obtain credit in her own name. As a widow, a woman might be entitled to only one-third of her husband's real property, or might even be left entirely at the mercy of his will.⁵ In such a context and society, without wealth or land, women were constantly at the mercy of other men, their husbands or their fathers.

It was evident that property

1 Maxine Seller, *Immigrant Women* (New York: State University of New York Press, 1994), 1.

2 *Ibid.*, 2.

3 Martha Gardner, *Qualities of a Citizen* (Princeton: Princeton University Press, 2005), 14.

4 Early 19th century novels are a wonderful illustration of this, such as Jane Austen's *Pride and Prejudice*, where a constant concern of the featured characters was how the five daughters were to be married to men at their class or above, if possible, since they had no rights to their father's property when he died.

5 Amy Louise Erickson, *Women and Property: In Early Modern England* (London: Routledge, 1993), 3.

down his property to his children.¹ Once man held power, it was easy to gain full possession of everything and make even persons (women and children) into objects to be possessed and used. This furthered women's subordinate status and formalized her as the weaker sex.

In primitive times there was no more important ideological revolution than that which replaced matrilineal with patrilineal descent. The mother fell to the rank of nurse and servant, while authority and rights belonged to the father, who handed them on to his descendants. In the area of fertility, man's necessary part in procreation was overestimated. It was understood that only the father engenders, and the mother merely nourishes the seed received into her body. Aristotle states that woman is only matter, whereas movement, the male principle, is better and more divine. By men making posterity his, man achieved the subjugation of woman.² Women are expected to be home and not in the workplace. Even within the working class, men endeavoured to restrain women's liberation, because they began to see the women as dangerous competitors-the more so because they were accustomed to working for lower wages.³ To keep the competition from blocking men's employ-

ment, it became important to keep women at home.

In the home, women managed the domestic work, and it became a private matter. The women were kept home and did not participate in the wider society. The road to the public sphere did not happen until the modern industrial era, and only to the proletariat wife. Friedrich Engels, a German philosopher and social scientist writes, "But it was opened in such a manner that, if she carries out her duties in the private service of her family, she remains excluded from public production and unable to earn; and if she wants to take part in public production and earn independently, she cannot carry out family duties... The modern individual family is founded on the open or concealed domestic slavery of the wife, and modern society is a mass composed of these individual families as its molecules."⁴ Thus under the guise that women can work and be in the wider society, women seemed to be moving towards liberation, but it further limited her role. She struggled to be both in the public marketplace and in the private home to have a family. Women continued to live as subordinate persons under the weight of patriarchy.

As we turn our attention to the context in the United States, we

1 Ibid., 78, 79.

2 Ibid., 79.

3 Ibid., xxix.

4 Friedrich Engels, *The Origin of the Family, Private Property and the State* (Atlanta: Pathfinder, 1970), 137.

reinforce the roles of women as subservient to men. (One cannot say this about the essays in the magazine, as Playboy was one of the liberal platforms for civil justice.) But it is important to understand that women's rights are indeed human rights if society is to move towards an equal and just world for both men and women.

Women's rights have been ignored within the discourse of human rights up to the end of the 19th century. The classical relation between men and women is that women are members of an inferior class, and that their one distinctive advantage is to provide what men need for pleasure and procreation. In part, this is due to the long history of how society has perceived, treated and understood women. This article will examine the history of women's subordination. Religion plays a role in subordinating women which in turn makes it viable to violate women's human rights. This article will examine sex trafficking as a violation of women's rights and how culture and history contributed to such occurrence. This article will look towards building a society where women are not legally subservient to men, where women are respected and their bodies are protected.

History of Women's Subordination

Women's subordination has a long history in our culture, society and religion. Part of subordinating women begins with the advent of private property. Through the centuries, women's status and understanding have been bound up with private property and with patriarchy. Throughout history, the male owner transfers his existence into his property. The property continues to exist beyond his death if the property remains in the hands of its owner. When hunter and gatherers became planters and herders, man denied woman her rights to possess and bequeath property.¹ This was a historical procession which diminished the rights of women. If women cannot own property and are viewed as property to be bought, exchanged and used as collateral, the exploitation of women and women's bodies is an acceptable subculture for those born into slavery or who choose to be courtesans.

Historically, when man became the landowner, he also claimed ownership of woman. He wants his family to work to improve his fields and make it flourish. This means that the workers must belong to him as does his wife and children. The man needs heirs, in whom his earthly life will be prolonged because he hands

1 Simone de Beauvoir, *The Second Sex* translated and edited by H.M. Parshley (New York: Vintage Books, 1989) 82.



Redeeming Women: Subordination, Sex Trafficking and Women's Rights

By Grace Ji-Sun Kim

Since the death of Hugh Hefner at the age of 91 on September 27, 2017, there has been some literature on his role in the sexual revolution and in the freedom of speech movement. However, another topic that is being discussed is how he exploited women as sexual objects. His death brings us to revisit the dialogue of women's rights, since women continue to be viewed by their nature to be subordinate to men. Women continue to be used by men for their sexual pleasure, at times against the

interests and dignity of women. Sexual exploitation may involve taking away women's rights to live without their bodies being violated against their will. One must be careful to distinguish between what was done by Hugh Hefner and the Playboy corporation versus what was done by individuals who were inspired by Playboy's objectification of women. Playboy elevated the status of the soft-core porn model and the image of woman in the magazine's pictorials and in Playboy clubs, tended to

gions of the country.

- III. Christmas open house dinner functions at different regions of the country
- IV. Occasional religious dialogue and participation in various inter-religious forums.
- V. Sponsor or co-sponsor peace and harmony activities by other groups.

CONCLUSION

Depth of committal and fellowship is not reached easily. It takes time, efforts and patience. The leadership of different religions need to recognize the value and importance of co-existence among people of diverse cultures and religions and determine to participate the promotion of peace and harmony. Only then the religious pride, competitiveness, animosity and religious conflict will fade away.

Religious people are to witness to all that God is and our expectation is that in every place God will raise up the presence of peace and harmony among people of all religions and race. Individual witness also has its place, but the power of corporate witness is so much greater in demonstrating corporate identity of a nation.

Unless we make deliberate commitment to this challenge, and allow our religious conscience to do a gracious work among us, we can see no hope for peaceful coexistence. To melt hearts of stone and

make pliable minds as inflexible as pig iron will take a deep work of religious and political leaders of the day. The problem of separation and isolation will continue to proliferate here, until we experience war of conflicts. It is in the fire of adversity that we recognize that peaceful and harmonious coexistence is important.

Shalom!

Footnotes:

1. PEW Research Centre published By Reuters 6:50PM GMT 14 Jan 2014<http://www.telegraph.co.uk/news/world-news/middleeast/10572342/Religious-conflict-in-global-rise-report.html>
2. "Clash of Civilization? The Debate" by Samuel Huntington, New York, Foreign Affairs, 1996.
3. Holy Bible, English Standard Version, Ephesians 4:29
4. "How to win friends and influence people" by Dale Carnegie, Simon and Schuster (October 1936)
5. https://www.goodreads.com/author/quotes/17212.Marcus_Aurelius
6. Holy Bible, King James Version, Proverbs 23:7
7. Holy Bible, King James Version, Romans 3:23
8. Holy Bible, English Standard Version, Matthews 7:3
9. CPHM – Christians for Peace and Harmony in Malaysia
10. Robert Amess, "One in the Truth", Kingsway Publications 1988.

a group of concerned Christians to promote an atmosphere of mutual respect, tolerance and acceptance among citizens of diverse ethnic and religious backgrounds through fostering peace and harmony in the country.

The vision of CPHM is beyond any one religion. We will endeavour to encourage the whole citizenry to embrace the call for the promotion of peace and harmony amongst all the peoples in Malaysia. This will help towards national unity, which is very important for the nation's transformation agenda.

Objectives:

We seek to do the following:

1. In general, we endeavor to promote the concept of universal peace and, amongst the Christian community, we seek to promote the Biblical virtue of peace-making and being peacemakers. We seek to articulate the voice and call for the message of peace, harmony and goodwill to all Malaysians;
2. Encourage and support efforts, projects and programs to promote peace and harmony in Malaysia.
3. Act as a bridge between the multi-ethnic and multi-religious communities to promote goodwill, mutual understanding, peace and harmony through strategic engagement and resolving issues amicably, as well

as promote and facilitate national reconciliation and healing.

4. Encourage and facilitate mechanisms for dialogue, mediation and early intervention efforts for conflict resolution within the Malaysian society.
5. Encourage and support demonstrations of Christian love and charity towards both Christians and non-Christians subjects and residents of Malaysia, including activities that make a positive impact on society as part of our nation-building efforts.
6. Accomplish such other purposes related to the above as the CPHM Trustees may decide.

Vision Statement:

CPHM endeavors to be a catalyst to motivate the body of Christ to help bring healing and restoration to the nation by fostering peace and harmony.

Mission Statement:

CPHM seeks to connect, motivate and equip the whole citizenry of the nation to promote peace and harmony through collaborative actions to see the nation redeemed, restored and transformed into a people that reflects God's values.

What are the activities:

- I. Annual National Peace Banquet for 1,200 religious leaders, usually graced by the Prime Minister of Malaysia.
- II. Muslims "Ramadan" open house dinner functions at different re-

for the peaceful coexistence be expressed in love and forgiveness, giving each other space for repentance and restitution. This effort breeds a feeling of inclusion and a sense of trust where differences are acknowledged and respected.

Promoting peace and harmony does not limit the role of advocacy and the articulation of views and opinions. However, the expression must be tested by our motives, whether in speech or in action, the purity of heart is crucial. Out of our hearts, we speak forth. My own philosophy of life is “It is not what you speak, but how you speak; it is not what you do, but how you do it.” Motive reflect the sincerity of our hearts, thus enhance the sense of trust.

Biblical and Practical Approach: A Christian model in Malaysia

How should Christians respond to peaceful and harmonious coexistence among people of diverse religion? To answer this, perhaps, as Christians we should look to how our Lord Jesus responded when under adversity. Jesus was fully conscious of all that the cross involved. He expected persecution, suffering, opposition, chaos, violence and unrest. Hence, when his disciple “drew his sword out and struck the servant of the high priest, cutting of his ear”, he calmly commanded him to put his sword back (Matt. 26:51).

In conflicts, humans naturally

tend to react aggressively (“an eye for an eye”). Jesus takes a radical approach – He calls us to be peacemakers (Matt. 5:9). The Christian’s response must go beyond societal norms of confrontational aggression. Christians should bring peace, between man and God and between those at odds with each other.

The Hebrew word for peace, shalom, means wholeness and harmony rather than strife and discord in all aspects of life.

James 3:18 says that we reap what we sow. If we live in God’s wisdom, we sow righteousness and peace, not war, and we reap His blessing. Peacemakers are not power brokers but people lovers who desire the best for their neighbors. And the peace brought about by peacemakers will flow like a balm on a nation rife with conflicts.

An evidence of the Malaysian scene in breaking out from religious barriers was the formation and launching of CPHM, a gathering of 1200 Leaders of all religions, Government Cabinet Ministers, Ambassadors of nations, Renowned Corporate Entrepreneurs and Chiefs of Non-Governmental Organizations. The Peace Organization was officially launched by the Prime Minister of Malaysia, Dato Sri Najib Tun Abdul Razak on the 2nd of June 2015.

Christians for Peace and Harmony in Malaysia (CPHM) is a grassroots movement initiated by

Building a strong and genuine relationship with adherents of other faiths allows for individual attention and the ability to develop trust. By interacting with them we can learn to understand and accept each other in a meaningful and constructive ways.

To improve the relationships among different religions, it is vitally important, first, that we get to know one another. I believe that we should take every opportunity of meeting together, engaging in dialogue with one another, and courteously putting forward a truly religious form of belief. This is not easy, as we deal with people of diverse cultures and beliefs. More reason why we should make the effort!

Then, as we begin to know each other, we sense the commonality in one another, and are able to share our activities together. The CPHM⁹ in which I was the founding chairman, carried out some of the activities to promote peace among adherents of all religions in Malaysia.

- I. Annual National Peace Banquet for 1,200 religious leaders, usually graced by the Prime Minister of Malaysia.
- II. Muslims “Ramadan” open house dinner functions at different regions of the country.
- III. Christmas open house dinner functions at different regions of the country
- IV. Occasional religious dialogue and

participation in various inter-religious forums.

- V. Sponsor or co-sponsor peace and harmony activities by other groups.

Restoration of Mutual Trust

If there is to be any relationship, there must not only be contact or activities but also the building up of trust and sensitivity. Mistrust leads to fear, and fear to alienation.

Robert Amess in his book, “One in the Truth”, reiterated that honesty is an important ingredient for working together: “for without it, trust cannot be engendered...Unless we consistently speak with the same voice, we belittle our calling and destroy our credibility. Unless religious unity springs from truth, honesty, trust and love, it will be but a cosmetic exercise, a papering over the cracks, and worse than useless”.¹⁰

But the deeply ingrained fear which causes one to lust after status and rank, along with the equally deeply ingrained tendency to see others as competitors, as threats to one’s well-being, will militate against an atmosphere of trust and love.

This entails laying aside “our defenses, our inhibitions and formalities, our self-deceptions, our inner fears” and becoming more open to each other. We must cease from self-imposing and self-righteousness, allowing our concern and love

of ancestors on appointed days as per the lunar calendar), ancestor worship, khiah (ritual serving of food to priests – Brahmins.

- f) The Taoists Taoism is a religious or philosophical tradition of Chinese origin which emphasizes living in harmony with the Tao “the Way”. The Tao is a fundamental idea that denotes the principle that is the source, pattern and substance of everything that exists.

Out of this pursuit of complementing each other with the excellence of our beliefs, a common vision is emerging, “unity among citizens of a land in religious diversity”. When we begin to accept each other’s uniqueness and contribution to the society, we can live peacefully and harmoniously.

5. Repent of the judgements made of our friends in other faiths; and

Finally, we need to learn humility. In our search for peaceful coexistence, we will need to come to the place where we can sincerely repent of the judgement made of other religious beliefs. While there is no wrong to maintain or keep religiously the conviction of our faiths, it would be unethical or unscrupulous to condemn or judge the beliefs or practices of other faiths. We should also repent of our feeling of superiority and self-righteousness.

We need to realize that however correct our doctrine is, we have of-

ten missed out on the true virtue of our faiths; however, exciting our practices are, we have sometimes been too busy with our talks but not our walks; however, many good deeds we have done, we are usually far from holy. The believers that will find their humility tested to the utmost are those that really are getting somewhere spiritually. We all must learn that we haven’t really got very far unless the humility of our God has been worked into the fabric of our lives. It is not easy for us to admit that we need each other, but God will not be satisfied with anything less than perfect relationship.

For peaceful coexistence to be maintained between religions, everything depends on the graciousness with which these situations are handled by the parties concerned.

Rebuilding of a Genuine Relationship :

There is an old Chinese saying: “you guan xi, jiu mei you guan xi.” The repeated word “guan xi” carries two meanings. The former means “relationship” and later “doesn’t matter.” The saying connotes a significant antidote to inter-religious harmony: “if there is relationship, nothing matters.” Relationship covers multitude of wrong things, mistakes or upheavals. This is how the Chinese views relationship as vital part of the communal life and mutual co-existence.

of deliberate fabrication of truth, miscommunication, lack of understanding or misinformation. Many are misinformed about each other's intentions, and when they hear the facts they become much more gracious and accepting.

We should, therefore, be prepared to communicate openly with members of other religions. We do not know how to say the right things in the right ways. If we are religious leaders, we should try to dialogue with each other. We should be prepared to listen, ask questions, look ignorant, and be vulnerable to others' probing questions.

We must learn to step outside mainstream religious life. But whether people are accepting or not, we must learn to take the criticism meekly, knowing that in doing so we are eliminating the vulnerability of misconception. We can either react self-protectively or with an openness that is in fact the only way to a greater depth of reality.

4. Accept the complementarity role of each other's goodness and strengths.

Social isolation and individualism give rise to societal disintegration and fragmentation. They segregate the interaction of roles and functions of religious contribution to the community. Thus, they effect selfishness and self-centeredness of involvement. We therefore need to listen and learn from each other

so that each religion can make its distinctive contribution to the well-being of religious harmony.

To give a few obvious examples:

- a) The Muslims can teach us about their one month fasting during the "Ramadan." This pious religious practice is significant to the Muslims which other religions find it difficult to commit or practice.
- b) The Christians bring a deep personal spirituality where the emphasis on personal conversion and holiness, together with a social concern, and the glorious hymns and songs of worship.
- c) The Buddhists display the spirit of tolerance and compassion. It has been one of the most highly regarded ideals of the Buddhist culture and civilization from the outset.
- d) The Hindu's "Atman" demonstrate true self of an individual beyond identification with phenomena, the essence of an individual. To attain liberation, a human being must acquire self-knowledge, which is to realize that one's true self is identical with the transcendent self-Brahman.
- e) The Sikhs do not believe in cast or descent, untouchability, magic, spells, incantation, omens, auspicious times, days and occasions, influence of start, horoscopic dispositions, shradh (ritual serving of food to priests for the salvation

adherents of one's faith to seek for knowledge and understanding of another faith.

The caution we need to take is that approaching any issue from the viewpoint of superior knowledge alone is inadequate, and is dangerous. Why? Because each side in the argument of our faith will have at least some grasp of God's truth. But if we put our emphasis only on knowledge of the truth, we are sure to develop a spiritual pride—pride that we know more and better than others.

But in fact, any human being's grasp of truth is incomplete and therefore not only we need to acknowledge the inadequacy of our knowledge, we need to know and understand the beliefs of other religions to facilitate the promotion of coexistence. Religious dialogue is necessary.

2. Admit that we are all imperfect human being and weak in our characters.

The sense of spiritual superiority gives rise to self-righteousness. It is an attitude that I am better than you, my sin is less egregious than your sin, my characters are better than yours. This pure pride and self-exaltation tend to elevate oneself and to believe one's perfection in characters. It is candidly the attitude of the Pharisees, smug in their righteousness. This self-determined subjective standard segregates the

community, thus daunt peaceful and harmonious co-existence.

The Bible said: "For all have sinned, and come short of the glory of God."⁷ "Why do you see the speck that is in your brother's eye, but do not notice the log that is in your own eye?"⁸

We tend to focus on the sin of another, we don't pay attention to my own sin. Let us not be blinded by the weaknesses of our own characters and behaviours. Consciously, this self-righteous attitude will build walls directly, when we put down others for their faults when I should be focused on my own rather than theirs. It builds walls indirectly even if we say nothing because the attitude of our hearts will be conveyed by our treatment of others, because of my own self-righteous arrogance.

To live humbly and graciously accept one another, we need to recognize the human weaknesses of our characters and the failure in our religious practices.

3. Correct the misconception of each other's faith and practices;

Misconception of religious beliefs and practices is one of those attitudes that makes us slump our shoulders and sigh. It leads to erroneous understanding and perception of each other's faith. Thus, the incorrect conception not only creates mistrust, but judgement of one another. These distortion or unfounded opinions can be the results

build a peaceful and harmonious co-existence among people of all faiths. The community of faiths need to be increasingly challenged to develop a radical kind of mind and attitude that is willing to count the cost of sustainable relationship of co-existence. The believers of all faiths must be seen in the promotion and practice of peace and harmony; exhibiting a deep sense of togetherness and oneness in a nation.

There are walls of resistance in the minds and attitudes of religious adherents. The minds and attitudes not only build the wall of resistance and they invade with the activities of aggression. The mind is the general and basic pivot of our existence. It is the groundwork of our actions, the core of our humanity. Our minds are the most important things about us, and our lives are simply the overflow of our thoughts.

Dale Carnegie was once asked on a radio program, "What is the biggest lesson you have ever learned?" He quickly replied, "By far the most vital lesson I have ever learned is the importance of what we think. If I knew what you think, I would know what you are. Our thoughts make us what we are. Our mental attitude is the X-factor that determines our fate."⁴

Why? An old maxim states: "Thoughts produce acts, acts produce habits, and habits produce

character." The Roman philosopher Marcus Aurelius said, "Our life is what our thoughts make it."⁵ Or as the Bible puts it, "For as he thinketh in his heart, so is he."⁶

The perpetrators of religious conflict are believers whose minds and attitudes so occupied with dogmatism, fanaticism, and extremism that they become willful, stubborn and dominant. The process of reconciliation and building a relationship begin with us, the religious leaders. There is a need to move away from this tendency and mentality. We must yearn to break barrier within and around us, at the same time being able to listen and understand each other, not denying the value and importance of each individual religion. The task of promoting religious coexistence is one that needs inter-religious cooperation and one of the greatest hindrances to such cooperation is a narrow religious parochialism which sees no further than religious frontiers.

The ways to avoid being stranded on the mudflats of an obsolete mentality and willing to re-orientate our minds and attitudes is to do the followings:

1. Acknowledge the inadequacy of our knowledge of other faiths

The dogmatic conviction of our faith not only lead to inflexibility and intolerance in the face of other beliefs, we become religiously superior. The sense of pride hindered the

ful tool used by the opportunists to manipulate the masses by altering facts. It shapes and molds opinions and attitudes and defines what is normal and acceptable.

The excessive emphasis on the negative side of religion and the actions of religious excesses generate interfaith fear and hostility. What is more, media portrayals of religious issues in a sensational way to confuse rather than inform, incite excitement rather than pacify irritation. It does so by misunderstanding goals and alliances between faiths, thereby exacerbating polarization. The scenario is worsening by social media such as WhatsApp, Face book, Twitter etc. where users tend to sow the seeds of hatred and discontentment.

Antidotes of coexistence among followers of different religion

As devout believers of a faith who fear God and revere God, we want to be Godly and religious. Yet many of us are having a form of godliness, an outward appearance of being religious, not truly manifested the truth of the Holy Teaching. We must acknowledge that form without force, religion without reality is vanity.

Therefore, the religious communities need to re-think her religious responsibility to cooperate with, and even in some measure act as, agents of God's common grace in promoting peaceful and harmonious coexistence among people of

all religions. An evidence of our true faith in action.

As such, the followers of different religions must seek to re-direct a focus towards peace and harmony as positive messages to enhance coexistence and nation building as well as to encourage the moderate voices in every community who are actually the silent majority to rise and speak the message of love, acceptance and tolerance.

Re-orientation of our Minds and Attitudes

If the negative features of a religion are to be avoided, we need to put into practice the minds and attitudes which provide an antidote to it. The Bible said, "Do not let any unwholesome talk come out of your mouths, but only what is helpful for building others up according to their needs, that it may benefit those who listen"³. We should determine to encourage one another. We need to be positive and upbuilding in what we say to members of another religion, and about that religion. We need to be prepared to grant, at the very least, that some of its members might just be religious! We should also be very careful what we say behind their backs, and we need to educate them.

What is called for is a complete change of our orientation of attitudes and behaviour towards one another's religion and to seek to

Similarly, any effort to impose their religions on others especially through political mean can be contentious.”

These instances derive from a lack of respect for other faiths.

4. Religious Fundamentalism – the antagonistic reaction to post-modernism

The Post-Modern assumption, largely unquestioned, is that beliefs are mainly a matter of preference; that there is no ultimate reality; that therefore all confident statements of belief are to be regarded as arrogant. Together with the conspicuous emergence of pluralism and materialism within the society and the advocate of militant secularism, they become affront to the religious fundamentalists. They view the liberal underpinning modern minds threatens their religious belief and practices. Issues of abortion, sexual permissiveness, same-sex marriage, even theory of evolution become contentious.

Religious fundamentalists are primarily driven by displeasure with the pursuit of post -modernity. Motivated by the marginalization of religion in modern society, they act to restore faith to a central place. There is a need for purification of the religion in the eyes of fundamentalists.

5. Religious Nationalism – Political influence in religion

Syncretism of religion and politics potentially can be the dormant

power for religious conflict. Religious political nationalists can produce extremist sentiment. Religious political nationalists with political agenda tend to view their religious traditions as so closely tied to their nation or our political ideology that any threat to one of these is a threat to one’s existence. Therefore, religious nationalists respond to threats to the religion by seeking a political entity in which their faith is privileged at the expense of others.

In these contexts, anything that associated to religions such as religious symbols, religious holy books, proselytising, overt religious practices or celebration etc. will come to be used to forward ethnic or nationalist causes. Religion becomes a tool for political mileage, thus incite religious sentiments that cause conflict among the masses.

6. Religious Sensationalism – an indoctrination of the minds

The minds are the most important part of the people, and our lives are simply the overflow of our thoughts. Our thoughts make us what we are. Our mental attitude is the important factor that determines our fate. An old maxim states: “Thoughts produce acts, acts produce habits, and habits produce character.” The Roman philosopher Marcus Aurelius said, “Our life is what our thoughts make it.”⁴ Or as the Bible puts it, “For as he thinks in his heart, so is he.”⁵

Mass media is the most power-

This conviction can lead to inflexibility and intolerance in the face of other beliefs. Thus, the believers tend to bring their beliefs into fruition. Thus, become a source of conflict.

2. Religious Extremism or Fanaticism – the obvious force of aggression

Religious extremism is on the rise. Religious and fanaticism derived from strong religious conviction and dogmatism of their beliefs. They believed radical and uncompromised measures as necessary to fulfilling God's mandate or command.

The religious extremists hold the position that that if others who do not follow their ways or oppose them, they will be damned. If there is a choice of between good and evil, God and the world, religious extremists would find it hard to justify or to compromise with the world and evil. Any sign of moderation can be decried as selling out, more importantly, of abandoning God's will.

As a result of their aggressiveness and persistency of views, these extremists often preach intolerance against all who disagree with their own views. Thus caused conflict.

3. Religious Aggression – the ultimate of religious confrontation

Religious manifestation can be infectious. Religious dogmatism leads to uncompromising religious conviction; religious conviction leads to religious extremism; and finally, religious

extremism leads to religious aggression.

Religious aggression is usually caused or justified by perceived violation of rights; threat to their faiths; opposition to the divine will of God; and any other discriminatory actions or policies of the government.

When religious adherents perceived their right of freedom of belief is curtailed or discriminated, where there is no legitimate constitutional or legal process to express their views or to defend their rights, they may be more likely to resort to violence. Thus, produced a strong form of illiberal nationalism that has periodically led to intolerance and discrimination

4. Religious Proselytization – the combative spirit at work

In the month of September 2017, I was invited to address at an interfaith religious forum attended by 3,400 university students and community leaders in Sabah, Malaysia. A concerned question was presented to me by a student: "How do we resolve the conflict of religions because of proselytization?" Obviously, he was referring to Islam and Christianity.

My answer was: "Devout adherents of a faith would religiously preach about their religion. Believers are called upon to spread the word of God and increase the numbers of the faith. Such devotion is natural and neutral. The act of proselytization becomes insensitive, coercive, aggressive and unscrupulous, then it can be conflictual.

faiths have reached new highs in all regions of the world, according to a new report by the Pew Research Centre. Social hostility such as attacks on minority faiths or pressure to conform to certain norms was strong in one-third of the 198 countries and territories surveyed in 2012, especially in the Middle East and North Africa, it said on Tuesday.”¹

It is perceived that the assertion of modernity and post modernity would have inculcated opened civilization, educational, technological, intellectual or mental and finally relational advancement of humans. It also accelerated the pursuit of order, the separation of different sphere of reality namely separation of the sacred and the profane at every level. The modern men being politically oriented, would therefore demand the liberty of thought and expression which they would claimed as the highest human values of post-modern mind.

Everyone would be yearning to break barriers within and around us, to search for a personal reality and a community with a human face. Unfortunately, the reverse is true, we are facing an anti-climax scenario where the post-modernity era is bursting with religious and ethnic conflicts.

At the dawn of the twenty-first century, a casual glance at world affairs would suggest that religion is at the core of much of the strife around the globe. Often, religion is a

contentious issue among the adherents of various faiths.

Samuel P Huntington in his book “The Clash of Civilizations”² presupposed a hypothesis that people’s cultural and religious identities will be the primary source of conflict in the post-cold war world. He argued that the future wars would be fought not between countries, but between cultures, and that extremism would become the greatest threat to world peace.

The Antecedents of Religious Conflict

1. Religious Dogmatism – the latent source of intolerance

Devout religious adherents would live and practice their religions according to the teachings of their Holy Books. Although not necessarily so, there are some aspects of the religious teachings may cause the believers susceptible to being vulnerable to dogmatism.

The doctrines or teachings consciously or unconsciously develop strong conviction – a state of being confident and sure of their religious truth and belief. The conviction of their Holy Words become an absolute index for the whole of their lives – faith and practice. It is the word that come from their Gods, inevitably, not only they cannot compromise their beliefs, but to accept and practice their teachings without questions.



Co-existence among followers of different religion

By Wong Kim Kong

The rich diversity of the multi-ethnic religions in many nations places a demand on us as citizens of the nation to find amicable ways of living together peacefully and harmoniously. However, the manner or approach by which we assert our personal views or claim of rights may unconsciously or inadvertently convey antagonism or confrontation rather than cordial expression of views or concern. Therefore, many times it triggers suspicions, misunderstandings and breakdown of communication; and if not checked, it will cause distrust and animosity.

This paper will seek to outline the causes of such tension and

stress. The thesis will provide the believers of all faiths the amicable and constructive ways not only to diffuse the tension, but to promote unity in diversity, to enhance understanding of our differences and to foster acceptance and tolerance.

Introduction:

We note that there is an increased tension and stress on the social fabric of our multi-religious society of the world today due to amplified intolerance and more frequent negative comments and offensive actions towards believers of other faith. “Violence and discrimination against religious groups by governments and rival

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tution of Islamic Republic of Pakistan and also against international commitments of Pakistan and most importantly is repugnant to Holy Qur'an and *Sunnah*.¹

Conclusion

There are clear differences in institutional structures and mandates between CII and FSC. While patriarchal traditionalists/Islamists dominate CII, FSC has professional judges in the majority with currently only one Islamic scholar on board. Both institutions have women in minority and its impact is more visible in the case of controversial recommendations of CII on women's issues. Because of its composition which is dominated by traditionalists, the Council has not been able to modernize with the right of *ijtihad*. In contrast, FSC has asserted its right to *ijtihad* especially on issues of women's rights. The court's judgments have been pro-women rights and gender sensitive with the purpose of current realities of modern day Pakistan. Through analysis in the paper, the authors argue that the role of the state in relation to women rights cannot be examined through decisions of just one constitutional organ, for instance often the role of CII is discussed in isolation from other key institutions, such as FSC. As underlined in the paper, although crucial, the role of CII is limited to giving advice and

implementations of its recommendations depend on approval by legislators and execution by FSC.

If the Council is expected to be modernized then it is essential to increase the number of women members from the minimal requirement of one to something that is more logical, for example, one-third as is the quota for women in the parliament. Nonetheless, the ideal requirement should be an equal women representation in CII. Then considering the fact that Islamists have limited presence in the parliament, the Council should be made less traditionalists - Islamists dominated through the inclusion of secularists, Sufis and progressive practicing Muslims, which was the case of Zia's reconstituted Council in 1977. The suggested reforms would most probably make the Council more sensitized to women's issues.

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1 *Ibid*, at 16.

nikah (Islamic marriage solemnization, contract) of the latter, the FSC has ruled in favor of the daughter and stated that consent of the parents is not necessary for the validity of *nikah*.¹The FSC has also become more vigilant about countering the abuse of the *Hudood* laws by disgruntled parents, resentful former spouses, political rivals and the police (Cheema and Mustafa 2009: 37). The FSC has even stated that a woman can never be guilty of *zina* if she complains of rape at any stage.²The FSC also held that the rights and responsibilities of husband and wife are similar in Muslim laws and that there is no room for discrimination. If men could unilaterally divorce their wives, women could also ask for their release from the same marriage bond.³

In a gender equality case, the petitioner challenged women's appointment as judges saying that woman is subservient to man and the Prophet did not appoint a woman judge. The FSC also looked at several conflicting opinions of the jurists on the matter. The Court analyzed several Qur'anic verses and underlined that Islam placed woman and man on the same footing in economic independence, property rights and legal process. The Court cited several verses and *hadiths* to make its point on equality

between sexes. The Court concluded that man is the supporter, caretaker, provider and protector of the family which is about liability to maintain but that does not make woman inferior to man. In concluding, the FSC held that there was not any explicit injunction in the Qur'an or *Sunnah* against it so it is not prohibited in Islam and dismissed the petition.⁴

In response to a similar petition that was filed in 2010 that was based on the Grand Mufti of Saudi Arabia's *fatwa* that woman cannot become head of state or judge, the FSC, first, directly referred to Verse 28 Chapter 2 of the Qur'an (The women have the rights similar to those (of men) over them in kindness). Then, the FSC referred to the Constitution and put that the court had already decided on the issue in the above-mentioned Ansar Burney case and dismissed the petition.⁵

In a *suo moto* case, the FSC reviewed a legislation (Section 10 of the Citizenship Act 1951) that expressly denied citizenship to a foreign husband of a Pakistani woman.⁶The court put that: "We are of the view that section 10 of the Citizenship Act is discriminatory, negates gender equality and is in violation of Articles 2-A and 25 of the Consti-

4 [Ansar Burney v. Federation of Pakistan, PLD1983 FSC 73.](#)

5 [Shariat Petition No.1-L of 2010, 7 October 2010.](#)

6 [Suo Moto No.1/K of 2006, Pakistan Citizenship Act 1951, Re: Gender Equality, at 23 and 24.](#)

1 [PLD 1981 FSC 308; PLD 1982 FSC 42; PLD 1984 FSC 93.](#)

2 [Safia Bibi v. State, PLD 1985 FSC 120.](#)

3 [Saleem Ahmad v Government of Pakistan PLD 2014 FSC 43.](#)

The FSC states that the judges should not strictly adhere to the literal meaning of the verse but should consider the spirit of the Qur'an, taking the Qur'an into account in its entirety. The court highlights that Qur'an should be re-interpreted in accordance with the contemporary time and understanding, considering the general message and guidelines of the Qur'an. The FSC states that: "Qur'an and *Hadith* shall have to be interpreted in the light of the evolution of human society and its demands at a particular stage of time... such process should not defeat the intent and purpose for which Holy Qur'an stands."¹ This position of FSC has played a significant role in judgements on issues of women's rights in Pakistan.

The FSC declared that requirement of marriage registration is in accordance with the injunctions of Islam. Thus, the FSC upheld the constitutionality of the registration requirement, and directed the legislature to provide substantial penalties as an effective deterrent against non-registration.² Conservative sections in Pakistan pressured the FSC to declare marriage registration a violation of Islamic law and thus of the Pakistani Constitution. However, the FSC found this statutory

requirement in accordance with the Islamic law³ since it clarifies an individual's marital status and prevents the denial of women and children's legal rights.⁴ It argued registration is helpful in establishing an orderly society and in helping against the denial of women and children's legal rights.

On the other hand, the FSC was concerned about the misuse of the Muslim Family Laws Ordinance (MFLO) 1961 Section 7 by husbands who purposefully left their ex-wives in legal limbo.⁵ Under the MFLO, the husband must submit a written notice of the *talaq* to the state and a copy to the wife. Nevertheless, many husbands do not submit this document and if the former wife remarries, they deny the divorce and accuse the former wife with *zina* (Munir 2011: 22). The FSC underlined that as "the protector of rights of all human beings" and as "the first religion which has conferred all possible rights that could be bestowed upon a woman,"⁶ Islam neither requires nor approves of such obstacles on women's marital freedom.⁷

In disputes between fathers and daughters regarding the consent of the former for the validity of the

zenship Act 1951, Re: Gender Equality. The case was decided on 12 December 2007.

1 Muhammad Riaz v. Federal Government of Pakistan, PLD 1980 FSC 1, at 47.
2 Ibid, at 51.

3 Allah Rakha v. Federation of Pakistan, PLD 2000 FSC 1, at 48-51.

4 Ibid, at 50.

5 Allah Rakha v. Federation of Pakistan, PLD 2000 FSC 1, at 61-62.

6 Ibid, at 61.

7 Ibid, at 62.

it is significant to observe that not all of CII's reports are presented in the parliament, meaning there are bureaucratic filters. According to a former chairman of the Council, Khalid Masud (2015), during 2004 and 2010, only two of the CII reports reached the parliament. It is however very important to reform the Council to enable it to perform as per the current realities of Pakistan, for instance through collective *ijtihad* as is the case of FSC.

Federal Shariat Court

The Federal Shariat Court (FSC) is a constitutional organ of the state. It has exclusive jurisdiction to determine, upon petition by any citizen or the federal or provincial governments or on its own motion (*suo moto*), whether a law is conforming or not to the injunctions of Islam. The FSC has original and appellate jurisdiction. The *ulama* are numerically in minority in both courts, and legally qualified judges are the majority. Currently there is one *alim* in FSC. The Court has exclusive jurisdiction to hear appeals from the decision of criminal courts under any law relating to enforcement of *Hudood* Laws.

The enactment of law is the responsibility of the Parliament and necessary amendments proposed by the FSC is the responsibility of the executive. If the government fails to amend the impugned law within a specified period, the impugned

law or its provision to the extent to which it is held to be so repugnant by the FSC, cease to have effect on the day on which the decision of the FSC takes effect (FSC 2009: 3). In this way, the status of the FSC judgments does not remain only *fatwa* (juristic opinion), but transform into orders that have binding force (FSC 2009: 3).

The FSC has asserted its right to *ijtihad*. In cases related to women, the FSC *ijtihad*s have been pro-women-rights, gender sensitive and in favor of human & family rights (see in detail Yilmaz 2011 and 2014). Here it is important to highlight that even after CII's recommendations become part of sharia, they are independently judged by FSC judges on case to case basis. This aspect will be further examined in this section. The FSC highlights the necessity of resorting to *ijtihad*.¹ There is no institutionalized *taqlid* (imitation) as far as the FSC is concerned.² As stated in a FSC verdict, the term 'Injunctions of Islam' employed in the Constitution has not been defined nor its scope determined, therefore, if there is any repugnancy of any law to Qur'an and *Sunnah*, it is left open to be identified and construed by the FSC under its power under Article 203-D (2) of the Constitution (FSC 2008: 6).³

- 1 [Suo Moto No.1/K of 2006, Pakistan Citizenship Act 1951, Re: Gender Equality, at 12-13.](#)
- 2 [FSC on 22 December 2010, at 124.](#)
- 3 [Suo Moto No.1/K of 2006, Pakistan Citi-](#)

recommendations triggered opposition from the civil society and legislators. There was a heated debate in the National Assembly on CII, and some parliamentarians even accused the Council for the rise in violence against women. A prominent politician, Aitzaz Ahsan, reflected his annoyance by emphasizing the anti-women bias of CII. He said that the Council should be abolished as the government was wasting PKR100 million, nearly a million USD, in its budget (Wasim 2016).

After rejecting the Punjab government's Protection of Women against Violence Bill in February 2016, the Council embarked on its own mission to formulate a model women protection bill as a recommendation for all stakeholders, mainly Punjab and Khyber Pakhtunkhwa (KP). The latter, the government of KP had requested for CII's advice on this matter before proceeding to its women protection bill. The outcome was a disaster as it triggered another controversy over the Council's several recommendations, for example its model women protection bill allows husbands to 'lightly' beat their wives (Khan 2016a).

A main criticism on CII is that it has become a symbol and propagator of a patriarchal society. This could be due to structural reasons because the Council has never had more than one woman on its board. There are examples of the female representative also speaking of maintaining

the social status quo which is patriarchal. For example the only female member in CII, Dr Samia Raheel Qazi has also criticized the Punjab government's bill by declaring it detrimental to social fabric of the country in which a man is superior to woman (Khan 2016b). There have been calls for reforming CII from religious and secular actors in Pakistan, for example a former member of the Council, Maulana Tahir Ashrafi has called for modernizing CII. Nyzee (2014) is also of the view that the Council is merely reproducing earlier judgments and thus has not been engaged in modernizing Islamic law as per the needs of present-day Pakistani society. This also means that CII has not been performing as per its key purpose of promoting sharia but with the right of *ijtihad* (Ahmed 1963, 254).

While there continues to be criticism of the Council in relation to women rights, it is important to highlight that constitutionally CII is merely an advisory body, meaning not an implementing organ of the state. All its recommendations still have to go through the parliament and once approved are executed in the form of the law through FSC and civil courts. Since its formation in 1973, the Council has reviewed laws from 1726 onwards, produced 90 reports, and found only five percent of laws repugnant to Islam (Masud 2015). Despite some of the recommendations being alarming,

Pervez Musharraf was the president with his much-applauded vision 'enlightened moderation'. In 2006, following the gang rape of Mukhtara Mai, Musharraf's government was under immense pressure from local and international civil society organizations. That is when CII was asked to review Hudood Ordinance and the body produced a 190-page report in 2006. In the detailed report, the Council had also differentiated between *Zina bil-Jabr* and *Zina bil-Raza* and advised that four witnesses were not required in the case of the former felony (CII 2006). Then Musharraf's political allies, Islamists under the umbrella of Mutahida Majlis-e-Amal had threatened to resign if any step was taken to reform the 'divine laws' of the Hudood Ordinance. As a compromise, the government did not abolish the Hudood Ordinance but produced a separate Protection of Women Act in which rape-related matters were moved under the civil law PPC.

In 2013, CII declared DNA tests unacceptable as primary evidence in rape cases by re-endorsing the need for four (male) witnesses to prove rape charges against the accused (Khan 2016b). Then the Council did not make any distinctions between *Zina bil-Jabr* and *Zina bil-Raza*. Many criticized CII for burdening the rape victim to produce four evidences. Also, scholars have suggested that the Council should consider using the DNA evidence in

cases where the victim is murdered and where it is not practical to provide eye-witnesses (Hussain and Mushtaq 2013). According to a former CII member, the Qur'an states the requirement of four witnesses in the case of *zina* to protect the institution of marriage in case a married woman was accused, however, Muslims jurists adopted as a rule to all cases (Masud 2015, 4).

Another controversial suggestion was issued in 2014, when CII recommended that a Muslim woman cannot object to her husband's second, third or fourth marriage. The Council asked the government to revise applicable laws to allow a man to marry without the consent of his wife or wives. Since 2016, the Council has received much local and international attention due to other provocative decisions. First, CII declared un-Islamic the National Assembly's bill to prohibit underage marriage. This is because, in 2014, the Council had already endorsed the marriage of girls as young as nine, "if the signs of puberty are visible". With its decision, the Council blocked a move to punish marriage of girls as young as eight years old (Khan 2016b). Second, CII declared un-Islamic for the court to use '*kh-ula*' (right of a wife to seek divorce) without the consent of a husband to end a marriage. Third, the Council also opposed the Punjab government's Protection of Women against Violence Bill. These controversial

in the 1980s and therefore the analysis here is limited to its work since that period.

While General Zia-ul-Haq's Islamization is blamed for producing the most controversial laws (Burki 2016, Jafar 2005, Saigol 2016), such as Hudood Ordinance,¹ it is important to examine the role of CII. According to Ahmed (2016), most of what was done in that era was because of Council's groundwork, for example from *ihtram-e-ramzan* (respect of Ramadan) to Hudood Ordinance. It is however important to notice that Zia had restructured CII by increasing its members from 15 to 20 and himself chaired many of the Council's sessions. Zia reconstituted the Council in September 1977 with 17 members, a mix of *ulama*, seculars and a Sufi (Pir of Siyad Sharif Khwaja Qamruddin), including one woman (Dr Khawar Khan Chishti) who joined after seven months in June 1978 (CII 2006, 11).

Among a contentious decisions of CII of that time was the Ansari bill that endorsed women's participation in politics to be only limited to women above the age of 50 (Saigol 2016, 14). This was an attempt to what Weiss (2007, 99) argued: "the state had attempted to dictate special ideal image of women in Is-

lamic society – *chador aur char divari*, remaining veiled and within the four walls of one's home". In accordance with this conservative approach other recommendations of the Council during the Zia's administration included enactment of the strict dress code for both men and women, and gender segregation in public spaces, for instance there was a proposal to create a separate women's university. While CII was responsible for Islamising laws, the government also established FSC in 1980 to implement *sharia*.

In recent times, especially since 2006, CII has been a target of criticism from all quarters of the Pakistani society and abroad. This has mainly happened due to the Council's recommendations on issues of women rights. In 2006, CII stated that the Women Protection Bill was un-Islamic because it brought the rape under the Pakistan Penal Code (PPC), a civil law – meaning moved *zina* from *Hadd* (literal meaning, boundary) punishment to *Taazir* (meaning offense as per Qur'an and Hadith with no stated punishment in Islamic teachings) (Saigol 2016, 28). Under the Women Protection Bill, *Zina bil-Jabr* (rape) and *Zina bil-Raza* (adultery on consensual extra-marital sex) are both punishable offenses but now tried in civilian courts instead of Islamic courts (Kay 2016).

It is important to look at the context of that time in Pakistan. General

1 These Hudood laws have been a subject of discussion under women rights especially in connection to *zina* (rape) offenses. In the Hudood Ordinance, there is no difference between *zina* and adultery (Weiss 2007, 102).

2015). Despite a declared Islamic Republic, Islamization began in the 1970s under Zulfikar Ali Bhutto and later during the rule of General Zia-ul-Haq in the 1980s. Under Zia, the most controversial Hudood laws were formulated and implemented. While many scholars blame the leaders of that time, especially General Zia, for the discriminatory laws against women, it is important to analyse the role of constitutional bodies responsible for *ijtihad*, such as the Council of Islamic Ideology (CII), and the Federal Shariat Court (FSC), in relation to women rights. The aim of this paper is to present a critical analysis of both institutions in connection to some prominent, but controversial, laws vis-à-vis women in Pakistan. Despite criticism of CII's controversial recommendation on issues pertaining women rights, the council merely has an advisory role. CII's reports are often not discussed in the parliament, as there are bureaucratic filters. Even if passed by the legislators, FSC has the mandate to make judgements on Islamic laws. Thus, impact of CII's recommendations on women in Pakistan cannot be judged in isolation to other key constitutional bodies, especially FSC. In terms of the methodology of the paper, the analysis is based on the role of two selected bodies since 1980. It is the year when FSC was created and an era in which many of CII's suggestions on Islamization

were implemented during General Zia-ul-Haq's regime.

Council of Islamic Ideology

CII is a constitutional body of the government of Pakistan, responsible for giving advice on Islamic issues to relevant government institutions and legislators. The Council was founded in 1962 as an Advisory Council of Islamic Ideology and later renamed as the Council of Islamic Ideology in 1973. When first created in 1962, there were seven members – all men – including four *ulama* (Islamic scholars) from East and West Pakistan (Ahmed 1963, 278). As per the 1973 constitution, the council is permanent constitutional body that is composed of *ulama* representing different sects of Islam, technocrats and legal experts with eight to 12 members, including at least one women. Since its inception, the Council has gone through many reforms, from being dominated by secular judges to *uaema*. In its current form, CII “present the image of “Ulama Council” (Masud 2015, 5). A key intention behind the creation of CII was to initiate *ijtihad*, therefore, the Council continues to play an important role in Islamization of laws in Pakistan (Ahmed 2016). In the first decade, the Council's focus was on Islamization of the Pakistani society, for instance through bans on alcohol and gambling, and declaring Friday as a public holiday. CII's focus shifted to women issues



Islam and Women Rights in Pakistan

By Ihsan Yilmaz¹ and Zahid Shahab Ahmed²

Introduction

Created for the Muslims of the Indian Sub-continent in 1947, Pakistan is by design a Muslim majority state with 97 percent Muslim population. Despite the division of India and Pakistan based on distinct religious identities as per the 'Two-Nation Theory' (Cohen 2004), Pakistan continues to face identity crisis as evident through divisions between Islamists and secularists.

The law has been an arena of this Kulturkampf (Yilmaz 2016). Islam was identified as a key element of Pakistan identity since the first deliberations on the constitution of Pakistan. In the light of the Objective Resolution of 1949, the country was declared an Islamic Republic in 1956 (Ahmed 2016). Later constitutions have also maintained the centrality of Islamic ideology in everyday affairs of Pakistan (Chak

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implementation and adherence to the provisions and principles, which is done by some States such as the embargo countries in the current crisis, and therefore the international community represented in the bodies and the relevant international and regional organizations to take resolute and deterrent action against those States so that there is a credible and serious commitment by all to the implementation of those conventions.

11-ADYAN: Apart from the right to movement, ownership, education and the practice of religious rites, freedom of information and expression are among the most important human rights issues that have emerged in the siege crisis. What measures have been taken by the National Human Rights Commission to address the violation of this right?

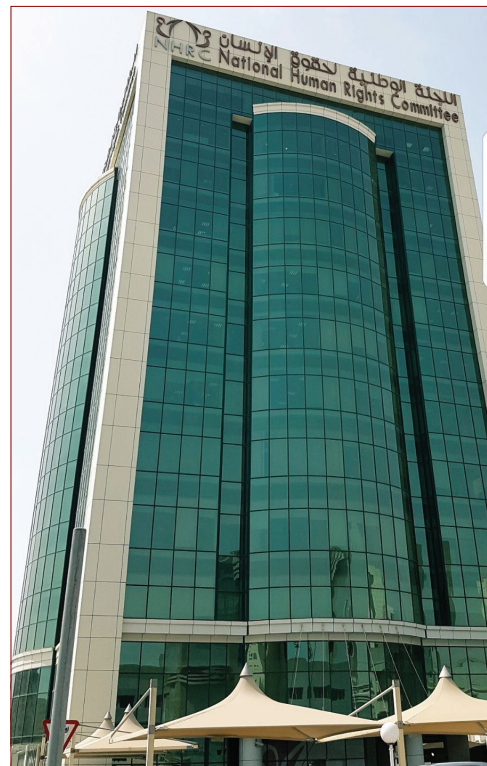
11- ABSAM: The National Commission for Human Rights has made many efforts in this regard, including recent reports and statements, as well as through international events and conferences organized by the Committee, the most recent of which was the International Conference on Freedom of Expression in the Face of Risks organized by the Committee in Doha on 24-25 July 2017, in defense of and support for this right.

12-ADYAN: Finally, we all know that human rights are a fixed religious asset that has been urged to protect all religions, and since Qatar is a Muslim country, some may ask: is there a difference in dealing with such rights in Qatar between Muslims and non-Muslim communities?

12- ABSAM: Human rights are the prerogative of all human beings, regardless of their nationality, place of residence, gender, national or ethnic origin, color, religion, language or any other status of its religious constants and its treaty obligations.

- ADYAN: Thank you very much for your time and contribution.

- ABSAM: You are most welcome.



the way of Qatari pilgrims residing on the land of Qatar, is a way of depriving people from performing this duty, which is the fifth pillar of Islam, is an explicit violation of the human right to worship and to practice his religious rites as stated in Article 18 of the Universal Declaration Human rights, and all relevant conventions and conventions.

The National Human Rights Commission stresses that the issue of Hajj is an inherent right enshrined in all international human rights instruments and conventions - and by the Islamic Shari'a law - and the Kingdom of Saudi Arabia to guarantee this right to all Muslims and work to ensure and facilitate them. For our part, we monitor and document all these violations, and prepare adequate reports to be submitted to the relevant international bodies and organizations, as well as to take legal action against the perpetrators and compensate those who are harmed.

9- ADYAN: Through your numerous meetings with international human rights organizations, especially the UN High Commissioner for Human Rights, as well as with your colleagues in the European Parliament, what is the position of the international community on these violations of human rights and what actions have been taken by it so far? Is it enough to deal with a crisis of this magnitude?

9- ABSAM: The National Human Rights Committee of the State of Qatar has made strenuous efforts in this regard, and there is a great understanding and response from the international community and support for the State of Qatar in the face of this inhumane siege and gross violations of human rights, which we have seen through our numerous meetings with international and regional bodies and organizations, Its support for the values put forward by the National Committee for Human Rights in Qatar.

There is a constant and ongoing coordination and cooperation between the Commission and these bodies and organizations in order to take measures to lift the embargo and address human rights violations and to condemn the States that have committed them.

10- ADYAN: We would like to know - from an international human rights perspective, through the experience of the siege crisis - are international human rights conventions adequate in this regard, and where appropriate mechanisms exist to implement them and punish those who violate them?

10- ABSAM: International conventions on human rights bear many provisions and principles that guarantee and protect and promote human rights, but the importance remains in the seriousness of its

to remove these violations as soon as possible.

6-ADYAN: There are certainly human rights bodies in the countries sponsoring the blockade, what is their position on these violations?

6-ABSAM : Unfortunately, the position of most of these bodies was not positive. The Committee continued with the National Human Rights institutions in those countries, such as the Human Rights Association of the UAE, the Human Rights Commission and the Human Rights Society of Saudi Arabia, since the second day of the siege, to work together and find solutions for those affected by the measures imposed by the siege, and protect them from the resulting into further violations, but unfortunately there was no cooperation by these parties.

7 - ADYAN: There are great problems of the siege crisis concerning the citizens of Qatar; specifically those who have business, trade and investment in the countries of the blockade, as well as those who have families and families, what have happened so far? How will they be compensated for their damage?

7-ABSAM: The Commission has received numerous complaints from these citizens. It has contracted with one of the most famous international law firms in Switzerland to assist all those affected by this siege in ob-

taining the necessary compensation as a result of the damage caused to them. There is also close cooperation between the Committee and the Qatari Bar Association in this regard. Through a joint working group formed specifically for this purpose.

8 - ADYAN: One of the countries behind the blockade - I mean Saudi Arabia - is the sponsor of the holy Hajj and Umrah. What has happened to the citizen of Qatar or residents wishing to perform Hajj and Umrah during the siege? How does the National Human Rights Commission deal with this?

8-ABSAM: There has been a severe violation of the right to worship and to practice religious rites by the Saudi authorities. We have all seen how the Saudi authorities treated the Qatari pilgrims during the last month of Ramadan, at the start of the crisis. They were forced to leave the Kingdom before the rituals were completed. Qatar Airways was also prevented from entering the Kingdom to transport and return those pilgrims to the State of Qatar. As the border crossings were closed, they were unable to take the road for reaching Qatar. Such inhumane actions, have certainly affected a number of citizens and residents, causing, in some cases, severe physical and psychological damage, especially women, children and the elderly. Imposing restrictions and placing obstacles on

tragic violations of the rights of Gulf citizens (Qatari and non-Qatari) as well as the rights of expatriates residing in Qatar, whether civil or political, economic, social or cultural rights. Moreover, the measures taken by the embargo countries to take some measures to ease the siege are an attempt to improve the image of the violations caused by the arbitrary measures imposed by the embargo against the State of Qatar, in violation of all norms, charters and humanitarian principles and Human rights that are considered as international crimes.

4 - ADYAN: We know that the besieged countries have taken decisions that impose on their citizens not to travel to Qatar or to reside in it, and even not to sympathize with it, but imposed sanctions on it. Has Qatar dealt similarly with the citizens of these countries residing on its territory?

4- ABSAM: Certainly, the State of Qatar will never deal similarly in this case, with the citizens of the siege countries residing in its territory. The political differences between the countries and the different visions and perceptions regarding the political issues among them should not be negatively reflected on the peoples that have to be isolated from those differences. Collective punishment against them might

constitute a crime against humanity, which was confirmed and stressed by His Highness Sheikh Tamim bin Hamad Al-Thani, the Emir of the country, and witnessed by the citizens of those countries themselves. On the contrary, most citizens of the embargo countries refused to leave the State of Qatar and even submitted many petitions to the Committee to assist them in Stay out. You can make sure of that when you see the various social networking sites, and the amount of sympathy and defense of the State of Qatar citizens of those countries against the arbitrary measures of the embargo carried out by their countries.

5 -ADYAN: Perhaps the families and children are the most humanly affected by the crisis, what are the manifestations of damage on them as you see them and how to mitigate its effects?

5- ABSAM: Arbitrary decisions and inhumane siege measures have resulted in the fragmentation of many families. Violations of family reunification have led to some psychological effects on children and women. Failure to immediately seek to stop them will inevitably lead to the disruption of family and social fabric. Through cooperation and constant communication with all international and regional human rights organizations and institutions to try

with the Paris Principles, a set of international standards governing and directing the work of national human rights institutions. The Committee cooperates with the United Nations and all other organizations of the United Nations system, regional institutions and national institutions in other countries concerned with the promotion and protection of human rights.

On this basis, the Committee deals with the crisis of the inhuman embargo on the State of Qatar, both at the national level through receiving complaints from citizens and affected expatriates, monitoring and documenting the grave violations of human rights suffered by the blockade and reporting on these violations periodically and continuously, International and regional levels through permanent liaison and cooperation with relevant United Nations human rights bodies and institutions such as the Geneva Human Rights Council, United Nations Special Rapporteurs as well as regional and national human rights institutions of the European Union and the United Nations as well as independent international human rights organizations such as Amnesty International, Human Rights Watch and others, with the aim of uncovering the facts and clarifying the whole picture to all of them, and

attempting to remove and eliminate gross violations of human rights that are contrary to all charters and principles and international human rights norms.

2-ADYAN: What is the extent of the relationship between human rights and the achievement of security and stability, in particular, as the Gulf is currently experiencing an unprecedented crisis that is likely to have an impact on its security and its stability?

2- ABSAM: There is a clear link between human rights and security and stability, a relationship that does not accept separation or fragmentation.

There is no doubt that the achievement of security and stability is no different. The preservation and protection of human rights will not be possible without it, which is one of its first requirements. However, there remains the matter of respect for human rights."There is no real existence of security without respect for human rights." That is the obvious fact that we must never lose sight of.

3 – ADYAN: What do you see from the repercussions of human rights violations after the passage of not a few days on the start of the siege crisis?

3-ABSAM: The siege has resulted in

Interview with **Dr. Ali Bin Smaikh Al-Marri**

**the Chairman of
the National Human Rights Committee of Qatar:
On the Embargo on the State of Qatar**

Interview: Dr. Ahmad Abderahim

Translation : Dr. Mahamade Ali Mahamade



I -ADYAN: First of all, thank you for accepting our request to talk about the National Human Rights Committee that you are chairing. As we know the National Human Rights Committee has a double role: It is both a human rights institution and a Qatari institution concerned with citizens and residents in Qatar. How has the Committee dealt with the siege crisis from these two perspectives?

I-ABSAM: First of all, I would like to point out those national human rights institutions are the institutions established by Government for promoting and protecting human rights at the national level. The Human Rights institutions are established either by legislation or incorporated into the State Constitution. However, they operate

independently of the Government, playing a distinct role from government and civil society.

The National Human Rights Committee of the State of Qatar is an official national institution with a particular legal status and a proper budget. It cannot be described as narrowly administrative in nature, nor is it a decision-making body. It is a committee with permanent consultative powers on human rights at the national level in the State or by considering complaints from individuals or groups. The Committee aims to promote and protect human rights and freedoms. In this regard, the Commission has the powers set forth in Article 3 of Decree-Law No. 17 of 2010 to organize the Committee. It carries out its duties in accordance

Editorial

In our contemporary world, the theme of human rights evokes many narratives and paradigms. Human rights are moral principles or models, which describe certain standards of human behavior, and are protected as legal rights in local and international laws. They are commonly understood as cogent inalienable fundamental rights that are applicable everywhere and at all times. The doctrine of human rights continues to be highly influential with international law, global, and regional settings. The United Nations Universal Declaration of Human Rights (UDHR) solemnly states that “Human rights are rights inherent in all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status... these rights are all interrelated, interdependent and indivisible.” The discourse on human rights naturally resonates with many religious traditions. This volume interrogates this theme from an interreligious perspective. This perspective is one of the cornerstones of *Adyan/Religions*.

This volume of *Adyan/Religions* aims to interrogate human rights from interreligious perspectives. Religious traditions are imbued with profound insights about the origin, meaning, and parameters of human rights. The papers in the volume are cross-cultural and explore some of the fundamental dimensions of human rights in different religions. The volume contains papers in English and Arabic from scholars invited from all over the world. Two book reviews and an interview with Dr. Ali Said Bin Smaikh, Chairman of the National Human Rights Committee of Qatar are also included in the volume. This volume seeks to lay a solid foundation for the 13th Doha Interfaith Dialogue Conference in February 2018. It is my sincere hope that this volume would evoke more meaningful conversations about the prospects of human rights and human wholeness in the 21st century.

Akintunde E. Akinade
Editor-in-Chief

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RELIGIONS/ADYAN is an annual and bi-lingual (English and Arabic) publication in interfaith studies published by the Doha International Center for interfaith Dialogue with an emphasis on interreligious dialogue and the relation between Islam and the other faiths.

In a world of the religious misunderstandings, violence and hijacking of religious faith by political ideologies the *RELIGIONS/ADYAN* intends to provide a welcome space of encounters and reflections upon the commonalities and shared goals of the great religions of the world. The title of the Journal suggests religious diversity, while suggesting the need to explore this diversity to develop keys to both a deepening of one's faiths and a meaningful opening to other creeds. The Coran suggests a commonality of faiths and a striving for the Truth within the context of religious diversity:

to reach among you, we have prescribed a law and an open way. If God ... ” had willed, He would have made you a single people, but (His Plan is) to test you in what He hath given you: so, strive as in a race in all virtues. The goal of you all is to God; it is He that will show you the truth of the matters .(in which ye dispute.»(The Table Spread :48, version of Yusuf Ali

As a refereed international journal, *RELIGIONS/ADYAN* finds its inspiration in the universal message of the monotheistic broadly understood, while engaging the various religious faiths that share common principles and values within this broadly defined context.

RELIGIONS/ADYAN encourages comparative studies and interreligious exchanges in a spirit of dialogue and mutual enrichment. Its aim is to promote understanding between religious faithful of various traditions by exploring and studying the rich field of their theological and spiritual common grounds, their mutual and constructive relationships, past, present, and potential future, a better understanding of the causes of their conflicts, and the current challenges of their encounter with atheism, agnosticism and secular societies.

In addition, *RELIGIONS/ADYAN* wishes to highlight and revive the universal horizon of Islam by fostering studies in the relationship between Islam and other religions and civilizations in history, the arts, and religious studies. This is also away to revitalize intellectual discourse in Islam, within the context of an interactive and cross-fertilizing engagement with other faiths.

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