

Religion and Freedom

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When an obscure, outrageous video aimed at discrediting a religion's holiest of figures recently evoked another worldwide rage – from brutal attacks, violent protests, to peaceful condemnations, which reminds us of similar previous highly-publicized controversies over anti-Islam films and cartoons during the last decade, it is imperative to ponder what has really happened in our globalized world, what lessons we have truly learned from these incidents, and what we have been doing so far or what we would greatly need to do to deal with such deadly incidents and disturbing tensions.

What is at the heart of this rage? Have our civilizations been in clash? Is it another instance of clash of freedoms – particularly between freedom of speech and freedom to exercise religion? Or, a clash between religion and liberty? Is it merely another misunderstanding caused by the difference in social values and fueled by certain political intentions? Has been the world moving away from peace? If so, what can we do?

The factors involved might be more complex than what we could imagine. This complexity is also reflected in the diverse opinions present in the debates over the film and what should be done about it. However, it might be quite clear that the recent case indicates that it is not merely the freedom of expression itself which created the tension, rather (extreme) hate toward the (religiously) 'others' which hides behind the freedom of expression, and behind any opposition to (extreme) freedom of expression. Hate and the hateful reaction to it, coupled by misunderstandings, have proven to be very destructive. This is one of the biggest threats toward freedom, mainly freedom of religion, but in fact also freedom of expression itself.

It is hate toward the people who are different – either in terms of belief, ethnicity, nationality, or others – that has often been the crux of the problems related to the perceived clash between ‘religion’ and ‘freedom’.

One needs not to assume that religion and liberty/freedom are always in conflict. Both can be reconciled and might even enhance each other. Liberty can provide the context within which religion can play a greater role in people’s life. On the other hand, religion – with its strong justification and motivation, as well its adherents – might significantly help people obtain liberty. Liberty, once people achieve it, can be best described as a means toward a higher end – which is, for most people, value and morality. Meanwhile religion itself can have positive social impact necessary for obtaining liberty.

We can not only be optimistic with the interrelationship between religion and liberty or human rights, but also with the fruitful dialogue of civilizations. Those who condemn the video are not confined from the Muslim world. People across religions and nations disagree with any effort to degrade religious symbols. This indicates that such kind of religious blasphemy has no root in any religions and civilizations.

At the international levels, there are series of regulation consists of prohibition on religious intolerance, blasphemy and the like. However, we should also recognize, analyze and address the existing challenges, problems and dilemmas with regard to safeguarding fundamental rights and liberties – spanning from hate speech, hate crime, extreme ideologies, violent extremism, gender discrimination, marginalization of minorities, to racism and ethnic discrimination. In addition, we should note that reconciling religion and freedom/liberty is an easy task. It has even been the most difficult task most nations have faced.

Realizing this situation, it seems that regulations do not bring significant consequence in building understanding and harmony as it deals mainly with

external aspects and merely a formality. Understanding and harmony require a deep acceptance of differences. This internal dimension is a soul; that is the locus of all human action. Here, building mindset and soft dimension of understanding is more important than making regulations and enforcing sanctions.

The question is how to build mutual relationships between religion and freedom of expression? A very simple answer is building a culture of dialogue that involves competence of listening, knowing, understanding and accepting differences. It requires one step action where people need to go beyond their cultural and religious barriers. A high level of understanding on the origin of religions could have people to grasp the substance meaning of religion. Likewise, religion people need to have an open mind to see culture, not solely from its observable expression but value underneath. Appreciation on culture is essential to avoiding or reducing language gap between religion and freedom.

Failure to understand the language of religion and freedom could lead to quantification of religion. People are trapped with numbers such as majority and minority. The perception of majority could lead to superiority arrogance that caused alienation of minorities. Security and justice are still luxurious matters for minority groups elsewhere in the globe. Existence of minority is very frequently less-counted because of generalization and “efficiency” in decision making processes.

In the future the world needs to build a culture of tolerance rather than series of regulations and formal sanctions. The world requires “cross boarder” that bridge the gap between religion and freedom.

Are international criteria, instruments, institutions, and sanctions for the establishment and safeguarding of fundamental rights and liberties enough?

So far so Good , but not sufficient

1. Criteria: what is exactly freedom of religion and conscience?

- a. Terrorism, violence, radicalism, extremism, social order, blasphemy, anti-Semitism, Islamo-phobia, conversion, justice and equality.
- b. What is an “Islamic state”, “Muslim majority country”, “western country”, a country with a religion is a state religion, an official religion, a country with followers comprise the majority? Does this context matter? Are some countries exceptions to the international criteria? (For example, can a country allow the right to leave a religion (atheism) or to change from one to another (apostasy?), can a country criminalize heresy or heterodoxy? How to measure and judge that violence is “religious”? Non-religious factors are at work.
- c. How to ease tensions between religious law, national law, and international law.
- d. How to address the claims of superiority or inferiority of religions when these are linked to the violation. Are dialogues for mutual understanding enough and effective thus far?
- e. Addressing still contentious issues: abortion, contraception, the building of houses/places of worship, humanitarian or charitable institutions, conversion, religious mission, religious figures and symbols in the public places (cross, turban, hijab, etc), dietary regulations, religious publications and distribution, religious education, religious holidays and days of rest, preaching and communications, the use of particular religious languages in the public.

2. Instruments: legal instruments, such as **UN Declaration on the elimination of all forms of intolerance and of discrimination based on religion or belief** (1981), are good enough, but all should make them better known and abide by them. “Law is easier to proclaim than to enforce”.

- a. What are the restrictions which are “**permissible**” on the freedom to manifest religion or conscience? (these restrictions should be prescribed by law and should be aimed at protecting public safety, order, health, morals, fundamental rights and freedom of others), what about national security? Okay, but restrictions may not be imposed for discriminatory purposes or

applied in a discriminatory manner. Restrictions for the purpose of protecting “morals” should not derive from one religion only but by the different religions.

3. Institutions: interfaith and non-sectarian councils, addressing the above mentioned issues, including old and new religious movements, addressing victims of any discrimination (and their remedies).

4. Sanctions: penalties for the mass violence (group of people) and specific violations, questions about penalties and capital punishment.

What are some of the threats that face the freedom of religions and conscience?

According to the Pew Forum on Religion & Public Life findings, published in September 2012, government restrictions on religion and social hostilities toward religions (including Sikhism, Islam, Baha’isme, Zoroaster, Christianity, Judaism, Buddhism, indigenous religions) are rising, in the world, in the Middle East, in Asia, Europe, also in the U.S.

1. **Government Restrictions, Discriminatory laws and policies** against certain faith-based and non-faith based individuals and minority groups (banning particular faiths or sects, prohibiting voluntary conversions, limiting preaching, giving preferential treatment to religious groups)

For example, the 2009 constitutional referendum in Switzerland banning the construction of minarets on mosques

2. **Social Hostilities, harassment of specific groups;** individuals and social groups that either act as the state apparatus, play not by the rule of law, or violate common ethics.

For example, Mob or sectarian violence, harassment over attire for religious reasons, and other religion-related intimidation or abuse. Propaganda or advocacy of religious, racial hatred that incite discrimination, hostility or violence.

3. **International groups and networks** which do not operate according to the prevailing international laws (UN, OIC, and others)

For example, international terrorist networks and like-minded hard-liners remain a threat in some countries.

What are the means through which existing and potential problems of religious and sectarian minorities can be addressed?

1. Effective international diplomacy, if necessary, international pressure (including economic or political sanctions) toward certain national and local governments which violate the human rights against their citizens or foreign citizens in their countries.
 - a. Implementing non-discriminatory, inclusive (all concerned parties to be involved) policies in all fields of civil, economic, political, legal, cultural, religious, and social life. Enacting legislation to prohibit any form of discrimination, protecting every child to enjoy the right to have access to education in the matter of religion or belief in accordance with the wishes of his parents or legal guardians, ensuring equal access to education, medical care, employment, housing.
2. Education for tolerance and peace: public schools, curricula, pedagogy (the general history of religions and ethics given in a neutral and objective way) , education for tolerance and peace, coexistence and cooperation, global ethics, multiculturalism, “against racism, xenophobia, Islamophobia, anti-Semitism, anti-Christianism,
3. Strengthening civil society: private schools, media, preaching,
 - a. Women and children often are the victims.
4. Research, publication, and workshops on freedom and its protection.