

23rd Annual International Law and Religion Symposium
Provo, Utah October 2016
Plenary Session
“Minorities, Majorities and Religious Rights”

“Dialogue: the tool for applying Religious Freedom in modern-day
multicultural societies”

Very Rev. Archimandrite
Fr Aimilianos Bogiannou

Distinguished Participants,
Ladies and Gentlemen

It is with great honor that I am addressing you today on the 23rd Annual International Law and Religion Symposium, as the Director of the Liaison Office of the Orthodox Church to the European Union. Please, allow me therefore first to both thank and congratulate the organizers for all their hard work.

The Ecumenical Patriarchate of Constantinople has been serving as the beacon of Orthodoxy for almost 1700 years. Since Emperor Constantine the Great transferred the capital of the Roman Empire from old Rome to the so-called New Rome, the City of Constantine, the Church of

Constantinople has strived for the transmission of the Gospel and has been safeguarding the Orthodox tradition, always with a spirit of respect toward the other. The Orthodox Church, and especially the Ecumenical Patriarchate has always been in favour of peaceful and harmonious coexistence for all people and all nations, irrespective of their language and culture, irrespective of their religious and political convictions, because all people bear within us the image of God and are consubstantial and equal between us. And this can be achieved through dialogue.

I strongly believe that we all share the same respect and faith in the power of dialogue and it is that very respect that brings us all together as peacemakers. For it is due to the very value of dialogue that we can gather together and discuss our common problems and fears, in order to find a common way not to only address them, which would not be but a short-term solution, but to also find ways to overcome our problems and foster a spirit of reconciliation and mutual trust, not only amongst ourselves, but also amongst our faithful. That is the long-term goal and prospect for us.

Real and substantial dialogue is an essential condition for avoiding misunderstandings, for exchanging information, and of course dialogue

is a source for inspiration. Dialogue among the faithful of religions should not be synonymous to submission. Real dialogue does not mean in any way submission to the will, or the opinion of the other. We must not cease to remind the world that the use of dialogue, as a means of exchanging ideas or opinions on particular issues, working toward an agreement as equals which results toward an action or solution, is the ideal form of communication in our contemporary multicultural society. How would it ever be possible to learn about one another if we do not communicate?

We should keep in mind that dialogue is more unbiased than debate, more honest than polite conversation, and more agreeable than skillful discussion. It is a continuous way of thinking and reflecting together a shared understanding in relationship between people seeking an even balance between advocacy and inquiry. It honors all parties involved, suspends assumptions, observes the observer, listens to its own listening, is aware of thought, seeks collective intelligence, develops a shared understanding, and embraces possibility. It is a process that takes time, dedication and honesty.

St Paul in his letter to the Ephesians says that *“we are called to live our life with all humility and gentleness, with patience, bearing with one another through love, striving to preserve the unity of the spirit through the bond of peace. For only by bearing one another’s burdens will we be able to move on.”* In the Epistle of James we read that *“everyone should be quick to listen, slow to speak, slow to become angry, for man’s anger does not bring about the righteous life that God desires.”* How truthful are these words, and aren’t we all trying to act in this way?

In the words of the late Metropolitan Damaskinos Papandreou, a predecessor for the Interreligious Dialogue of the Orthodox Church *“All of us know that the national, political and ideological ferment of recent times has relegated the role of religion to a subordinate position when it comes to dealing with the spiritual and social problems of modern man. All of us know that religious discourse has been marginalized in Education in order to bring about the ‘autonomous man’ posited by the secularized society of our era. Nevertheless, we all know as well that this man is the man of faith, our own man who has grown tired of being crushed under the pressures of religious confrontations, and who seeks in his experience of religion the lost paradise of his sober spiritual dialogue*

with God, so that he may regard his fellow human and the world with a clearer vision."

As you all know, Europe has been hit by a series of attacks this past year. These barbaric acts that have claimed the lives of many people, have put in the spotlight the apparent opposition between freedom of expression and religious feelings, or more so the personal attachment to the sacred, the main area of religiosity, thus bringing into the spotlight the issue of Religious Freedom.

These events have raised genuine discussions and debates, at least in the French society, around the necessary dialogue between freedom of expression and religious freedom. Today we are all aware of the lack of discernment in the distinction between a caricature, a cartoon and a hate speech. Indeed, if a drawing, a caricature is insulting, it does not call for hatred and murder. Moreover, it is on this basis that French law intends to regulate freedom of expression. When it is applied with regards to a religious aspect, a personal attack can result in legal action against the perpetrator. However, this will not be the case, if the attack is addressed to a community, unless of course in the case of a serious proven hate

speech. This distinction is important in order to understand that even though a cartoon might provoke the feelings of the believers, it is not, strictly speaking, a restriction on religious freedom and can, in no way, justify a murder. It is true that secular culture, which shaped the freedom of expression for decades, has often targeted religion. It is a fact.

However, it is up to us, responsible Christians, to work on the issue of feelings in order to verbalize, rationalize and understand, that is to say to begin an in-depth reflection that will allow us to defuse situations where blasphemy against an image, that in addition, has no foundation in religion, would deny the intrinsic sacredness of human dignity. For Christianity, the mystery of the salvation of humanity, in which we believe, is based on an absolute blasphemy: God's death on the cross. Saint Paul calls it differently when he speaks of "scandal" and "foolishness". (1 Cor 1: 23) But this scandal and this foolishness extend their effects into religion itself. Dostoevsky had sensed it well, when he staged his great inquisitor in his novel *The Brothers Karamazov*. The blindness of fundamentalism would not allow us to see God even if He happened to present Himself once again to us. Putting into perspective the things that

I advocate for, is the only way to permit dialogue, openness and the fight against fundamentalism. For I am convinced that fundamentalism is the final process of secularization, not the secularization of politics or of society, but the secularization of religion itself.

The field of freedom of expression comes first in the fight against fundamentalism. To put it otherwise, through secularization, religion has gradually left the sphere of State influence, it has left society. Today, through fundamentalism, religion is not religion anymore, because it separates itself from the roots of intelligence and culture, whereas its spirituality, being an issue of civilization, crystallizes the denial of every form of freedom of expression. On the other hand, if it is necessary to fight against fundamentalism in terms of freedom of expression that does not mean that the latter should remain without limits.

In Article 19 of the Universal Declaration of Human Rights, published in 1948, we read: "*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*» The letter of the law, the interpretation is extremely open.

However, there are three attitudes regarding freedom of expression: a libertarian one that does not intend to put up any limits to freedom of expression. It is often from this perspective that the First Amendment to the Constitution of the United States of America is read. The text reads: *"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."* But this text goes not without debate. The second attitude is that of a regulation of freedom of expression by taking into consideration the individual. The law provides protection against public slander, etc. Finally, the rule of Law condemns any hate speech that calls to murder, violence and disturbing public order. Freedom of expression does not apply since the intension is to undermine the integrity of an individual, or a group of people.

I think that as Christians we can look at it in a calm and intelligent way. I mean, if we recognize freedom of expression as an absolute right, moreover closely linked to the freedom of belief, then it is our duty as Christians to protect freedom of expression, because the Logos is the

source of all freedom. Certainly, words can hurt; words can be carriers of hatred. A law exists to protect one's self. However, even in the face of the most absolute respect for religion, it does not seem necessary to me to develop a legal arsenal of anti-blasphemy laws. Again, I would like to repeat and underline that Christianity is, on one hand, based on the existence of an original blasphemy: God's death on the cross.

For an Orthodox Christian, the limit of freedom of expression is understandable only in terms of the relationship of love we have with our neighbor. Freedom is directly related to the fact that we are created in the image of God. Since God is free, thus the human person, as a living icon of God, is also free within the limits of his fallen condition. One of the major theological contributions of the Ecumenical Patriarch Bartholomew on the issue of freedom is certainly his view of the principle of relationship when talking about the person. He writes: "*As humans, we cannot be truly free in isolation, rejecting any relationship with other people. We cannot be truly free unless we are part of a community of free people. Freedom is never lonely, but always social ... Freedom is expressed in meeting others.*" I would even say that freedom is expressed in dialogue.

What is the role of Christianity in the context of living together, given the particularities of the European continent, and even extending beyond the geographical limits of Europe? In order to live together and to respect religious freedom, we need dialogue. This is in my view the strength of the subject that interests me, freedom of expression. Because dialogue converts! This is certainly the experience that the Orthodox Church has.

Every dialogue has its roots, according to Orthodox theology, in God himself, who can be known through the Logos. For St. John Chrysostom, this feature of the divine dialogue must primarily be received as a gift granted to us by God himself. For God offers Himself first and foremost through the word: through the prophets, the apostles, the saints, prayer and nature. God speaks. From the very first hours of his revelation, He is a being of relationship, waiting for the consecration of his chosen people. That is, if we stick to a broader definition of dialogue as an exchange of words, those words addressed by God to his people are varied in nature. While some are real conversations, other vocations, calls, and elections, the dimension of the conversion of hearts within the people of God becomes the preferred field of prophetic action. Indeed, by the announcement of misfortune and the proclamation of God's judgment, the

center of the prophetic message is a call to conversion. From Amos to Hosea, from Isaiah to Micah the curse and the imminence of divine judgment must call for a change in the life of humanity. The most radical example is still the one that comes from the Book of Jonah, in which the prophetic word is followed by an immediate effect. *"For word came unto the king of Nineveh; and he arose from his throne, and he laid his robe from him, and covered himself with sackcloth and sat in ashes. And he caused it to be proclaimed and published through Nineveh by the decree of the king and his nobles, saying, "Let neither man nor beast, herd nor flock, taste anything; let them not feed, nor drink water. But let man and beast be covered with sackcloth and cry mightily unto God. Yea, let them turn everyone from his evil way, and from the violence that is in their hands. Who can tell if God will turn and repent, and turn away from His fierce anger that we perish not?" And God saw their works that they turned from their evil way. And God repented of the evil that He had said that He would do unto them, and He did it not.*"(Jonah 3: 6-10) The conversion is then assimilated to repentance as the only way to access the promise not only of the lifting of the curse of God, but also of entering a time of joy and wealth. Conversion is reconciliation, a reversal also called metanoia.

The conditions for a radical change of the soteriological perspectives come from the hypostatic union of the humanity and the divinity in the Logos. In an axiomatic expression, using the terms of St. Irenaeus of Lyon, St. Athanasios the Great in the 4th century declared: "*God became man so that man might become God.*" The exchange of words becomes union with the Word, and this possibility was granted by the very incarnation of the Logos. The Christian vocation is then acquisition of the Logos, union with Christ and salvation in the deification, theosis.

Dialogue is therefore a theological paradigm in which the conversion becomes not only the starting point of repentance, but also that of salvation as a union between God and man, in a process of reconciliation between the Creator and his creature. It is worth stating here that Orthodox theology, on the basis of the mystery of the incarnation, affirms the opportunity to participate in the divine nature through grace. This deification constitutes our real participation in the actual permitted approach of God. For the Cappadocian Fathers, as well as for St. Gregory of Palamas in the 14th century, it is in the uncreated energies of God that we can participate, that is to say, in the words of Olivier Clément: "*the*

mystery of God himself, in the unity of the otherness and in the otherness of the unity."

Keeping in mind that the unique treasure of each person lies in the footprint of God left in us, all acts of racism constitute a denial of human dignity and a crime against the Holy Spirit. Faced with the resurgence of such acts, the social exclusion of national minorities worldwide has increased and their need for protection is more increased. Furthermore, in order to dialogue, to reconcile us, to live together, it is appropriate for us to recognize the dignity and freedom of our neighbor. For me, the commitment of religion and of religious people consists in making the indeterminate other someone close to us, to make him our neighbor, in respecting his personal characteristics, to make our freedom the horizon of our relationship to the other.

Ladies and Gentlemen,

Dear friends,

The philosopher Soren Kierkegaard wrote: "*the most wonderful thing granted to the human being is the choice, freedom.*" In contrast, I would add

the words of Christ: "*But those things which proceed out of the mouth come forth from the heart, and they defile the man. For out of the heart proceed evil thoughts, murders, etc...*" (Mt 15: 18-20). Therefore, if freedom of expression is the horizon of our freedom, then let us treat it as a precious gift to the service of the relationship we are trying to nurture with God and with our neighbor. It is the only way that we will be able to respect each other by a loving freedom.

However, even though more than half of the world population adheres to the teachings of the three monotheistic religions, there is this ever-increasing religious fundamentalism that shuts every effort for peace. In a recent report by the Pew Research Institute, concerning religious restrictions in the world, 76% of the world population currently lives in countries with high restrictions on religious freedom against 68% in 2007. This limitation of religious freedom in the world is paradoxically linked to the ever-growing religious fundamentalism.

Religion has often been used to justify persecution. National or even ideological factors of identity have been substituted by the religious identity for fundamentalism. Globalization, the weakening of the national

scale and influence, as well as the failure of communism led to a spiritual vacuum. Religion appeared as the only possible alternative to the mobilization of populations. Contrary to what some believe, the 21st century is not politically determined by religion. On the contrary, politics has influence over religion, transforming it thus into an instrument for personal gain.

The early Church lived through the dire times of persecutions that officially came to an end with the Edict of Milan, signed by the two Roman Emperors, St Constantine the Great, who at the time was still a pagan ruler and Licinius in February 313, and which proclaimed what we today call Religious Freedom. From the Orthodox perspective, freedom of religion or belief is intrinsically linked to freedom of opinion and expression. Freedom of opinion and freedom of expression are prerequisites to maintain pluralism, including religious freedom and religious equality.

In the text of the Edict of Milan one reads: "... for the sake of the peace of our times, that each one may have the free opportunity to worship as he pleases..."(Edict of Milan §1). One could find this sentence in this morning's newspaper, yet it has been written 1700 years ago!!! If we take

the time to revisit the events of the past that took place in Milan in 313 what we will see is that this Edict was signed by pagan rulers at the time, rulers that had signed orders carrying out executions and persecutions before, yet they saw the necessity to sign this freedom of religion mandate into law. Today it seems that we need to repeat this act of both political and religious wisdom again! The hope of the Orthodox Church for religious freedom in the world requires that the personal and institutional inclinations of political leaders do not necessarily dictate their ability to act on behalf of the minority religions under their jurisdiction.

First, our motivation for pluralism can be derived from our concern for religious equality accepting co-existence of religions and beliefs. A second lesson from the Edict of Milan is the fact that the two emperors came together, face-to-face, to discuss how to improve the human condition with the power and authority each possessed. Again, the very essence of dialogue is what made this possible, for dialogue will remain an integral part of all progress related to religious freedom. Furthermore, we need to work within our political realms to enact standards that ensure freedom of conscience to those whose image of a deity are very different. Each

signatory to the Edict of Milan 1.700 years ago had a vision of a better future, one where all could be blessed by living in pluralism and religious equality with the other. I am sure that we will all agree that we are sharing the same vision again today.

However, current socio-economic developments both in Europe and globally, prove that the way to freedom of religion or belief and a stable society which is able to provide security and prosperity to all its members without any discrimination might be long and full of challenges. Now it is time to continue promoting respect for human dignity, freedom of religion or belief and efforts for cultural justice. To succeed we need to rely on reinforced dialogue between religious leaders and decision-makers, academia, the media and civic society. With humility and religious commitment we are called to promote the voices of the oppressed in seeking justice, building reconciliation and growing peace. For religious freedom can only be built on trust and confidence of communication, based on mutual respect, tolerance, recognition of diversity, cooperation and acceptance of the difference between us and the appreciation of the common religious and social principles which we all share.

Finally, please allow me to end by quoting His All-Holiness, the Ecumenical Patriarch Bartholomew: “Let us face the task together. Let us hold our hands not only in prayer, but also in solidarity with one another. We owe it to our God, to each other, and to the world.”

Thank you