

*International Seminar*

# **Human Rights and Religious Freedom**

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## **Seminar Proceedings**

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# INDEX

<b>INTRODUCTION.....</b>	<b>3</b>
Riccardo Redaelli, <i>Director of the Center of Research on the Southern System and Wider Mediterranean (CRiSSMA), Catholic University of the S. Heart, Milan</i>	
<b>THE CONVERGENCE OF THE RELIGIOUS MESSAGES.....</b>	<b>5</b>
H.E Dr. Nasir al-Ani, <i>President of the Diwan of the President of the Iraqi Republic</i>	
<b>FREEDOM OF RELIGION AND HUMAN RIGHTS.....</b>	<b>6</b>
de Martino Gianludovico, <i>Former President of the Interministerial Committee on Human Rights (CIDU), Rome</i>	
<b>PLURALISM: A STORY FROM THE PAST, A CHALLENGE FOR OUR PRESENT.....</b>	<b>9</b>
Diez Martino, <i>Scientific Director, OASIS Foundation, Milan</i>	
<b>HOW TO CONFRONT EXTREMISM AND TERRORISM: PROPOSALS AND SUGGESTIONS.....</b>	<b>13</b>
Seyyed Al Hakim Salih, <i>President of Hikmeh Center for Dialogue and Cooperation</i>	
<b>THE FUTURE OF RELIGIOUS PLURALISM IN IRAQ.....</b>	<b>15</b>
Fr. Jaji Ameer OP, <i>Dominican Institute for Oriental and Islamic Studies (IDEO), Cairo</i>	
<b>RELIGIOUS PLURALISM AND PLURALITY: CHALLENGES AND THE NEED FOR A NEW PARADIGM.....</b>	<b>20</b>
Maggiolini Paolo, <i>Prof. Regional Studies, the Catholic University of the S. Heart, Milan</i>	
<b>ENSURING FREEDOM OF RELIGION AND PROTECTING DIVERSITY: PROPOSALS AND SUGGESTIONS.....</b>	<b>25</b>
Mrs. Nadia F. Maghamiss, <i>Director General of Sabian Mandaean Affairs, Endowment of The Christians, Ezidian &amp; Sabian Mandaean Religions Divan</i>	
<b>“NOT IN GOD’S NAME”: VIOLENCE AND RELIGION.....</b>	<b>31</b>
Plebani Andrea, <i>Prof. History of Civilizations and Political Cultures, the Catholic University of the S. Heart, Brescia</i>	
<b>THE CIVIL STATE GUARANTEES PROTECTION OF RELIGION FREEDOM AND HUMAN RIGHTS.....</b>	<b>33</b>
Dr. Ali Al Rufay‘i, <i>Former Dean of the Law Faculty, Baghdad University and Chairman of Civic movement</i>	
<b>THE ROLE OF RELIGIOUS DIVERSITY IN PROMOTING SOCIAL CONSISTENCY.....</b>	<b>34</b>
His Beatitude Sako Louis Raphaël I, <i>the Patriarch of Chaldean Catholics</i>	

## INTRODUCTION

Your excellences, Hon'ble Guests, dear colleagues, guests and friends. It is an honour to open this Seminar on Human Rights and Religious Freedom. As you have seen, we have an extremely interesting agenda, with important, renowned speakers who gathered here for discussing over the relations between freedom and religion, law, pluralism and individual rights.

Indeed, these topics represent a complex, problematic issue, which involved all the aspects of our living as part of a society and members of a community. Even more intricate since we have multifarious, overlapping identities and we feel members of a plurality of communities and sub-entities. Especially today, in an era of globalization and transformation, of growing interconnections among different peoples and groups. A period also of dangerous polarization and mistrust among religions, and – within the same faith – among their denominations.

In this time of turmoil, religions and religious identities have become once again a contested field, especially after the decline of political ideologies. A rising number of political actors are exploiting and manipulating religious values, practices and traditions to advance specific agendas. Religion has become an ideological tool to be exploited for political goals, which reduce it to an unescapable set of norms, fixed doctrine and official representation. While we know, and we should enhance our awareness that religion, in fact, begins with the daily life of common people, beyond religious authorities and doctrine.

It is therefore crucial to re-imagine the role of religion and culture in the public domain and to find a balance between Law, Faith and Human Rights. To contrast and to fight the ones who use religions to divide societies and to deny the rights to different communities.

History has clearly proved that there is no one-size-fits-all solution. Each country, society and culture has the task to manage diversity and to defend and to allow ethnic, cultural as well as religious pluralism within the public space.

However, there are some fundamental points of analysis and discussion, which represent a common ground for all faiths and religious communities, such as the issue of justifying violence in the name of God or the problem of moving beyond the concept of simple tolerance to reach a real respect between religions. Indeed, diversity can be protected only through inclusive notions of citizenship, social justice and human security. It is important to understand that religion itself is multidimensional, and plurality in religion, in fact, begins with the daily life of common people, beyond religious authorities and rituals.

And today I am sure we can work in this direction. Allow me to thank the Italian Embassy, H.E. the Ambassador Carnelos and his staff; the Italian Ministry of Foreign Affairs which sponsors and supports this project, my colleagues from Italy and my university, the Catholic University of the S. Heart of Milano, without whose

support this Seminar would have been impossible. I also want to express my gratitude to the two friends of mine who envisaged this project, Amb. De Martino, former Ambassador of Italy to Baghdad and former President of the Italian Inter-ministerial Committee on Human Rights and a renowned friend of Iraq, and Mr Bakhtiar Amin, former Iraqi Minister of Human Rights: without their restless efforts, vision and determination we could not have organized this Seminar.

Riccardo Redaelli

## THE CONVERGENCE OF THE RELIGIOUS MESSAGES

H.E Dr. Nasir al-Ani

بسم الله الرحمن الرحيم  
الحمد لله رب العالمين والصلاة والسلام على جميع الأنبياء والمرسلين

يسعدني ويشرفني ان أحضر دعوتكم المباركة في ظل وخيمة السفارة الايطالية كي نقف وقفات على مشروع هام يحمل بين طياته معاني كبيرة وسامية ويرسم لمستقبل مزهر ومضيء للبشرية جمعاء وهو تقارب الاديان والرسالات السماوية.

فجميع الاديان وجميع الرسل جاءوا بهتاف واحد وينسق موحد الا وهو هتاف التوحيد. والرسل يكمل بعضهم الآخر مبشرين برسالة السماوات الى الارض ونداء السلام الى الناس أجمعين وسيادة الالفة والمحبة بين بني البشر جميعاً متجاوزين الاعراق والطوائف والمذاهب.

فلكم لآدم وآدم من تراب. الكل يجمعه شعار واحد وهو المحبة والسلام فيها هو سيدنا المسيح عليه السلام ونحن نستقبل ذكرى ميلاده الميمون بعد ايام قلائل شعاره المعروف الذي اصبح يتردد في أصداء الكون ( المجد لله في الأعالي وعلى الارض السلام وبالناس المسرة). وهذا هو النبي محمد ( صلى الله عليه وسلم) والذي احتفلنا بذكرى مولده قبل ايام يُناديه ربُّه من فوق سبع سماوات قائلاً له ( وما أرسلناك الا رحمةً للعالمين ) .

ويقول صلى الله عليه وسلم انما بعثت لأتمم مكارم الأخلاق فالاديان بأكملها راياتها خفاقة بالسلام فتحيتها السلام وختامها السلام بعيداً عن العنف والإجرام رافضةً للتطرف والانتقام سائرةً على طريق المحبة والوئام. وكذلك فإن الوسطية هي خير طريق لعلاج هذا التطرف قال تعالى في قرآنه الكريم ( وكذلك جعلناكم امةً وسطاً ) .

وما يجري الآن في اوطاننا من تطرف وإرهاب واستباحة للدماء ما هو النتيجة للابتعاد عن مثل وقيم السماء الحقيقية ثم القيم الانسانية في أن الجميع ينتسبون لآدم وكذلك المثل البشرية التي تكرم الانسان وتحفظه وتحميه من كل الاهانات صغيرة كانت ام كبيرة ( ولقد كرّمنا بني آدم). وان تعصب الإنسان لقوميته او لمذهبه او لطائفته بدون وجه حق ماهي الا ظاهرة تتنافى مع روح الاخوة الإنسانية.

فإذا أردنا الخير لأوطاننا ولأهلينا ولبني البشر جميعاً علينا ان نحذو حذو انبياء السماء واذا كان الارهابيون سيخرجون من اوطاننا واراضينا عاجلاً ام اجلاً فهذا لا يعني انهم سيغادرون أذهان بعض الناس بأفكارهم المتطرفة وسلوكهم الدامي. عند ذاك تقع على عاتق العقلاء من كل الاطياف مسؤولية توعية المجتمع والجلوس المتواصل للحوار والتقارب والتفاعل مع بعضنا البعض.

فالتأنيفة ليست عميقة الجذور في أدياننا ولا في طبائعنا وانما هي بذرة خبيثة دخيلة هناك من سمح لها ان تنمو وتترعرع في تربتنا. وصحيح ان المؤتمرات والندوات ترسم معالم طريق القضاء على هذه النبتة الخبيثة ولكنها لوحدها لا تكفي وانما يجب القضاء عليها بعلاج من داخل نفوسنا.. من ضمائرنا.. ومن قلوبنا.. ومن اخلاقنا.. ومن ايماننا. ومن قرأنا وانجيلنا. ومن محمدنا ومسيحنا.

وهكذا تأخى العارفون بمصلحة اوطانهم يوم كان النصارى يفهمون روح مسيحهم ويوم كان الإسلام يعلن للعالمية مبدأ حرية الاديان وتقديس الشرائع وتكريم موسى وعيسى واخوانهما من انبياء الله ورسله. فلنقف وقفة تاريخية جميعاً بدأ واحدة كي تسعد اوطاننا وتطمئن عوائلنا وتستبشر اجيالنا بمستقبل واعد سعيد. والسلام عليكم

مع تحيات مكتب معالي رئيس ديوان الرئاسة  
الاستاذ نصير العاني

## FREEDOM OF RELIGION AND HUMAN RIGHTS

Gianludovico de Martino

The issue of freedom of religion is generally linked to human rights. Human rights are essentially a matter of education, of bringing about a change of mentality and overcoming stereotypes.

They are the expression of a culture and at the same time they mold a culture, in a dialectic relationship.

Over the past fifty years human rights have appeared to go forward but they could also go the other way: it will depend on what trends will prevail in terms of messages conveyed through the media and their impact on the public.

It also depends on what is meant by human rights, on the concrete content attached to them in the context of different societies and of their values.

When we draw religion into the discussion the results are not to be taken for granted. Secularization – the separation of Church and State – is regarded as a positive step forward in Western societies, going hand in hand with the affirmation of principles such as freedom of religion which is generally regarded as a basic human right. In the Christian world there has always been an antagonism or a dualism between secular and spiritual power: in the end the struggle between the papacy and the empire saw the latter prevail while the unity of Christianity itself was in some cases broken by the establishment of national churches serving the purpose and aims of national states. The result is that nowadays, in the “Christian West” we have either “states without a religion or with a national established religion” still surviving in more or less reduced circumstances, its usefulness as an instrument of state power anyway eroded by the prevailing secular culture.

Such a development does not appear to have taken place within Islam, which instead tends to have the connotations of “a religion with a state”. The fracturing of religious unity could in fact be regarded as the origin of separate state entities, each of the latter a tool of particular persuasions of the one original religion now all competing for supremacy. It could also be regarded as the motor of phenomena such as groupings subscribing to extreme religious persuasions and engaging - in an eschatological perspective – in activities typical of the state and of insurgents, such as controlling territory and population and conducting warfare, albeit in unconventional and asymmetric manner.

It is not being ruled out that in future the juxtaposition of “states without a religion” and “religions with a state” might bring about a split of the present “human rights system”. The only point on which the two categories might in fact agree is that there is such a thing as “human rights”. But what indeed such rights are is defined according to principles which cannot be reconciled unless one of the two sides accepts to give up its basic tenets.

In this respect, the issue of the death penalty provides a litmus test. In so called “Western culture” there has been a long debate on this issue. Abolition has been advocated since the XVIII century. The debate has been driven by a combination of

philosophical and pragmatic considerations: there has never been a taboo on the issue and the death penalty has nowadays been phased out in many countries. In “religions with a state” the death penalty acquires totemic value with regard to religious crimes such as apostasy and blasphemy. They entail a mandatory death penalty in the sense that a breach of the divine order by departing from the true and only path requires re-establishing the divine order by taking out the cause of the disturbance. There is no possibility to settle the matter by paying the “price of blood”: this applies to a completely different set of relationships, the ones between human beings but not to the ones between God and man. We are still in the not unfamiliar grounds of *extra nos nulla spes*.

In this context, the abolition of the death penalty for “religious crimes” would constitute a religious crime in itself. It would therefore justify the unleashing of sectarian violence against its proponents. The “religion with a state” allowing for such a change would put itself outside the true religion. Insurgency would thus be justified.

This could hardly fit into the idea of freedom of thought and religion.

To put it in a nutshell, on one hand we could have the “human right” to pursue the true and only religion, on the other the “human right” to enjoy freedom of thought and religion. Not an easy equation to solve.

The risk of a split of the “human rights system” into two separate systems - each with its own formal instruments and structures, such as a human rights charter and a human rights court – is reinforced by the tremendous technological progress occurring over the past decades.

The assumption that the present human rights system - embodying principles developed mainly if not entirely within “Western culture” – should provide benchmarks to be universally applied and shared is seriously challenged by the intangible and growing spreading – defying any traditional border and demarcation - of alternative benchmarks made possible by the development of the web and of the new media.

Technology is indeed dual use: it provides today a fluid and ever changing field of action, potentially unlimited. It is neutral and as such it gives impulse to negative phenomena such as the new category of cyber-crimes and hate crimes, or on-line terrorist recruitment, pseudo religious propaganda and radicalization, featuring at the same time as factors and tools of ethnical and sectarian violence.

Anybody can today be his own publisher and have access to a global audience, where statistically the most hateful and violent messages are bound to be somehow supported and influence a number of like minded individuals.

The worst scenario to be taken into account is that - thanks to technology - in a world to come the dissemination of intolerant and hateful messages will be practically unhindered and their content actually strengthened. Paradoxically such messages - if they gather sufficient support and momentum – might actually provide the “extreme” benchmarks for an alternative “human rights system”, antithetic to the system developed in the wake of WWII. In such a system freedom of religion would

be denied in itself, beyond specific reference to a grouping of people being persecuted because of their religion belief: it is religions which are based on the acceptance of the principle of freedom of belief that would be targeted as such.

The challenges to be dealt with are mainly educational and cultural.

Any concrete action to counter the dissemination of intolerance should first of all include an educational effort to provide young generations with better intellectual tools of critical analysis, encouraging the development of adequate skills to critically analyse and evaluate the actual content of media messages, with regard both to traditional mass media and to the social media.

It is a matter of enabling “consumers” of information and messages to assess their level of accuracy.

The less generally informed the consumer is, the less equipped with tools of critical analysis and appreciation, the more the consumer is exposed to the risk of disinformation aimed at forming and influencing personal and public opinion.

The distinction between advertising and information is getting more and more blurred and can easily bias private discussions, public debates and individual and collective decision making processes: to make advertisements more seductive and effective audio visual techniques have been developed which - in our age of mostly audio visual media - tend to spill over to the way news and ideas are conveyed. There is in fact a link between the development of ideological propaganda and commercial advertising. The quality of the material produced by ISIS shows how such a process applies also to the spreading of ethnical and sectarian violence.

Another matter to be tackled urgently is the assessment of the current content of the teaching of subjects such as history where biased or insufficient knowledge can easily fit into narratives exciting ethnical sectarian violence.

But at the root of it all there is the issue of free will and predestination – possibility versus necessity - which should be at the center of any discussion on human rights and fundamental freedoms.



## PLURALISM: A STORY FROM THE PAST, A CHALLENGE FOR OUR PRESENT

Martino Diez

Among the remarkable features of modernity there is its tendency to see itself as ‘innovative’ and ‘unprecedented’. Given this tendency and since the Universal Declaration of Human Rights was only drafted in 1948, it is easy to forget that people have always struggled to come to terms with religious pluralism. The oldest archaeological excavations already witness to the existence of many different rituals, a bewildering diversity which seems to be rooted in a mysterious divine design, as a famous Qur’anic verse affirms (Q 5:48).

Perhaps nowhere can this religious pluralism be better perceived than here in Iraq. The land of the two rivers was the cradle to many faiths and confessions: one has just to think of the vibrant Abbasid age, where both Sunnism and Shiism defined their doctrinal tenets, where Sufism knew its first great flourishing, where Karaite Judaism arose against Rabbinic Judaism, while Zoroastrians translated their teachings into Arabic and Christians actively pursued their missionary activities as far as China.

This deeply pluralistic milieu, although with a clear dominant class – it was a military Empire, after all – inspired opposite reactions: some people became skeptics (there is a good record of free thinkers in the Abbasid cultivated classes), some became fanatics (there were a lot of interreligious riots) and some tried to steer a middle way which gave birth to a remarkable phenomenon: the Arab inter-religious humanism of the ninth/tenth century.

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Among the expressions of this inter-religious humanism there is certainly the secret society of the Brethren of Purity (*ihwān al-ṣafā*), which was active in Basra in the 10th century. And it is from their encyclopedic work that I would like to quote, in abridged form, an anecdote which I propose to entitle “the parable of the good Zoroastrian”<sup>1</sup>. As you know, the Gospels contain the parable of the good Samaritan, but here the story is about a Zoroastrian. Nonetheless, and exactly as the Samaritan of the Gospel, the main character of this story belongs to a despised group, since Zoroastrians were ranked as the lowest class among the People of the Book.

This Zoroastrian from Kirman – the Brethren of Purity tell us – was making his way on a mule and in company of a Jew from Isfahan. They ended up speaking about religion. “What is your religion?” – the Zoroastrian asks the Jew. “I believe that there is a god in Heaven, who is the God of the Banū Isrā’īl [the Sons of Israel]. I worship him and I ask from him health, a long life, richness (*rizq*) and the victory over my enemies. I wish good to the people who share my own religion; whosoever is not of my religion, *fa-halāl li damuh wa māluh wa ḥarām li nuṣratuh wa naṣīhatuh*: his blood and money are licit to me and it is forbidden for me to help him or to counsel him. And what’s your religion?”

“My religion – says the Zoroastrian – is to wish good to all people, whether they follow my creed or not”. “Even if they act unjustly towards you?” “Yes, even so, because I know that there is a God in Heaven who knows everything and who rewards people according to their actions”. “You are actually not consistent with your own creed – the Jew objects. I am worn out by the travel: give me some food and let me

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<sup>1</sup> *Rasā’il Ihwān al-Ṣafā*, Dār Bayrūt, Bayrūt 1983, *al-qism ar-riyādī*, *ar-risāla at-tāsi’a*, fī bayān al-aḥlāq wa asbāb iḥtilāfihā wa anwā’ ilāliḥā wa nukat min ādāb al-anbiyā’ wa zubad min aḥlāq al-ḥukamā’, vol. 1, p. 308-310.

ride your mule”. The Zoroastrian accepts to do so but, once the Jew is seated on his mule, he flees away. “Hey, give me back my mule” the Zoroastrian shouts. “You have acted according to your religion – the Jew replies – now I want to act according to mine”. The Zoroastrian is left alone in the desert, imploring mercy in vain.

But God – so the story goes – intervenes from heaven, the mule throws the Jew away and he has some bones broken. The Zoroastrian gets his mule back and is tempted to abandon the Jew in the desert. However, the Jew asks for mercy. “How can I excuse your behavior?” “It is an opinion to which I was educated to the point that it has become for me a habit, *i ‘tiqād qad naša’ tu ‘alayhi wa maḡhab qad aliftuhu wa šāra ‘ādatan*”. Moved to pity, the good Zoroastrian accepts the apology of the Jew, takes him to the nearest city and entrusts him to some relatives. The people of the city get to know the story and wonder how the Zoroastrian could pardon his companion, but he replies: “He told me that his creed had become a sort of second nature for him. But my religion too has become a sort of second nature for me”. And all’s well that ends well.

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There are several reasons why I have quoted this short story. The first is the sentiment of gratitude towards a country, yours, that has contributed so much to the progress of human civilization. Our great Italian poet Dante says *Nessun maggior dolore che ricordarsi del tempo felice ne la miseria* [there is no greater sorrow than remembering the happy time in misery], but the past can also be a source of inspiration and stir a renaissance, a *Nahḍa*. More importantly, however, this story contrasts a sectarian attitude, with its legalistic approach that can be found in our epoch too, and a truly religious position. And it makes clear that the dividing line is subtle. Both the Jew and the Zoroastrian are in fact believers, but the former puts God in his service, to justify his robbery, whereas the latter puts himself in God’s service, even to the risk of his own life. This alternative is still valid today and a French psychologist of Tunisian origin, Fethi Benslama, has recently expressed it while describing the young jihadists he meets in his activity in the Northern neighborhoods of Paris: “They submit to God only by submitting God to them”<sup>2</sup>.

Lastly, it is important to notice that the story of the good Zoroastrian is set within a chapter on the reason why people differ in their characters. And the answer of the *Brethren of Purity* is clear: the reason is imitation of the parents and the teachers. Education can play a negative role, but it also can create a virtuous habit, which allows the Zoroastrian to grant his pardon to his travel companion. This is the great lesson we take home from this 10<sup>th</sup> century story.

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If the alternative between sectarianism and pure faith is subtle, it is nonetheless clear and we might wonder why a wholeheartedly acceptance of pluralism and most notably freedom of conscience is not so common among religious people. Working in the interreligious field, I have asked myself this question many times. In my opinion, the answer has to do with the question of truth. It also explains why the Brethren of Purity, for all their fascinating doctrines, are considered – and with good reasons, in my opinion – as heterodox by most Muslims. The Brethren of Purity would in fact argue that all historical religions are only partial reflections of the true faith. They have the same (limited) value and none of them can claim any superiority. This is why one has to be tolerant towards all faiths.

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<sup>2</sup> Fethi Benslama, *Un furieux désir de sacrifice. Le surmusulman*, Seuil, Paris 2016, p. 94.

Since this statement can hardly be acceptable to the members of different faith communities, it leads many of them to believe that the acceptance of religious freedom would *necessarily* bring with it a relativistic stance. And since many advocates of religious freedom do adopt a relativistic or agnostic stance, the impression gains strength and becomes a self-evident truth: if you want to be tolerant, you have to renounce or at least downplay your truth claim.

In fact, this is a misunderstanding, but it is not easy to demonstrate where the error lies. It has taken the Catholic Church more than two centuries to understand it. More precisely, after a century of Enlightenment and with the outbreak of the French Revolution, the Pope looked with fright at the Declaration of Rights issued by the new French Assembly in 1789. Man – he argued – is not free. He has obligations toward his Creator. “Where is – asks Pius VI – this liberty of thinking and acting that the Assembly grants? Is this invented right not contrary to the right of the Supreme Creator to whom we owe our existence and all that we have?”<sup>3</sup>. And more than a century later, Leo XIII, who was nonetheless the great founder of the social doctrine of the Church, wrote a sentence whose wording will sound familiar to many in the contemporary Islamic world: “The world has heard enough of the so-called “rights of man”. Let it hear something of the rights of God”<sup>4</sup>.

In a sense, both Popes were perfectly right: from a faith perspective, human freedom is not absolute and every person has the obligation to follow what he or she perceives in conscience to be the right religion. Error has no right, as the Church used to repeat. And yet, this is only one face of the coin. The other face was rediscovered by the Second Vatican Council. I say “re-discover” because the council drew extensively from the Fathers of the Church, the first generations of Christian thinkers, who had all been strong advocates of religious freedom in front of the pagan persecutions against them. Yes, error has no right and partial truth only partial rights, but the human person maintains his or her dignity also when he or she errs. Not by chance, the Council Declaration bore the title *Dignitatis humanae* – Human Dignity<sup>5</sup>.

Man must adhere to Truth. But he can only adhere to it if he or she is free from external coercion. And since this right has its foundation in the structure of the human being (in its “nature” says the Council), it cannot be obliterated even if this person does not comply with this obligation. Was this a break from the traditional doctrine? Some people think so. In fact, as Benedict XVI has shown, it was a long maturation of the seeds that had been there from the beginning, but had been obscured by the experience of Christendom in the Middle Ages<sup>6</sup>.

If I have recounted this story, hopefully without committing too many theological errors, it is because it offers the theoretical foundation that was missing in the story of the Brethren of Purity. Yes, you are bound to act with kindness towards anybody. On the practical level, there is nothing to add to the golden rule of the good

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<sup>3</sup> Pius VI, *Quod Aliquantum*, March 10, 1791. I have taken this quotation from a forthcoming paper by Brett G. Scharffs, *Religious majorities and restrictions on religion*, “Notre Dame Law Review”. The Italian translation can be found here: <https://w2.vatican.va/content/pius-vi/it/documents/breve-quod-aliquantum-10-marzo-1791.html>

<sup>4</sup> Leo XIII, Encyclical *Tametsi Futura Prospicientibus* n. 13, Nov. 1, 1900. Here the full text: <http://w2.vatican.va/content/leo-xiii/en/>.

<sup>5</sup> The Declaration, issued on December 7, 1965, can be found here: [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_decl\\_19651207\\_dignitatis-humanae\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decl_19651207_dignitatis-humanae_en.html). On this respect see Nikolaus Lobkowicz, *Pharaoh Amenhotep and Dignitatis Humanae*, «Oasis» 8 (2008), pp. 17-23.

<sup>6</sup> Cfr. Angelo Scola, *Non dimentichiamoci di Dio*, Rizzoli, Milano 2013. See also Massimo Borghesi, *Critica della teologia politica*, Marietti, Genova 2013.

Zoroastrian. Theoretically speaking, however, this attitude holds true not because “all historical religions are relative” – as the Brethren of Purity would say – but because the lack of coercion is implied in the dignity every person has received from the Creator.

I have been working at Oasis for more than 10 years now and I have obviously studied the current debate about religious freedom in Islam. Many times, it seems to be a ‘battle of verses’, as Mohammad Arkoun used to say<sup>7</sup>: every part quotes some verses or *hadiths* that support their position. The more I read on this subject, the more I get convinced that this reflection would greatly benefit from an anthropological approach like the one adopted by the Catholic Church. It is not relativistic, but supports religious freedom without reservations. If you want to embody it in a person, it is the path of John Paul II.

In short, you don’t have to sacrifice truth for the sake of religious freedom. You can conciliate between them. On what basis? On the basis of human dignity.

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<sup>7</sup> Mohammad Arkoun, *The Deceptive Challenge of the Verses*, «Oasis» 3 (2006), pp. 36-38.

## HOW TO CONFRONT EXTREMISM AND TERRORISM: PROPOSALS AND SUGGESTIONS

Seyyed Al Hakim Salih

In the name of Allah the most merciful and the most passionate

In Surat Ibrahim Aya 23-25

“Those who believe have entered and do good deeds to Gardens immortally, which rivers flow under it, with the permission of their Lord, their greeting therein: Peace (23) Have you not seen how God gave the example of a good word as a good tree originally fixed and its branch in the sky (24) it gives its fruit all the time with the permission of her Lord and God gives examples for people so that they might remember”(25).

Thanks and gratitude for the Italian organizer of the conference and the great struggler Mr. Bakhtiar Amin and everyone who contributed to present this meeting which is no doubt will contribute to find a good word produces a light that we need it, “in the dark night the full moon is missed”, we are all in dire need to dialogue and exchange of views for building an intellectual system more deep and realistic to promote the burdens of confrontation in which we live against intellectual extremism and terrorism that threatens international peace and security and disrupt the logic of the mind, wisdom and civil peace on which the march of prophets and humanitarian civilizations are build, this Primitiveness of Allah that created mankind on it, therefore the Koran talk to all believers (O ye who believe, enter into peace all and do not follow the footsteps of Satan he is for you an avowed enemy), and extremism means not to enter into peace, therefor it will be following the footsteps of the devil and falling in his ropes, extremism born from ignorance and produce refusing the other and abolishing and killed him on the basis of religion or ethnicity and robbed the life which is a gift of Allah, and looting the security and terrorizing people, it is a brutality in its ugliest forms and the worst savagery of that its industry and adoption on an intellectual and practical level.

Therefor we need to build intellectual system works to find new specialization enters to our educational system cares in combat extremism and terrorism and forming a system of specialists under title “experts against extremism” we need to:

1. Studies for the history of savagery industry and stand at the causes and outcomes.
2. How can we can talk to the supporters of brutality and convincing them that it is not in their benefit in other words, influential side and serious steps in the reduction of those diabolical industry
3. That imagining the problem as a sectarian conflict that is resolved in a meeting of the clergy, this trivializes the problem and getting away from the solution. They are a part of the problem not all the problem , but they can contribute in the solutions effectively .
4. Studying geopolitical of extremism, why stems from certain countries where the defect in the social system of those countries.
5. How the terrorism became a universal and widespread and threatens everyone , it is as the virus does not differentiate between human beings in the world that became small village.
6. Working on the emancipation of the mind and presenting freedom of thought on the freedom of religion.
7. Building a culture of scientific impartiality and the spirit of intolerance and the search for truth.

8. Promote the spirit of dialogue as the literature of the sky and the line of prophets which is the mechanisms of true thinking that leads to break the segregation and fossilization , it is also of the tools of communication that lead to coexistence.
9. Keep religion away from political disputes and the warning of the danger of exploiting it and keeping it above from entering into conflicts and it does not mean isolate it from life but remains active agents in what carries of moral and behavioral system contributes a significant contribution in building the society and its development.

## THE FUTURE OF RELIGIOUS PLURALISM IN IRAQ

Fr. Amir Jaje OP

The middle-east is facing today a dangerous issue; that is “the demise of religious diversity”, due to the escalation of Fanaticism and fundamentalism of which obviously have increased lately in most of the countries in the middle-east; especially in Iraq and Syria.

Part of the problem was due to the political and Sectarianism which represent the major role in distorting and destroying the “*mosaic*” configuration of the religious diversity here in Iraq from the beginning. In fact, I mean exactly the role of the “Political Islam” for what the minorities situation have ended to. Fanaticism is most likely a result for the process of “politicizing the religious identities”; which is by far the result of manipulation of the political leaders towards the mass religious feelings of the sects, that they belong to and politically represents. In addition to employing religion for narrow political purposes that often lead to disastrous results among the community fabric, or it may – at least- result a political marginalization towards other religious and ethnic minorities; when persons of such minorities are subjected to serious violations threatening their existence and destiny.

From the other hand, the crimes committed by “the terrorist organization of Daesh” recently; that was carried out against the religious minorities in the name of (religion) or its (religious ideology); have deepened the jeopardy of demising the religious diversity; and forced so many of those minorities – in Iraq- to flee the country because they were displaced and humiliated which made them reach an absolute conviction *that they no longer have place in this area*.

We will mention hereunder the violations caused by the religious extremism from one side and by the political Islam from the other:

- 1- Lawlessness, which facilitate the way for the criminal gangs to practice violation against other minorities, since they represent the weakest ring, and they never had a supporting tribe or an influential party.
- 2- The usage of minorities, by influential parties, as a pressure card in order to liquidate their accounts. Eventually minorities became like a “scapegoat” within sectarian conflicts and struggling for power by those influential parties.
- 3- Para two of item (26) of the unified national identity, which was approved by the Iraqi Parliament, this item would force non-Muslim minor children to be registered as Muslims when one of their parents declare Islam.
- 4- The harassment policy that being practiced by the political Islam today in Iraq, in order to convert Iraq into an Islamic state just like the one in Iran. Recalling, for example, the parliament declaration to ban alcoholic drinks and imposing constrains toward the personal rights in universities and colleges concerning make-up and clothing worn by women.

Such violations are being reacted every day and bringing more fear and anxiety upon minorities, and giving a good motive to flee in a semi exodus; this certainly would evacuate the country of their skills and specializations. These violations are being done within a suitable political climate of impunity, which indicates a vast gap inside the state concerning protection of the human rights.

Although Islam, according to the Iraqi constitution, is the official religion of the state and a reference to its fundamental legislations, however, the state must be “neutral” insuring the rights to all its people no matter what sort of religion, doctrine

and sects they are. The state must do its part to insure the right of religion and belief. Therefore, maintaining the civil state as well as devoting the spirit of citizenship in practice is the solution of keeping a unified homeland, and embracing the cultural, religious diversity in Iraq since it was established.

This seminar, which is being held to enhance “pluralism” in Iraq, makes me propose – in this humble intervention- one final point for discussion. This matter may contribute to strengthen the pluralism and to get rid of the disease of sectarian and religious conflicts. This point is about the importance of upbringing on the national identity in schools and in religious institutions.

Frankly, any people suffering from the lack of national pertinence and loyalty to homeland is consisting a main factor towards fragmentation and civil conflicts. This would not be achieved without making the citizenship on the basis of true grounds believing in the loyalty of people to their homeland whatsoever. This requires education to focus on citizenship in schools, colleges and other institutions.

The pluralism of sects, believes and religions in Iraq, despite difficulties, is the main power and true blessing to achieve or build an ideal community. The community would consider such diversity as a mean to fortify mass proficiency; thus faith would defeat fanaticism and religion upon sect and belief.

From this point, it is such an important thing to reconsider the educational subjects being used in our schools nowadays in general. Precisely the subjects of “religious education” and “national education”; expert supervisors have to prepare a national curriculum for religious education in conjunction with the ministries of education and higher education as well as other related educational institutions. This curriculum must be compulsory in all official and private schools; in addition respecting the right of learning religion, spreading the culture of forgiveness and peaceful coexistence upon the basis of freedom of religion, belief and to respect diversity. On the other hand, forming specialized committees in order to modernize and reconsider the curriculum of “national education” subject in order to raise our children on patriotism a, real affiliation and concerning its dignity.

This requires the following:

- 1- Changing the trends of educations i.e. “initiating” and focusing on real education, open horizons, scientific and objective criticism. As far as education tends to initiating and dictating, then its effect on behavior is going to be weak. This tendency would make the student to empty what he has learned from books; while acquires his behavior from the street in addition to other things such as cinema, internet and etc. Unfortunately, today we are initiating not educating!
- 2- Taking care of the curriculum of national education, for it should not be adulated to the authorities or to its party as it was carried out during the previous toppled regimen; praising the achievements of the party and its leaders, neither to be a marginal subject to be used to fulfill other subjects. In fact, this subject should be fundamental, and the student should be raised through it on the right national values; starting from caring of the street's tidiness and keeping everything in it for the common benefit; in other words “we are developing the feeling of others”.
- 3- Avoiding importation rather than originality, whereas the principles of citizenship, democracy and human rights are quite international. However, educating those things are stems from the person himself that means the



privacy. Therefore, national education and the national upbringing in Iraq and other Arab countries needs a creative production reflecting the Arab oriental individuality, this will reread the Arabic culture and its literature out of its actual values not linked to aesthetic formalism, rhetoric, pride, spelling or compliment . Obviously, the greatest thing that have suffered of destruction and harm, due to wars and conflicts that our country experienced are the human values. We lost these things and need a lot of hard work as well as time for rebuilding.

#### 4- Education for pluralism

Since the sixties of the last century, none of the educational programs, globally, has shown practices on religious plurality. Indeed, these programs were limited only on the religious education; that is raising a person on one single believe he follows alongside with his instructor. However, at the end of the twentieth century and the beginning of this century, these programs have experienced some developments in education thought towards a new methodology in dealing with the religious education; namely educating about world religions. This is what we need of knowing each other; that is by knowing the believes, thoughts and the rituals of them in addition to respecting of their rights.

Yes, there is a lot of work to do in this field by showing the great wealth of our diversity, this creative diversity.

We've to admit that "peaceful coexistence" and accepting others would not be concluded just overnight. It will be built gradually day after day. However, we need to have a stable strategy alongside with a clear distinct work plan; which also need a great deal of hard work and continuous struggle at all levels.

#### مستقبل التعددية الدينية في العراق

يواجه الشرق الأوسط اليوم خطر زوال التنوع الديني، وذلك بسبب تصاعد التعصب والأصولية التي ازدادت بشكل ملحوظ في السنين الأخيرة في معظم بلدان منطقة الشرق الأوسط وبشكل خاص في العراق وسوريا. فمن جهة، كان للنزاعات السياسية والطائفية الدور الأكبر في تشويه وتدمير "mosaic" التنوع الديني الموجود في العراق منذ نشأته، وهنا اقصد بالذات دور "الإسلام السياسي" فيما وصل اليه حال الأقليات الدينية. فالتعصب الديني كثيرا ما يكون نتيجة لعملية تسييس الهويات الدينية، اي يكون نتيجة لتلاعب القادة السياسيين بالمشاعر الدينية الجماعية للطوائف التي يمثلونها سياسيا، وتوظيف الدين لأغراض سياسية ضيقة تؤدي في كثير من الأحيان الى نتائج كارثية على نسيج المجتمع، او تؤدي على اقل تقدير الى تهيمش سياسي للأقليات الدينية والعرقية، وتعرض افراد الاقليات الدينية الى انتهاكات خطيرة تهدد وجودهم ومصيرهم.

ومن جهة أخرى، جرائم "المنظمة الإرهابية داعش" في السنين الأخيرة التي ارتكبتها ضد الأقليات الدينية، باسم الدين او باسم ايديولوجيتها الدينية، عمقت خطر زوال التنوع الديني وأجبرت الكثير من الأقليات الدينية في العراق الى ترك البلد بعد تهجيرهم وإذلالهم بحيث انهم توصلوا الى قناعة تامة بان لم يعد لهم مكان في هذه المنطقة.

نذكر من هذه الانتهاكات التي أحدثتها من جهة التشدد الديني، والاسلام السياسي من جهة أخرى :

1. غياب سلطة القانون، سهل على العصابات الإجرامية الاعتداءات على الأقليات على اعتبار انهم الحلقة الأضعف وليس لهم عشيرة او حزب متنفذ يسندهم.
2. استخدام الأقليات من قبل الأحزاب الكبيرة كورقة ضغط لتصفية حساباتهم، فاصبحت الأقليات ككبش فداء في حال النزاعات الطائفية والصراعات على السلطة من قبل الاحزاب الكبيرة.
3. الفقرة الثانية من المادة 26 من البطاقة الوطنية الموحدة التي اقرها البرلمان العراقي والتي تُكره الأولاد القاصرين غير المسلمين على تسجيلهم مسلمين عند اشهار أحد الوالدين إسلامه .
4. سياسة التضييق التي ينتهجها الإسلام السياسي اليوم في العراق لجعل العراق دولة دينية على مثال الدولة الإسلامية في ايران، ونذكر على سبيل المثال إقرار البرلمان منع الكحول ومحاولة فرض قيود على الحريات الشخصية في الجامعات والكليات والمعاهد فيما يخص المكياج ونمط الملابس التي ترتديها المرأة، والى آخره من الامور التي تُضيّق على الحريات الشخصية للمواطن.

إن هذه الانتهاكات تتفاعل كل يوم وتنتج مزيداً من الخوف والقلق عند الأقليات وتدفعهم إلى الهجرة شبه الجماعية وإفراغ البلد منهم مما يشكل خسارة لمهاراتهم واختصاصاتهم. تحدث هذه الانتهاكات في مناخ سياسي يسوده الإفلات من العقاب، مما يشير إلى وجود فراغ للدولة في مجال حماية حقوق الإنسان. على الرغم من أن الإسلام حسب الدستور العراقي هو دين الدولة الرسمي ومصدر التشريعات الأساسي، إلا أنه ينبغي على الدولة أن تكون "حيادية" تضمن حقوق جميع المكونات باختلافاتها الدينية والعقائدية والطائفية. فعلى الدولة أن تقوم بدورها في ضمان حرية الدين والمعتقد. فالحفاظ على مدنية الدولة وتكريس روح المواطنة عملياً هو ضمان وحدة الوطن واحتضان التنوع الثقافي والديني والمذهبي والذي هو وعامل غنى كبير وميزة العراق منذ نشأته.

إن هذه الندوة الدراسية التي أقيمت من أجل لتعزيز التعددية في العراق، تجعلني أطرح، في مداخلتي هذه المتواضعة، للنقاش نقطة أخيرة ممكن أن تسهم في تعزيز التعددية والتخلص من مرض الصراعات الطائفية والدينية، وتتمحور هذه النقطة حول أهمية التربية على الهوية الوطنية في المدرسة والمؤسسة الدينية. لنقلها صراحة، بأن افتقار أي شعب إلى الانتماء الوطني وفقدان الولاء للوطن يشكل عاملاً أساسياً من عوامل التشرذم والصراعات الداخلية.

إن هذا لن يتحقق إلا ببناء مواطنة مبنية على أسس حقيقية، تؤمن بولاء المواطنين أولاً وأخيراً للوطن. وهذا يتطلب التركيز في التربية على المواطنة في المدارس والكلية والمعاهد. إن تعددية الطوائف والمذاهب والأديان في العراق، رغم الصعوبات، هي مرتكز قوة ونعمة حقيقية لتحقيق المجتمع النموذجي الذي يتخذ من هذا النوع من التنوع وسيلة لإغناء الخبرة الجماعية، فيغلب الإيمان على التعصب، والدين على الطائفة والمذهب.

من هنا ضرورة إعادة النظر في المناهج المستخدمة حالياً في المدارس بشكل عام، وبشكل خاص منهج التعليم الديني ومنهج التربية الوطنية فيقوم خبراء متخصصون بوضع منهج وطني للتنشئة الدينية بالتنسيق مع وزارة التربية والتعليم العالي والمؤسسات التعليمية والتربوية، بحيث يكون هذا البرنامج إلزامياً في كل المدارس الرسمية والأهلية، مع احترام حرية التعليم الديني، ونشر ثقافة التسامح والتعايش السلمي على قاعدة حرية الاعتقاد واحترام الاختلاف. ومن جهة أخرى وضع لجان متخصصة لتحديث وإعادة النظر في منهج للتربية الوطنية، لتربية أولادنا على حب الوطن والانتماء الحقيقي له والحرص على كرامته. هذا يتطلب :

1. تغيير نمط التعليم "التلقيني" والتركيز على التنشئة وفتح الأفق والنقد العلمي الموضوعي، فكلما كان التعليم تلقينياً إملانياً، كلما كان تأثيره على السلوك ضعيفاً، إذ يفرغ الطالب في الامتحان ما تعلم في الكتاب ويكتسب سلوكه من الشارع خلال انتقاله من البيت إلى المدرسة ومما يشاهده في الأفلام والانترنت. للأسف نحن اليوم نلحق ولا ننقذ.
2. الاهتمام بمنهج التربية الوطنية في المدارس، فلا يكون ترفلياً للسلطة الحاكمة ولمشروعها الحزبي كما كان في وقت النظام السابق يتغنى بإنجازات الحزب وقادته، ولا أن يكون مادة هامشية يستفاد من وقتها الأساتذة لملء شواغرهم الدراسية، بل أن تصبح مادة أساسية يُربى من خلالها الطالب على القيم الوطنية ابتداءً من الحرص على نظافة الشارع والاهتمام بالمحافظة على كل ما يتوفر أشياء في الشارع لخدمة عامة الناس. أي أن ننمي فيه الإحساس بالآخر.
3. الابتعاد عن الاستيراد دون التاصيل، فبادئ المواطنة والديمقراطية وحقوق الإنسان عالمية، ولكن التربية على المواطنة والديمقراطية وحقوق الإنسان تنبع من الذات أي من الخصوصية. لذا تحتاج التربية الوطنية والتنشئة المدنية في العراق والدول العربية عامة إلى إنتاج مبدع، تظهر فيه الخصوصية الشرقية العربية وأصالتها، فيعيد قراءة الحضارة العربية والأدب العربي من منطلق قيمي لا يقتصر على الجمالية الشكلية والبلاغة اللفظية والفخر والهجاء والمدح. أكثر شيء تهدم وتأذي بعد كل هذه الحروب والصراعات التي مر بها بلدنا هي القيم الإنسانية التي فقدناها ونحتاج إلى الكثير من الجهد والوقت لإعادة بنائها.
4. التربية على التعددية

حتى الستينيات من القرن الماضي لم تشهد البرامج التربوية على الصعيد العالمي تجارب في تعليم التعددية الدينية، فالمنهج التربوي الديني اقتصر فقط على التربية الدينية، أي تربية دينية على إيمان واحد يعتنقه الطفل والمعلم. إلا أن أواخر القرن العشرين وبداية هذا القرن، شهد تطوراً في الفكر التربوي نحو منهجية جديدة في التعامل مع التربية الدينية، ألا وهي التعليم أو التنشئة حول أديان العالم. هذا ما نحتاجه للتعرف على بعضنا البعض من خلال التعرف على معتقدات وأفكار وطقوس الآخرين واحترام حق الآخر بالاختلاف عني. نعم هناك الكثير من العمل في هذا المجال في إبراز الغنى الكبير الذي يمثله تنوعنا، هذا التنوع الخلاق.

علينا ان نعترف أن التعايش السلمي وقبول الآخر لا يتحقق بين عشية وضحاها، وأنه يبني بتأني، خطوة بعد خطوة، يوما بعد يوم. ولكن يتطلب أن يكون لنا استراتيجية ثابتة وخطة عمل واضحة المعالم. وهذا يستوجب أيضا عمل دؤوب وكفاح متواصل على كافة الأصعدة والمستويات.

الأب د. امير ججي الدومنيكي

عضو مستشار في المجلس البابوي للحوار بين الاديان وعضو في معهد الدراسات الشرقية للاباء الدومنيكان في القاهرة

## RELIGIOUS PLURALISM AND PLURALITY: CHALLENGES AND THE NEED FOR A NEW PARADIGM

Paolo Maggiolini

Globalization, migrations and geopolitical rivalries are deeply transforming the wider Mediterranean socio-political and religious landscape, bringing new challenges and blurring the lines traditionally separating quasi-universal concepts like minority and majority, national and transnational, rights and duties. Conflicting interests and growing polarization are nurturing mistrust and fear of the Other, unveiling and exposing structural contradictions of how pluralism, diversity and – more broadly – coexistence have been understood, framed and experienced in our public spaces.

In this time of turmoil, religions and religious identities have become once again a contested field, especially after the decline of political ideologies as the main tools of geopolitical confrontation and popular mobilization. A rising number of political actors are exploiting and manipulating religious values, practices and traditions to advance specific agendas, drastically limiting the room for coexistence in today's societies.

This condition is shaking the basis of our socio-political and institutional systems and the basic principles of inclusive citizenship, empowering those who support identity politics, securitization, and isolationism against integration, participation, diversity and pluralism.

### 1. *A grim European scenario*

Looking at the European context, diversity and plurality have increasingly become the focus of a political debate that aims to contest and denounce the validity of today's European project. In a nutshell, they have become the scapegoats of the present European political crisis. Multiculturalism, melting-pot, *laïcité*, strict secularism have all shown their limits in governing and managing diversity.

The supporters of an imagined notion of “purity” and “homogeneity” – as representing the supreme value binding citizens to nation states – look with suspicion at religious freedom and pluralism. This hostility poses a critical challenge to the development of a really “inclusive” notion of European citizenship and it risks undermining the social pacts on which most European states have been built, fostering new forms of marginalization and exclusion.

As a result, Europe is still looking for an effective synthesis between an individual-centered and a community-based understanding of the place of religions in public space. These two perspectives design a wide socio-political and cultural continuum with opposite interpretations and contrasting conceptions. On the one hand lies a “soft” perception of the social role of religion that tends to equate religious choices with any other type of preferences. On the other stands a revived interpretation of religion as a political, social and cultural fact (a “hard” conception of the role of religion in the public and socio-political sphere).

This complex confrontation between opposing and rival visions is nurtured by a culture of fear, fostered by the inadequacy of today's European governance and politics in dealing with issues such as economic recession, terrorism and immigration. The spoilers are numerous. On the one hand, populist movements are developing and growing, combining ethnocentrism with anti-elite slogans and exploiting socio-economic uncertainty and fear. In their view, diversity is a fatal threat to social cohesion and the source of the decline of an a-historically imagined “European civilization”. Christianity for them thus becomes more an ideological source of

legitimization and identity, than a daily-life faith. On the other, jihadism is equally exploiting the weaknesses and inadequacies of European societies to proselytize and polarize with the aim of imposing a statistically insignificant (but, unfortunately, geostrategically important) minority as the standard bearer of an imagined “true Islam” existentially opposed to “Western values” and “apostates”. For them, too, religion appears to be a mobilization ideology.

These distorted concepts and misguided values blur and destabilize the common perception of diversity and the content of inclusive coexistence, equating “otherness” with “mistrust” and “menace” and making it the core source of all socio-economic and security issues affecting today’s Europe.

## 2. *The struggle within the Middle East: a disputed scenario*

Looking at the MENA context, managing cultural and religious diversity has progressively turned into a complex challenge. Geopolitical regional and domestic factors have an equal role in this dynamic. Traditionally, two different strategies have been employed to deal with diversity within the region. On the one hand, state-building processes have been carried out under the pressure of achieving full independence from colonial powers and resisting various external influences and pressures. Politically, religious and ethno-linguistic diversity has been overshadowed by prioritizing the ideal of the “strong state” and “homogenous nation”. A message that has pervaded and shaped a number of political fields and public spaces in the region for decades. On the other, diversity has been institutionalized and politically empowered with religious and ethnic groups establishing their own parties and competing for political power.

The recent wave of uprisings and civil wars that threaten the very foundations of the regional system has shown that both systems have failed in protecting diversity and in proposing new paths towards pluralism. The crisis of the state and the heightening geopolitical competition have thrown the region into a vicious circle of violence, fostering new fragmentation and divisions. Polarizations have prevailed as well as mistrust and uncertainty. National cohesion has been widely challenged by the development of non-state actors, new centers of power and terrorist groups, exploiting cultures, traditions and religious denominations to support their agendas. In particular, Daesh has been able to enter the regional and international geopolitical competition, manipulating the internal weaknesses of different states and benefiting from sectarian radicalization and the polarization of communities’ identities. At the same time, it indirectly served competing interests and agendas and became one of the pivots in the shifting alliances and rivalries for regional hegemony. Exploiting the benefits of a truly global agenda and exerting direct control over territories of high symbolical and geopolitical weight, Daesh became a focal point for a wide array of individuals and local groups looking at it as a source of inspiration. Thus, Daesh-controlled territory became a credible destination in which to live, militate and fight; a place with no room for diversity.

These dynamics confirm that managing diversity is primarily a political issue and challenge. It depends on how the state and the public space are framed and how all ethnic, religious and cultural communities are recognized as legitimate components of society. Therefore, it is necessary to acknowledge that what is shattering the Middle East is deeper than Daesh. Nevertheless, this organization has contributed to widening already existent socio-political cleavages, mistrust and polarization.

### 3. *Two shores, common challenges*

Hence, the wider Mediterranean basin is experiencing a tangled dynamic of polarization and sectarian radicalization, fostered and amplified by the controversial unfolding of a complex matrix of political, economic and security crises that are shaking the bases of our socio-political and institutional systems.

Indeed, while sectarianism is militarily inflaming the MENA region, evoking “violence in the name of God”, there is also a subtler level of manipulation of religion and use of violence in these terms that permeates our daily lives, such as marginalization, blackmailing and labeling as apostates and infidels any rivals or forms of diversity.

History has clearly proved that there is no one-size-fits-all solution. Each country, society and culture has historically committed to manage diversity, defining its role and position within the public space as well as experiencing positive achievements, failures and challenges.

Europe has to deal with the difficult task of reconciling its ideals of pluralism, economic growth and political union with today’s crises, drastically reconsidering its ambition to “export” the “European model”. Similarly, the MENA region needs to re-imagine the role of religion and culture in the public domain and the balance between rule of law, faith and human rights as the bases to foster national cohesion and as the supreme principle to achieve stable and robust states and societies. Religion brandished against other denominations of the same faith or against other religious communities has dangerously polarized MENA societies, serving divisive agendas and fragmenting the social fabric of states. Combatting and reversing such dynamics is particularly necessary to promote national reconciliation, defusing sectarian violence and preventing religion and culture from continuing to be exploited for geopolitical and socio-economic reasons.

Pluralism has to be recognized as a process that needs to be constantly supported. It is an issue that challenges both shores of the Mediterranean basin and its future. Therefore, speaking of religious pluralism (both between different faiths and among different denominations of the same religion) is not naïve nor it is simply an intellectual task, but is meant to embrace an ineludible long-term perspective to promote stability and coexistence within our socio-political systems.

Diversity can be protected only through inclusive notions of citizenship, social justice and human security. Pluralism is a very delicate and fragile attribute and it is always reversible if not daily defended, practiced and lived. Pluralism can be achieved only by devising new instruments and mechanisms of participation to allow all voices to be part of decision making, representing the real interests of each community, understanding at the same time their perceptions of insecurity, threat and marginalization. Simultaneously, this objective can be achieved by dealing with communitarian and individual autonomies. Indeed, religion itself is multidimensional, and dimensions of religious and spiritual experience can be combined in many ways across individual lives. Plurality in religion, in fact, begins with the daily life of common people, beyond religious authorities and rituals.

In this framework, representatives of different faiths and denominations can play a decisive role in reflecting on the roots of these negative dynamics and how to combat them. They can facilitate and trigger a necessary reflection on the relationship between faith, rituals and orthopraxis within the public domain as well as between state law and religious law, defusing the manipulation of religions and establishing a new consensus on shared values, such as solidarity, mercy, the duty to protect people in need and the sacredness of human life.

This understanding and awareness is necessary to recognize the common challenges posed by globalization and the growing interdependence of today's international system. Such a condition inevitably stresses and emphasizes issues related to coexistence and living together, with different faiths, cultures and traditions called upon to share the same public space both at the national and international levels. Furthermore, this challenge is not developing from the misleading theory of the "clash of civilizations", but is shaking from within each culture, society and nation. This condition makes today's fragmentation, division and polarization particularly resilient and vicious. History teaches that it is usually more challenging to find mutual understanding and acceptance between groups and denominations of similar culture and traditions than with apparently "distant" Others. But it is precisely for that reason that religious pluralism should be understood as one of the necessary steps to foster cohesion and reconciliation.

A cornerstone of this process is to move beyond the traditional concept of "tolerance" to reach that of real mutual respect. In fact, mutual respect is the only stable basis on which develop pluralism. Although tolerance is a value and its introduction within the legal and political system has represented an important step for managing diversity, it generally conveys an understanding of a diminished role and an unstable position of the Other within the public domain. Toleration makes it possible for the Other to socio-politically exist, but not to fully participate and enter the public space on an equal footing. The history of Europe since the end of the Thirty Years War (1618-48) – the so-called Westphalia era – teaches us that the introduction of such a concept alone, albeit important and necessary, has never been sufficient to guarantee and positively manage diversity, since legal tolerance can be reversible when not truly accepted within the real body of a society. Mutual acceptance is thus what is needed to create a culture of "awareness, understanding and recognition of the Other" and to develop a new paradigm, shifting from a top-down approach towards diversity to a bottom-up path to embrace the Other and live together, without "encapsulating" their lives in a rigid scheme of limitations and regulations.

#### 4. *Possible steps forward*

Hence, the issues that our societies are facing may be different in nature and intensity, but we are equally engaged in the same challenges. In this time of turmoil, diversity poses a number of pressing questions that should be resolved and managed all together at different levels (national, transnational and international). In this epoch of globalization, it is not possible to simply contain and react, it is necessary to be proactive and supportive. At the same time, because history teaches that no one-size-fits-all solution succeeds, the temptation to project a single model should be dismissed and bottom-up approaches should be prioritized. Accordingly, a set of *ad hoc* initiatives could represent a significant starting point to break the circle of violence and polarization affecting our societies. Amongst them:

- The issue of the relationship between law, religious pluralism and individual rights could become the focal point of debate for a targeted commission gathering together regional religious, legal and civil society experts from the two sides of the wider Mediterranean, proposed by their respective academic and professional organizations and associations.

- The issue of religious pluralism and diversity should be dealt with on two different levels. On the one hand, culturally, religious pluralism and diversity should become a subject taught in the school and university curricula. This is of primary importance to develop a “legal and civic culture” regarding the importance of religious pluralism and diversity, but also to establish firm roots of their role and contribution as shared values in each country and society. On the other hand, politically, managing diversity should be considered an integral part of the national dialogue paths, avoiding however the trap of “excluding” all religious topics from official public narratives (as sometimes happens in Europe). Accordingly, diversity should not be ignored or overshadowed, but religious and ethnic identities should be included, considering them an enrichment rather than a threat, as well as making religious and ethnic groups part of the decision-making process. New instruments of local governance have to be designed and experimented with.
- The nexus between violence and religion should be severed, understanding that “violence in the name of God” always offers an opportunity to radicals and extremists to exploit religion as a powerful justification for their actions. Since sectarianism is inflaming the region, it is necessary to break such a link. Not only to the extreme level of jihadist terrorism but also to a subtler level of violence in the name of God in daily life, against opposing groups and persons, which must be combatted.



## ENSURING FREEDOM OF RELIGION AND PROTECTING DIVERSITY: PROPOSALS AND SUGGESTIONS

Mrs. Nadia F. Maghamiss

### INTRODUCTION

بأسم الحي العظيم  
السادة المسؤولين المحترمون .  
السادة اصحاب السماحة والنيافة المحترمون .  
السيدات والسادة الحضور الكرام .  
أحييكم وأنقل تحيات فضيلة الريش أمة ستار جبار الحلو رئيس طائفة الصابئة المندائيين في العراق والعالم .

ورد ذكر المندائيين في الدستور العراقي للعام 2005 في مادته الثانية – الفقرة 2، وللمندائيين تمثيل في ديوان أوقاف الديانات المسيحية والايثيوبية والصابئة المندائية، كما وتعد المندائية إحدى الطوائف الرسمية التي تم الاعتراف بها في ملحق نظام رعاية الطوائف الدينية ( الطوائف الدينية المعترف بها رسمياً في العراق رقم 32 لسنة 1981 ) .

لكن الاعتراف الرسمي لوحده غير كافٍ من دون مستويين آخرين من الاعتراف، لهما صلة بالقبول من قبل المجتمع الواسع لافراد الاقلية الدينية ومعتقداتها، وهما : الاعتراف من قبل المؤسسة الدينية، والاعتراف الشعبي

الاعتراف الرسمي لوحده لا يمكن أن يحقق طمأنة أو ضماناً لحرية الدين للمندائيين دون الجانب الثاني المتعلق بالاعتراف الشعبي، وهو المصدر الاساس لعدم احترام معتقدات المندائيين او مراعاتها على النحو اللازم وسبب التمييز الذي يتعرضون له، فضلاً عن أهمية اعتراف المرجعيات الدينية الاسلامية بالديانة المندائية علناً، كدين توحدي .

وهناك سعي دائب من قبل رئاسة الطائفة المندائية للحصول على فتوى من قبل المرجعية الدينية العليا بالديانة المندائية كديانة توحيدية، لا سيما بعد ترجمة كتاب " كنزا ربا " الكتاب المقدس للمندائيين الى اللغة العربية. أما الاعتراف الشعبي فيقترب بالتصدي لازالة مجموعة من الصور النمطية السائدة عن المندائيين، والتي تسبب في كثير من الاحيان تمييزاً ضدهم، وتؤثر على مستويات القبول الاجتماعي لهم من قبل الاغلبية المسلمة. وكثيراً ما تحدث انتهاكات ضد الاقليات الدينية من قبل الجهات الفاعلة في مناخ سياسي يسوده الافلات من العقاب، على خلفية الانتشار الواسع للأحكام المسبقة والصور النمطية التي يمكن أن تقدم تبريراً أو تشجيعاً على مثل هذه الانتهاكات .

وبسبب الطبيعة الخاصة للمعتقدات المندائية وكونهم جماعة غير تبشيرية وأرتباط طقوسهم بالمياه الجارية، فإن اماكن عبادتهم لها وضع خاص وتُشيد في اماكن قريبة من ضفاف الانهار، كما أن لهم مقابرهم الخاصة، ويرتبط انزعاج المندائيين في عدم تملكهم أرضاً للعبادة قرب هذه الاماكن، وتعرض بعض ممتلكاتهم للانتهاكات مثل تدنيس المقابر أو التجاوز عليها، وهذه التجاوزات لا تنتهك حقوق مؤمن وحيد فحسب، بل كذلك مجموعة الافراد التي تشكل الجماعة المرتبطة بالمكان المعني .

وأهم الصور النمطية التي يواجهونها وتؤثر على مدى تقبلهم اجتماعياً (الاعتراف الشعبي)، ويشرح ظروف ترجمة كتابهم المقدس "كنزا ربا" الى العربية ومدى تأثيره على مدى تقبلهم من قبل المؤسسة الدينية كديانة توحيدية (الاعتراف من قبل المؤسسة الدينية) وتحديات ممارسة طقوسهم ومعتقداتهم، وموضوعات تمثل انتهاكاً لحقوقهم الدينية مثل أسلمة القاصرين .

يواجه المندائيون جملة من الصور النمطية والاساطير والتلفيق التي تساق ضدهم، والتي تؤدي الى العديد من حالات التمييز الديني، وهي نتاج قرون من سوء الفهم لهذه الجماعة الدينية غير التبشيرية، وتشكل هذه الصور والاساطير جداراً من المصاعب في تقبلهم دينياً واجتماعياً، ومن .  
أهم هذه الصور النمطية :

- عبادتهم النجوم، والكواكب، ومن ثم نفي التوحيد عن معتقداتهم وعدهم ديانة وثنية، ولهذه الصور نتائج وخيمة اذا كثيراً ما تبرز التمييز والاعتداء عليهم. أو يقوم هذا الاتهام على سوء فهم تاريخي بسبب خلطهم، مع عبادات جماعات اخرى، فضلاً عن عدم فهم طبيعة معتقداتهم بحد ذاتها، فالمندائيون لا يتجهون في صلاتهم نحو النجم القطبي لغرض عبادته، أو بوصفه قبله لهم، بل يتجهون اليه في الصلاة وأثناء ممارسة الشعائر الدينية الاخرى نحو جهة الشمال، لكونهم يعتقدون بأن عالم

الانوار (الجنة) في هذا المكان المقدس من الكون الذي تعرج اليه النفوس في النهاية لتنعم بالخلود الى جوار ربها، ويستدل على اتجاه الشمال بالنجم القطبي جغرافياً.

كذلك من الصور النمطية :

- أشاعة أفكار غريبة عن طقوسهم، مثل خنقهم الحيوانات بدلاً من ذبحها، كما يفعل المسلمون، واليهود، والمسيحيون . وهو ما يترتب عليه نتائج اجتماعية مثل عدم مشاركتهم الطعام. في حين يعرف المطلعون على الدين المندائي أن ذبح الحيوانات لديهم يخضع لطقوس معقدة.

النظرة التمييزية، التي تترتب على ما سبق من اتهامات، تخضعهم لحصار اجتماعي تجعل الآخرين لا يصافحونهم، ولا يشاركونهم الطعام بوصفهم أنجاساً، مع أن المندائية ديانة تقوم على النظافة وتقديس " الماء الجاري " .

لذا، يعد عملاً في غاية الأهمية تغيير هذه الصور النمطية عنهم عن طريق نشر معتقداتهم الواردة في كتاب المندائيين المقدس " كنزا ربا " أي الكنز العظيم، ويحتوي هذا الكتاب من وجهة نظر المندائيين على صحف آدم، ونوح، و سام، وغيرهم من الأنبياء الأولين. وفيه سورة خاصة عن النبي يحيى، ويبدأ ببوثة "سورة " التوحيد، ودون الكتاب باللغة الآرامية " اللهجة المندائية " وهي لغة الدين المندائي، لا سيما، مع حرص المندائيين على هذه المعتقدات، وصورتهم لدى الآخر.

مع الأخذ بنظر الاعتبار، أن مجرد اصدار كتاب مقدس لديانة احدى الاقليات بلغة الاغلبية لا يعد كافياً، ما لم ترافقه حملة واسعة للتعريف بهذا الدين، فليست مجرد ترجمة كتاب مقدس للمندائيين الى اللغة العربية ونشره كافيها لوحدها لتغيير الصور النمطية والاحكام الجائرة ما لم يتغير السياق الاجتماعي والثقافي المسؤول عن ثقافة التمييز، ما لم يتم الخروج عن التحديد الحصري لحرية الدين والمعتقد، في بعض الاديان السائدة. فضلاً عن أهمية التعريف بمعتقداتهم في المناهج الدراسية على نحو يتصدى لما سبق من صور نمطية.

وفي هذا السياق نؤكد على الأهمية الحاسمة للتعليم والمناهج الدراسية " اذ أن من أهم مصادر اضطهاد المندائيين الكامن في طبيعة التعليم والاساليب الترهيبية والاقصائية التي تحتويها مناهج تدريس الدين الاسلامي التي ما تزال تحمل تصورات وتنبئ تفسيرات خاطئة، مثل وصف المندائيين بعبد الكواكب والنجوم وان كتابهم المقدس هو الزبور وليس " كنزا ربا " على الرغم من ترجمة الكتاب للعربية وتوفره لمن يطلبه. وقد كانت هناك جهود مندائية حديثة وتحرك من قبل رئاسة الطائفة لتصحيح تلك المناهج ولكن لا بد من تبني خطوات أكثر عملية بتعريف المندائية في المناهج الدراسية أيضاً. وليس تصحيح الافكار الخاطئة عنها فحسب .

## والحي المزي وشكراً

### ولضمان حرية الدين والمعتقد للاقليات الدينية في العراق وللحفاظ على التنوع وحمايته لذا نوصي بما يلي :

#### أولاً : الدولة

تضطلع الدولة بالدور الابرز في ضمان حرية الدين والمعتقد أو تهديدها، فهياكل الدولة وطريقة ادارتها للتنوع الديني وسياساتها التعليمية من ناحية التصميم والتنفيذ اما أن تلعب دورا ايجابياً يساعد على خلق انسجام ديني وبضمن حرية المعتقد للأفراد والجماعات أو تسهم في ارتفاع معدلات التوتر الديني، كما ان تبنيها لنهج وقائي وما يترجمه عنه من أنشطة وسياسات وقائية من الممكن ان يسهم في مواجهة مخاطر التوترات الدينية والحيلولة دون تحولها الى مواجهات ينجم عنها انتهاكات لحقوق الاقليات الدينية ولذا يتطلب الاتي :

- 1- العمل على انهاء جميع ما يحدث من أشكال التمييز على أسس دينية، وأن يتم التصدي بصورة كافية لانتهاكات حرية المعتقد بصرف النظر عن الانتماء الديني لمن يقوم بالانتهاك والطرف الذي تنتهك حقوقه الدينية .

- 2- سن تشريع لمناهضة التمييز على أساس ديني أو لأي أسباب أخرى، فذلك يمنع الانقسام على اساس ديني أو طائفي داخل المجتمع، وبدون ذلك لم يتم التغلب على هذه الانقسامات، ويعزز ذلك من ناحية

- أخرى الشعور الفردي والجماعي بممارسة الحريات الدينية بأمان بالنسبة لجميع اتباع الاديان والمذاهب الدينية في العراق .
- 3- ينبغي أن تتصدى الدولة لمظاهر التعصب الديني من خلال تشريعات تجرم الكراهية الدينية، فضلاً عن اتخاذ الاجراءات الضرورية والملائمة لمكافحة الكراهية والتمييز وأعمال العنف والترويع والاكراه أو التحريض عليها والتي تنطلق من دوافع التعصب الديني .
- 4- أن تسحب الحكومة العراقية التحفظات التي يمكن أن تكون قد أثرت بصورة سلبية على الصكوك القانونية الدولية المتعلقة بحماية وضع الاقليات الدينية .
- 5- في قانون البطاقة الوطنية الموحدة قد يؤدي ذكر الانتماء الديني للشخص في وثائق الهوية الرسمية الى احتمال أساءة استعمال تلك البيانات أو الجروح الى تمييز فيما بعد على أساس الدين أو المعتقد، لذا ينبغي الموازنة بينه وبين الاسباب التي يمكن أن تستدعي بوح حامل وثيقة الهوية بدينه .
- 6- فيما يخص قانون البطاقة الوطنية الموحدة، إذا كان لازماً ادراج الانتماء الديني في وثائق الهوية الرسمية، فلا بد أن يفسح هامش أكثر مرونة لمختلف فئات الانتماء الديني، اي لا يكفي الا يتاح الاختيار الا بين الاديان المعترف بها رسمياً : الاسلام، المسيحية، المندائية، الايزيدية. بل ينبغي ان تتاح للفرد امكانية ذكر " دين آخر " أو اختيار خانة " لا دين " ومنحه الحق في عدم البوح بمعتقداته الدينية على الاطلاق، بترك خانة فارغة، أي جعل مسألة ذكر الانتماء الديني مسألة اختيارية .
- 7- الغاء المادة 26 من قانون البطاقة الوطنية الموحدة التي تؤدي الى أسلمة القاصرين من افراد الاقليات الدينية دون اختيارهم، من خلال ادراج مواد خاصة تعالج حالات الاقليات الدينية او على الاقل النص بشكل صريح على منح القاصر حرية اختيار دينه عند البلوغ، دون ان يحدد سقف زمني محدد لممارسة حقه في الاختيار
- 8- على الدولة الغاء التشريعات التي تجعل وجود بعض الطوائف الدينية " غير شرعي " في أي بلد، ومثال ذلك الغاء تشريعات مجلس قيادة الثورة التي تحظر النشاط البهائي .
- 9- يتعين على الدول ان تحافظ على ثقافة الطوائف الدينية وذاكرتها الجمعية، بوسائل تشمل دعم مشاريع المتاحف التي تمثل ثقافات الاقليات الدينية مثال ذلك دعم مشروع المتحف المندائي وتطوير دوائر المحفوظات والمعالم التذكارية الوطنية وحمايتها اذا كانت معرضة للاندثار ومثال ذلك اندثار المعالم الدينية للطائفة اليهودية، او اعادة بناء بيت بهاء الله في بغداد المقدس لدى افراد الاقلية البهائية .
- 10- ان تتصرف الدولة بسرعة لوقف اعمال العنف التي ترتكب باسم الدين ضد افراد الاقليات الدينية واماكن العبادة، وفي هذا السياق فإن الدولة ملزمة بالتصدي لثقافة الافلات من العقاب، ويجب تقديم الذين يرتكبون اعمال العنف او يتواطؤون على ارتكابها الى العدالة، مهما تكن خلفياتهم الدينية او السياسية .
- 11- على الرغم من أن الاسلام حسب دستور العراقي هو دين الدولة الرسمي وثوابته مصدر التشريعات الاساسي، الا انه ينبغي على الدولة ان تكون " حيادية " فلكي تلعب دور الضامن لحرية الدين او المعتقد لجميع الافراد الا تربط سياستها بأحدى المعتقدات بشكل حصري على حساب كفالتها للمساواة الدينية بين جميع الافراد .

## ثانياً : حوار الاديان

- يؤدي تعزيز أليات وهياكل حوار الاديان الرسمية والغير رسمية، وجميع أشكال التواصل بين النخب الدينية دوراً في القضاء على الاحكام المسبقة والصور النمطية التي تشكل الاسباب الجذرية للخوف من الآخر والارتباب الشديد و الكراهية ودافعاً للعنف والتمييز وما يرافق ذلك من انتهاكات لحقوق الانسان المختلفة، ومنها الحق في حرية الدين أو المعتقد ولذا يتطلب الاتي :
- 1- على النخب الدينية العمل على نزع فتيل التوترات الناشئة عن الدعوة الى الكراهية الدينية وكل ما يمكن أن يشكل تحريضاً على التمييز والعداوة والعنف، وينبغي ان يلتزم رجال الدين من خلال هياكل واليات التواصل بين ممثلي الاديان على الالتزام بذلك، وتأكيد هذا الالتزام على نحو دوري .
- 2- ان لا يستبعد الحوار والتواصل بين اتباع الاديان اية فئة دينية، بما فيها الطوائف التي لم يتم الاعتراف بها رسمياً، مثل الكاكائيين والزرادشتيين والبهائيين .

- 3- غالباً ما تكون مؤتمرات حوار الاديان التي تعقد على النحو رسمي غير ذات فائدة، ولا تتجاوز طابعاً استعراضياً وتكون مجرد مظاهره للقاء عابر. لذا، ينبغي ان يكون التواصل بين الافراد أو الفئات من ممثلي الاديان المختلفة ضمن منظور طويل المدى، أذ ان جهد الحوار الديني هو جهد تراكمي ونتائجه لا تتضح على نحو سريع، ولكي تكون ثماره مستدامة يمكن لتنفيذ المشاريع العملية المشتركة أن يساعد في تحقيق تواصل مستدام بين ممثلي الاديان .
- 4- يتعين على الدولة احترام وحماية وتعزيز حرية التواصل بين ممثلي الاديان والمذاهب، وتأمين وتطوير التواصل عبر حدود الدول، لكون القضايا التي تخص حرية الدين أو المعتقد أصبحت قضايا عابرة الحدود، وأصبحت انتهاكات حرية الدين والمعتقد في بلد ما، تؤثر على بلد مجاور، بسبب الانتماءات الدينية والطائفية عابرة الحدود .
- 5- يتعين على النخب والزعماء الدينيين التأكيد على المشتركات بين الاديان والمذاهب، وتجريد ادعاءات المتطرفين الدينيين، الذين لا يشكلون سوى أقلية ( لكنها ذات صوت عال ) من خلال مواجهتهم علناً، وفصح جهلهم بجوهر التعاليم الدينية على اختلافها، والذي يركز على محبة الآخر، والاحتراف بكرامة الانسان .

### ثالثاً : التعليم

يمكن ان يشكل التعليم وسيلة اساسية في ضمان حرية المعتقد والتدريب على التسامح وتعزيز حقوق الانسان، وفي هذا الاطار يتطلب الاتي:

- 1- ضرورة وضع مناهج تعريفية شاملة تساعد في نشر ثقافة حقوق الانسان وحقوق الاقليات الدينية بشكل خاص .
- 2- فسح الطريق امام معرفة الآخر، من خلال توفير التعليم المدرسي قدرا من المعلومات المتعلقة بالقضايا الدينية او العقائدية التي تخص الاديان الاخرى، وهو ما ينبغي توفيره في حال وجود نقص في المناهج المدرسية الالزامية، وهو ما نسجله على المناهج الدراسية العراقية التي تفتقر الى التعريف بالآخر .
- 3- ضرورة ان يوفر التعليم المدرسي اللقاءات اليومية بين طلاب من خلفيات دينية و عقائدية مختلفة، وهوما يعد أمراً ضروريا لخوض تجربة التعرف على الآخر والتنوع الديني كمعطى حياتي يومي بعيد عن الانفعالية والمشاعر الدينية السلبية وتنميط الآخر ومشاعر البغض .
- 4- يجب ان لا تحتوي الكتب الدراسية في المؤسسات التعليمية على صورة نمطية أو تحاملات قد تبعث على التمييز او توجج المشاعر العدائية تجاه اية جماعية دينية، وينبغي الغاءها او تعديلها في حال وجودها، بما في ذلك التمييز والمشاعر العدائية تجاه اتباع ديانات أو معتقدات معينة، بل ينبغي أن تسهم المناهج الدراسية في القضاء على التنميط السلبي أو الافكار المسبقة ضد المختلفين دينياً، أو تباعد عن إعطاء مركزية أو افضلية لمعتقد دون آخر .
- 5- أن تنظم الدولة وتدعم مناهج وبرامج تدريبية للمعلمين والمدرسين لرفع وعيهم بالتحديات في مجال حرية الدين أو المعتقد، واعادة تأهيل او مراقبة اداءهم بغية تجنب ظهور سياسات تنطوي على تحامل خاص ضد أية فئة أو جماعة دينية .

### رابعاً : وسائل الاعلام

- يمكن لوسائل الاعلام العامة والخاصة ان تلعب دورا ايجابياً من خلال تناول القضايا التي تهم جميع فئات المجتمع، وفي مقدمتها قضية حرية الدين أو المعتقد، لذا يتطلب الاتي :
- 1- تشجيع وسائل الاعلام على استضافة صناع السلام ومقاطعة دعاء الكراهية من خلال عدم توفير منابر اعلامية لهؤلاء، أذ ان لوسائل الاعلام المطبوعة والمرئية والمسموعة، ووسائل الاعلام الاجتماعية الجديدة وشبكة الانترنت دورا مزدوجاً، بوصفها سلاحاً ذو حدين، فهي تنشر النقاش المتعدد الواجه حول قضايا بالغة الحساسية ومثيرة للانفعالات الدينية، وتعد أدوات رئيسية في تشجيع الدعوة الى الكراهية الدينية والتحريض على التمييز أو العداء او العنف في بلدان كثيرة، كما يمكن ان تعزز في الوقت نفسه التسامح الديني .

- 2- ينبغي ان تفسح وسائل الاعلام العامة والخاصة لافراد الاقليات الدينية والمتحولين دينياً، ولفئات أخرى مثل اللاديينين فرصة عادلة لكي تسمع اصواتهم وتصبح مطالبهم جزءاً من الخطاب العام، وهو ما يمكن بالفعل ان يشكل تصدياً او يوفر علاجاً من نظريات المؤامرة والتصورات الخاطئة والرهاب العام التي تسود المجتمع وتسيطر على الثقافة العامة .
- 3- تشجيع الصحافة المهنية، بما فيها الصحافة الاستقصائية من تناول قضايا بالغة الاهمية والحساسية ، كحدود حرية الدين أو المعتقد، والتحول الديني، ويوفر النقاش العام حول هذه القضايا الاشكالية من قبل وسائل اعلام محترفة ومهنية، هامشاً لعرض المعلومات على نحو اكثر توازناً، وتهيئة بيئة تسودها الحكمة في التعامل مع هذه القضية المثيرة للجدل، وهو ما يمكن ان يسهم في اعطاء الافراد ذوي القناعات الدينية المخالفة للبيئة الثقافية السائدة صوتاً في قضاء النقاش العام الذي تسوده ارغامات لا نهاية لها .

#### خامساً : الحق في اختيار الدين والتحول الديني

- 1- أن توضح الدولة، وعلى نحو لا لبس فيه، ان حق الانسان في المعتقد يشمل الحق في اختيار الفرد دينه، وحقه في التحول الديني، والحق في عدم التعرض للاكراه على التحول، أو ان يكون الانسان من دون دين، وينبغي ان تقدم الدولة لكل هذه الاشكال من حرية المعتقد حماية غير مشروطة، ومن دون ذلك سوف يظل الاعتراف بالمفهوم الواسع لحرية الدين والمعتقد بعيد المنال، كما لن يتم تحقيقه حتى على المدى البعيد .
- 2- ان تتصدى الدولة لهجرة المتحولين دينياً من خلال تقديمها الحماية لحقهم في التحول الدينيين اذ غالباً ما يضطر معظم الافراد المتحولين دينياً الى اللجوء الى بلدان أخرى حيث يستطيعون العيش وفق قناعاتهم الدينية الجديدة، وخوفاً من مواجهة مخاطر تهدد ارواحهم وحريةهم وامنهم، وفي الواقع، لا تتوفر احصائيات دقيقة عن أعداد من يهاجرون لهذه الاسباب، او من يهاجرون من أفراد الاقليات الذي يواجهون خيار الاسلام قانونياً بسبب تحول أحد الوالدين من الإسلام. ومن هنا، يصبح ضمان حرية المعتقد أحد الاشكال التي تحد بها الدولة من مخاطر الهجرة التي تستنزف التنوع الديني في البلاد .
- 3- فضلاً عن ان التحول الديني اذا حصل من الاسلام الى الاديان الاخرى لا يتم الاعتراف به من الناحية القانونية، فقد يواجه المتحولون دينياً المقاضاة الجنائية، لكونهم وفق قانون الاحوال المدنية قد ارتكبوا جريمة " الردة " التي لا يقرها القانون. وهو ما ينبغي العمل على الغائه قانونياً لكونه يتعارض مع ضمانات حرية الدين أو المعتقد التي تقدمها أو تكلفها الدولة .
- 4- أن تذلل الدولة العقوبات الادارية التي يواجهها المتحولون دينياً وهي عقوبات تقف عائقاً امام حقهم في العيش وفقاً لقناعاتهم الدينية الجديدة، فيظلون بسبب ذلك تحت طائلة الخوف من العديد من الآثار القانونية والاجتماعية والاسرية مثل فقدان الوظائف والفرص التعليمية، وفسخ زواجهم واستبعادهم من فئة اصحاب الحق في الوراثة، وفقدان حضانة اطفالهم .
- 5- أن تقدم الدولة جانباً اخر من الحماية يتعلق بالاعتراف بالتحول الديني، أي ان تضمن الدولة حق المتحولين دينياً تسجيل قناعاتهم أو هويتهم الدينية الجديدة في أوراقهم الثبوتية الجديدة، اذا كانت هذه الوثائق تسجل الهوية الدينية، وأن تضمن عدم ذكرها في حال رغبة احد الأفراد عدم الكشف عن هويته الدينية أيضاً، وفي جميع الاحوال ينبغي ان تكفل الدول عند اصدار الوثائق الرسمية عدم الكشف علانية عن دين أي شخص أو معتقد ضد ارادته .

#### سادساً : النساء

- 1- تعد النساء من اكثر الفئات تهميشاً في العديد من التقاليد الدينية، وكثيراً ما تقاسي المرأة من ممارسات بأسم الدين تضطهداها، او تجعلها في مرتبة أدنى، لذا ينبغي التأكيد على التعاليم التي تدعو للمساواة بين الجنسين، ويمكن أن يتلقى ذلك دفعة قوية مع تبني رجال الدين لتفسيرات النصوص الدينية التي تشجع المساواة وتتصدى للتمييز ضد المرأة .
- 2- تشجيع المؤسسة الدينية الاسلامية بشقيها ( السني والشيعة ) على تحقيق أجماع على أدانة وشجب أية تصرفات تمثل انتهاكات حقوق المرأة، مثل سبي النساء الايزيديات وتبرير اغتصابهن على

اساس ديني، وينبغي ان يكون موقف رجال الدين واضحاً وصريحاً في تحريم هذه الانتهاكات التي لا يمكن تبريرها إطلاقاً، تجاه نساء الاقليات غير المسلمة، أو تجاه نساء الطوائف الاخرى داخل الاسلام .

- 3- اعلان الدولة، وبشكل لا لبس، رفضها لاية تشريعات تمييزية يتم تبريرها بأسم الدين أو التفسير الديني، تحرم المرأة من حقها في المساواة، أو تضطهداها، أو تنص على تزويجها من دون ارادتها، أو قبل سن البلوغ .
- 4- أعطاء دور أكبر للمرأة في أية مبادرات لحوار بين الاديان أذ غالباً ما يتم نسيان المرأة أو عدم أيلاء قضية المساواة معها أهمية في مبادرات الحوار الديني على مستوى رسمي او على مستوى الهياكل غير الرسمية .

## “NOT IN GOD’S NAME”: VIOLENCE AND RELIGION

Dr. Andrea Plebani

Despite being intended as a guidance for all mankind, religions have always been exploited for political reasons and have been used to support the use of violence, no matter how many constraints were set by religious authorities and scholars.

For sure the borders dividing legitimate and illegitimate use of violence have always been questioned and this in extremely different contexts (religious and political) and times. But the brutality we are witnessing in these days is reaching levels unimaginable till a few years ago. We reached a point where even leading scholars close to jihadist circles and even top-jihadist leaders are condemning the actions of groups like the so-called Islamic State (IS) that are targeting mosques, churches and marketplaces making no distinction not only between soldiers and civilians but even between women and children, priests and clerics. Everyone not abiding to their vision is becoming a legitimate target and this is a disease that is spreading. Brutality has become a weapon that has been used on the battlefield, like it happened before and after Mosul’s fall, but even to control population and to attract volunteers and new adepts.

What is even more scary is that this brutality has been supported by a heightening polarization of the social fabric that is threatening the very foundations over which the fate of entire societies rests. Extremists pretending to act in the name of God are then not only lacerating bodies and human beings, they are not only killing and maiming, but they are tearing apart whole families and societies, creating barriers and divides that risk to have a lasting and long-term impact. Look at what they did to Iraq, Syria and Europe. Through their actions and ideologies, they are contributing to the polarization of an international system that has never been perfect but that – at least – especially after world war II was intended to be guided by universal principles for the good of mankind. There were values that used to be shared and that are now under attack.

This phenomenon is spurred by actions conducted in particular by non-state actors representing a direct challenge to the sustainability and the legitimacy of a growing series of States all over the world. But we have to admit that also regional and international actors share significant responsibilities, exploiting religious and sectarian divides that serve brief-term scopes that end with undermining the stability of the international system and with the destruction of states and whole societies. We are witnessing the emergence of a broad series of failed or failing states that represent the breeding ground for IS-like actors. And this is something they clearly advocate. You just need to look at their magazines and media campaign and to a strategy that is based on a five-step process starting with *hijrah* and arriving to the purported restoration of the caliphate, passing through the destabilization of what they consider *taghut* regimes.

That is why we need to preserve state institutions from infightings and to assure they represent neutral arenas where competing interests can be debated and composed.

Another important element we need to consider is that extremists’ actions and ideologies expose the growing crisis of legitimacy that both political and religious authorities are experiencing at growing pace. And this is something that is taking place not only in the wider Middle East but all over the world. Far from being limited to the

Middle East only, like some Western observers and politicians tend to say, fanaticism and extremism affect both East and West. And this not only because we are both targets of our enemies. We are united by a deep crisis of values that pushes thousands of young people to embrace ideologies providing them with fast and clear responses to their question.

And this is exactly why the solution cannot be found in simply removing religion from the public space. Because what we noticed especially in Europe is that several extremists started their radicalization process with a quest for religion. They were looking for something able to guide their lives, to be a source of inspiration, to give sense to their existences. Something able to guide them through their daily lives and in an era marked by the failure of old ideologies and the incapacity of the existing model to cope with the promises it set. This is how several of these people became prey of a message of hatred and violence that promised them easy and immediate responses to their questions and needs. A message built on religious sources that is extremely difficult to counter and that is extremely appealing. Not because initiatives in this sense have not been realized by religious and scholar authorities, but because they tend not to be tuned with the target audience they need to reach. Young people, sometimes teenager, who usually do not pass through a solid and traditional education but who live in a world day by day increasingly shaped by the web. IS uses social media, videos, video-games, online magazine. It created a message simple, direct and easy to be understood and replied. A message with a powerful wording. Look at the way they proclaimed the restoration of the so-called caliphate. “O Muslims everywhere, [...] raise your head high, for today – by Allah’s grace – you have a state and *khilāfah*, which will return your dignity, might, rights, and leadership. It is a state where the Arab and non-Arab, the white man and black man, the easterner and westerner are all brothers.”

We need to find a way to counter their narrative recurring to their same communication strategy but with a legitimacy and a coherence they cannot present. A task that can be achieved only working together, in the East and the West, to give birth to a world where different faiths and confession can live together without losing their essences and peculiarities.



## THE CIVIL STATE GUARANTEES PROTECTION OF RELIGION FREEDOM AND HUMAN RIGHTS

Dr. Ali Al Rufay'i

### الدولة المدنية ضمانات لحماية الحريات الدينية ولحقوق الانسان

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العراق كاغلب دول العالم بلد متعدد القوميات والاديان والمذاهب وهو مانصت عليه المادة(3) من دستور العراق لعام 2005 النافذ المفعول لذلك فان النظام القانوني الذي يراد تطبيقه في مثل هذه الدول والعراق احدها- ينبغي ان يأخذ بعين الاعتبار هذه الحقيقة وينطلق منها في تثبيت حقوق المواطن وحمايتها من العدوان وهو مايدخل في صميم مهمة الدولة الحديثة ما يؤمن ذلك في اعتقادنا هو الدولة المدنية بكل اشكالها البسيطة والفدرالية والكونفدرالية ، وهي دولة تسمح في سلوكياتها عن الفوارق على اساس الطائفة او المذهب او القومية هي سمة اساسية للدولة المدنية ،دولة المؤسسات ، لادولة الطوائف والعشائر دولة المواطنة لا دولة الهويات الفرعية الضيقة ، الدولة التي تعتمد مبدأ المواطنة اساساً وعدم التمييز القائم على الدين او القومية او المعتقد وهو ماكدت عليه الوثائق الدولية لحقوق الانسان منذ الاعلان العالمي لحقوق الانسان عام 1948 (المادة 18) والعهد الدولي الخاص بالحقوق المدنية والسياسية لعام 1966 المادة (18) واعلان عام (1981) بشأن القضاء على جميع اشكال التعصب والتمييز القائمين على اساس الدين او المعتقد وبخلاف الدولة المدنية هناك (الدولة الدينية) يمكن وصفها في بلد متعدد الاديان والقوميات والمذاهب بانها (دولة منحازة) لدين الاكثرية واضيق من ذلك تكون منحازة لدين او لقومية او لطائفة تحتل الاغلبية ، وهذا يعني في المحصلة انعدام عامل توحيد وتماسك المواطنين وتزداد مع الزمن عوامل التمزق والتفكك كلما زاد كبت الخصوصيات المختلفة في المجتمع وهو مايقود بالتالي الى بروز ظاهرة الهيمنة والتفرد بالسلطة وهو ما سيولد ردود فعل برفض الهيمنة واحتكار السلطة من جانب القوى السياسية النفعية التي ترتدي رداء الدين او الطائفة او القومية زوراً وبهتاناً

وسيتخذ هذا الرفض طابع العنف والعنف المضاد وربما طابع الحركات المسلحة المنظمة الذي يؤدي بالنتيجة الى اضرار وخسائر جسيمة لاتعوض بالارواح والاموال وقد يؤدي بدوره الى ضياع الدولة ومستقبل الاجيال وتقسيمها على اساس الهويات الطائفية او الاثنية ان الدولة المدنية هي دولة المواطنة تحترم جميع مواطنيها تحترم دياناتهم ومعتقداتهم وتسمح لهم بممارسة شعائهم وطقوسهم في اطار القانون ، تنظر الى الاديان والمذاهب على اساس انها مدارس فكرية لها دور مهم في تربية وتوجيه اتباعها ولا تميز بينها ولا تحابي واحدة على الاخرى لانها - الدولة المدنية- دولة غير منحازة دولة المواطنة والتسامح والمساواة تجربة العراق للسنوات التي مرت منذ العام 2003 ولحد الان اثبتت الفشل الذريع للسياسة التي انتهجتها الاحزاب المهيمنة على المشهد السياسي وهي سياسة المحاصصة الطائفية والاثنية اذ افتقد المواطن العراقي الحماية المطلوبة لخصوصيته وحقوقه الانسانية وقد تعرض اغلب المواطنين من المسلمين وابناء الديانات والطوائف الاخرى للاضطهاد بصور مختلفة وافتقدوا الامان وظاهرة الهجرة لانباء الديانات والطوائف غير الاسلامية من مسيحيين وصابئة مندانيين وايزيديين وغيرهم خير دليل على ذلك وهذا كله بسبب ضعف الدولة واجهزتها الامنية التي دب في مفاصلها الفساد عن حماية المواطنين هذه هي رؤيتنا للواقع العراقي وهي رؤية قابلة للنقاش من الاخوة والاخوات في هذا المنتدى الذي نامل ان يكون مثمرا في التوصيات التي سيتقدم بها

## THE ROLE OF RELIGIOUS DIVERSITY IN PROMOTING SOCIAL CONSISTENCY

His Beatitude Sako Louis Raphaël I

Ladies and Gentlemen,

It is my pleasure to thank the organizers of this conference (The Center of Research on the Southern System and the wider Mediterranean, CRiSSMA and the Catholic University of the S. Heart, Milan) for choosing such a vital and urgent topic which highlights the role of religious diversity in promoting social consistency; triggers interfaith dialogue, convergence, solidarity and understanding in order to achieve peace, social justice, freedom and to retain humankind dignity.

Let me start with two important points that summarizes the message of all religions in terms of freedom and human rights:

1. Working hard to make sure that citizenship values and human rights is the priority from now on.
2. Helping the poor and sheltering the displaced to ease the consequences of wars and conflicts.

In order to accomplish this mission, we need to realize the urgent need to a “healthy” society built on humanitarian and moral principles by adopting a culture of accepting others and reconsidering the current curriculum in schools.

We, as Christians, Muslims, Jews, Sabians and Yazidis etc. are brothers, in front of God, and we share common values that should be activated.

As we all know, humanity is our inclusive identity and brotherhood is the foundation of our values. It is the responsibility that we share mutually. Brotherhood does not mean getting rid of diversity and differences, but rather respecting each other, as a necessity for living together. Since we are all human, regardless of our social, religious, national or geographic differences. We believe that sharing this human nature and dignity will certainly create unity among citizens as well as equality in rights and duties.

Therefore, diversity is richness and differences should not turn into a disagreement, fear and conflict, which will never lead to peace. In addition, conflict is incompatible with all religious principles toward building good relationships with humankind.

Religions call for sincere dialogue and listening respectfully to others’ perspectives. Dialogue is the only way for understanding and solving problems in order to work in harmony and get our rights. A society of joy and peace can be built by discussing issues with a mature, open and civilized mentality that appreciates and promotes co-existence, communication, revival, and integration. In fact, this is the only way to Glorify God and be in peace on earth.

Accordingly, our focus should be on the following facts and steps:

1. We have to promote interfaith dialogue in order to create tolerance and acceptance of each other and move away from the extremist ideology, imported

via ISIS culture that urges hatred, violence and murder. In this regard, Pope Francis said in welcoming religious representatives, on Wednesday 11/04/2016: “It is vulgarity to justify violence in the name of religion”. So, we need to engage in a process of self-criticism by sound cultural and educational institutions, to know all the reasons behind what happened and is happening. Perhaps moderate Islam needs, in such circumstances, an uprising to save Islam.

2. Every religion has educational “fixed” doctrines as well as other “time and place related” scriptural verses, which require sustainable updated interpretation; otherwise, we will mislead our believers and lose them. In other word, religion doesn’t mean, repeating these verses as written in Holy Books, but rather to understand the actual meaning of the message contained in these verses, and to present them for our people in an appropriate scientific clarification that can be applied in real life, unlike the traditional style. Incidentally, Saint Paul wrote in 2 Corinthians 3/6: “The letter kills, but the Spirit gives life”. Also, religious speeches must defend human rights strongly and stick to its brave prophetic role in guiding people to spiritual and humanitarian values that equip them with confidence and hope.
3. We have to learn about the religion of others from their sources and specialists, and not through popular rumors and uninformed ideas. We must stand against any abuse of other religions’ sanctities, whatever is its source. However, the religious privacy should be taken into account by ensuring the right of its believers to express it freely and preserving their sanctities.
4. To get rid of extremism and terrorism, we have to educate our children with sound education, on humanitarian, social and religious basis. Hence, dialogue won’t be correct unless we respect the feelings, and holy symbols of others. We need to promote a culture of maturity and responsibility. We need a curriculum that respects pluralism and diversity; a curriculum that accepts the other and recognizes him no matter what his religion, sex or race is; a curriculum that rejects extremism, exclusion and violence. The time has come to issue a statement prohibiting the shed of innocent people blood, whoever they are. Overall, religion calls for mutual respect, friendship, good consideration, solidarity, defense of human dignity, the common good, rather than putting barriers and mines.
5. The Christian component is an essential and important part of Iraqi fabric. Yet, has suffered a lot. They need to be embraced after the most recent tragedy, especially by their Muslim brothers, Shiites, Sunnis, and to safeguard their rights and ensure their protection, instead of marginalizing them. At the moment, Christians are not expecting to hear speeches, but to restore confidence in their neighbors; to keep them on their land instead of pushing them to emigrate. Helping Christians to stay on their homeland will endorse public interest, due to their unique competence, dedication, integrity, and openness. They will definitely contribute to the revival, progress and prosperity of the country.
6. As a Church, we are ready to keep devoting ourselves fully and without reservation to serve all Iraqis without any discrimination. To support the process of reconciliation and the promoting co-existence, peace and stability.

We trust that, with dialogue, we can work and live together in peace, hope and joy.