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Religion, Law and social stability - an inter faith perspective

Freedom of religion is not only about religion. Law is not only about legislation. There is the human face to both - the face of faith, hope and love

There is a world out there, where religion still matters. Ours is a world where religion plays an increasing role for better *and* worse. The essence of religion is transcendence; it is to go beyond man-made boundaries and to offer a more complete view of what matters for humanity. Religion is about moral imperative and forgiveness. The core of religion is salvation. Its promise is flourishing life in time and eternity. Religion is promise of the ever new beginning. It challenges us to live out of the materialistic box and to enjoy true meaning.

For the purpose of our discussion at this symposium, I take religion to refer to organized religions, their structures and functions within society. It suggests that there is a commonality between religions, be they classified as Abrahamic, Dharma or Indigenous religions.

Notwithstanding the difference in theology, anthropology, cosmology and salvation, the phenomenon of religion is characterized by some shared sense of the divine. Spirituality is lived out in ethos and worship. Time and eternity rest in the mystery of God. The law of God is inscribed in the conscience of man and should be reflected in the legislation of the land.

The meaning of Law is as complex as that of religion. Both are essential to civilization. The aim of both is to serve humanity and to protect our planetary habitat. Both set boundaries for evil and advance common good. Their relationship is seen when religious principles impact law and law regulates religion.

If salvation is about healing and bliss, social stability is about cohesion and integration. It is about welcoming the other in all his otherness as a brother and sister. For this to happen, religion and law are indispensable.

Theology and jurisprudence meet and overlap in ways that impact the lives of individuals, communities and nations.

There is no land without some regulation of religion. Sometimes the political understanding of religion as expressed in legislation and practice differs dramatically from the self-understanding of religions. This discrepancy calls for active participation of people of faith in the democratic processes of regulating and interpreting law and religion.

In the age of cyberspace and virtual reality we are all part of a global moral conversation. As global citizens we are all affected by massive breaches of international law and violation of basic humanitarian principles.

As both religion and law are hard pressed to offset the community crises in the 21st century, world leaders turn to the young generation for hope.

In Central Park last week for the Global Citizen Festival, the UN Secretary General Ban Ki Moon speaking to a massively youthful gathering, praised people power. In addressing the planets most pressing issues, he declared that people power is a stronger energy than solar and wind. I believe he is right, and even more so if we are energized by faith, love and hope.

Also last week, at the Counter Terrorism Summit at the UN, President Obama called Isil an apocalyptic cult, and referred to it as an evil to be eradicated. Prime Minister Erna Solberg of Norway followed suit by including both youth and faith leaders in her list of groups that need to be mobilized in order to eradicate the excesses of terrorism which today threaten millions of innocent people and derail historic nations.

The man of religion and state *par excellence*, Pope Francis, during his recent whirl wind days on the global stage in Cuba and here in the US, stirred the conscience of politicians and warmed the hearts of millions with his call for conversion of man-made climate crisis and unbridled capitalism.

He pleaded for the human rights of refugees, asylum seekers and migrants. He advocated abolition of death penalty. He lamented child abuses in the Church. His pastoral *cum* political plea in behalf of the vulnerable and the victims was loud and clear. He gave both religion and law a human face with his message of dignity, charity, mercy and justice. His testimony in words and deeds reflected the sacredness of life of every human being.

Now, what is all this about? What is happening?

The world is setting the agenda for people of faith. We have been reminded that overarching moral issues, such as the quest for social stability, harmonious life and sustainable development are not issues beyond religion, nor are they topics of mere political concern; they are at the heart of divine calling. Increasingly there is a mobilization of religion as a source of positive energy and faith as dynamism for peace.

There are moments in the history of a nation when everyone should stand up and be counted. This is such a time. This is the time for world citizens to respond and for religions to offer answers of relevance for today.

The crucial issue for dialogue between religions today is not who's God is the greatest, but who offers real hope for humanity. Dogmatic teachings which are specific to each religion and faith are not the key issue in today's inter-faith dialogue; the challenge is for faith to sustain peace and human rights. The vision is not *one* religion to emerge but *for one* humanity to be affirmed. This is not about syncretism but about synergy as reflected in the maxim of Religions for Peace: Different Faiths- common action. More than ever before we see that every religion relates to the other, no religion is alone.

As ecumenism in the 20-ieth century called Christian churches to a unity in diversity, in the 21st we are faced with the need for multi religious co-existence. Today's spirituality and piety is impacted, if not entirely shaped, by some measure of confluence of theology and anthropology. The convergence of concerns is there for everyone to see. And cooperation on the ground in times of crisis witness to *one* God and *one* humanity. Interfaith perspectives inspire the religious worldview of a growing number of believers in this generation.

Towards the end of the 20-ieth century many had thought that religion would gradually disappear from the public scene. On the contrary; the double face of religion – religion for better *and* worse – is more evident than ever in the public square. Confronted with the impact of fundamentalism and extremism in all religions a disturbing question arises: Is the answer more religion or less religion?

Increasingly extremists use religion to incite violence and hatred. Unscrupulous politicians manipulate sectarian differences for their own ends, Sensationalist media are scapegoating religion in situations of conflict.

Religion is also abused from within by individuals and groups that believe they honor God by their hate-speech, intolerance, and outright violence. The crusade and jihad language, so dominant in the sub-culture of social media, is rightly as a threat to the security of nations around the world and to social stability.

Also on the level of state and government there are ominous signs of deterioration. The fact is that many democratically elected governments are experiencing growing antagonism, distrust and suspicion, leading to loss of social cohesion and weakened ability to muster broad consensus across group lines.

Even more so, tyrannical systems and elitist rulers continue to prevent multitudes of people from participating in the shaping of their own future. People living in a society ruled by sheer power are subject to grave abuses of their civil and political rights and the denial of social, economic and cultural justice. Such cases are multiplying.

If we try to understand some of the underlying factors for the erosion of democracy and the growth of sub cultures of discontent, we may find that loss of identity and denial of human dignity are factors across cultural differences. The feeling of being humiliated is a key to understanding many situations of social unrest and many armed conflicts

Different groups formed around shared religious, ethnic, racial, cultural, social traditional values will always be afraid of losing this identity, and if lost they will mobilize to regain it. This is seen in many protracted conflicts in the world where group loyalties are mobilized against other groups, and where majorities and minorities are set against each other.

Even in countries where the legislation honors all charters and declarations of human rights, and where this forms the declared policy of the government, prejudice and social hatred, fed by lack of education and false information, may be rampant.

This challenge is even more acute today because in every religion and in every region an explosive combination of nationalistic, ethnic and religious fanaticism is on the rise. When extremists choose to honor God with their bombs, both religion and law are perverted.

The struggle today for a culture of peace based on pluralism, democracy and human rights, is a universal struggle. It is not only about quelling extremism. Rather all religions and their institutions are day by day challenged to a critical review of their own profile and performance. Religious leaders are called upon to overcome their ingrained parochial attitudes or sectarian imprisonment if they are to deliver on their preached ambition of universal significance.

My understanding of the Biblical mandate for peace, justice, human rights and humanitarian action, has been deepened and made more universal through my interfaith encounters. It has indeed been rewarding and inspirational to experience the confluence of thought between various religious traditions as well as a widening consensus on moral issues with non-religious groups. I have been strengthened in my belief that fundamental human values are *shared* values across religious and secular worldviews.

But faith matters. Jesus famously declared that faith could remove mountains. If you have faith as a grain of mustard seed, you will say to this mountain: Move from here to there, and it will move. (Matthew 17.20)

Yes, indeed, there are the mountains of evil that needs to be removed, the massifs of sin that need to be demolished. There are the twin peaks of injustice and war that must be leveled. The secular and the religious, people of politics and people of faith, are called to transform barren hills into fertile land.

Yes, religion matters. Religion makes a difference. Let me briefly recall some common features that indicate what religions bring to the table when we are seeking common ground for shared mission.

Firstly there is of course the *spiritual dimension*, which is seen in practices that promote genuine peace both within each believer and in the wider human family. Its power can show itself in the ability to bear the unbearable, find hope when there appear to be no grounds for hope and in forgiving the unforgiveable.

The spiritual dimension is expressed in worships, vigils, pilgrimages, prayers and petitions. Prayers for peace are part of most liturgies, and special days of prayer are known in all religions.

Secondly, from the spiritual depths of religions spring *ethical systems* which guide the lives of millions world-wide. Religions endorse the value of values. We speak about values that are deeply held and widely shared by most religious traditions, values that build on the inviolable dignity of each person, and is expressed in concern for human rights, justice, compassion for the afflicted, care for the earth and commitment to non-violence.

The ethical guideline of the Golden Rule, of “doing to others what you wish them to do to you” is cherished by all religions and is a humanist imperative. Its Abrahamic echo is the commandment “to love God and your neighbor as yourself.”

Both these moral tenets convey a profound insight in what serves for peace, and has as such abiding relevance beyond the spiritual realm. There is a growing consensus between different religions when it comes to ethics for life and peace although with notable differences

on matters of democracy, equal citizenship and what is often referred to as traditional or family values.

Thirdly, the *social dimension* of religion is expressed in the greatest global network of networks. In every town and village there is a place where people gather for worship, a church, a mosque, a synagogue, or a temple. These are linked to similar places in other locations, and to national and international bodies. This vertical and horizontal social dimension of religion provides great potential for communication and thereby furthers a global sense of unity.

Fourthly, there is the *cultural dimension*. All religions impact culture and culture challenges religion. Religions retell stories which form identity of nations and define our relations to others. Religious narratives have the power to confirm and to challenge the present order of things. Holy sites may serve as sites of conscience and symbols of self-esteem.

How do these religious characteristics play out in the movement towards a just and harmonious society, a true community of equals?

In a few days the Parliament of World Religions will convene here in Salt Lake City. This is *one* expression of the deep yearning today for a shared understanding of our spiritual and moral responsibility as people of faith.

In the interfaith movement today as expressed in the world congress and in the organization “Religions for Peace,” the issue is not about whose God is the greatest, which way of salvation is the better, but about how we address the challenges of humanity and the earth today with a message of compassion, forgiveness and justice.

Let me briefly mention some issues of major concern today for both law and religion as they relate to social harmony. Freedom of religion is critical for an honest dialogue about these issues and for the united praxis between all people of faith or beliefs, needed to overcome these challenges.

Climate change

Climate change is a field where religion and law converge for the future of humanity and our habitat. The deteriorating environment caused by the global climate crisis has moved to the top of the interfaith agenda prior to the UN global conference in Paris in December on climate change. Religious voices are being heard clear and loud around the world. People of all faiths have engaged in marches, prayers and campaigns in support of the scientific consensus that a sustainable environment is a key to a peaceful future

His Holiness Pope Francis has issued a much hailed encyclical on the issue. This epic letter to the world is the result of a theological and scientific dialogue both within the Vatican and with international experts. Religion for Peace has been one of the dialogue partners. There is no denial or doubt about the human role in climate change. The pastoral tone and the political impact reflect the genuine engagement of the Pope, as demonstrated in his speeches to the US Congress and the UN General Assembly.

One of the latest examples of faith based mobilization is the Islamic Declaration on Global Climate Change issued by leading Muslim scholars from more than 20 countries, many of whom are active in the Religions for Peace movement. Drawing on the Muslim tradition in the Holy Koran and in Hadiths, and building on the scientific consensus on climate change, they call for clear targets and monitoring systems at the forthcoming global conference in Paris. They urge world leaders to ensure that the world stays within the 2 degree limit, or preferably the 1, 5 degree limit and to commit to 100 % renewable energy as early as possible.

Indeed there is a groundswell of religious voices supporting a moral imperative for a binding climate agreement. The Religions for Peace Faith for Earth campaign which was launched last month in 195 countries is a global campaign to protect our shared earth from the ravages of climate change and its disproportionate effects on the poor and excluded.

People of faith and good will are urged to sign a petition to their head of state and to the UN Secretary General, setting a target of one hundred percent renewable energy by 2050.

This signed petitions from people around the world to their respective head of state and to the UN Secretary General will be presented to them prior to their convening this December.

Human Rights to Peace

Is it a human right to live in peace? Surprisingly, today it is not. But it should be.

While right to life is established as international law, this is not the case for right to peace. If right to peace is seen as a specific human right, *sui generis*, this would impact international law and institutions and greatly contribute to social stability.

The issue of peace as a human right has permeated the discussion within the UN since the Charter and the Universal Declaration of Human Rights were signed by world leaders as a reaction to the horrors of war in the 20-ieth century.

The UN GA resolution 39/11 of 1984 “Declaration on the Right of Peoples to Peace” raises the issue of collective and individual rights. I believe that we should be concerned *both* with people’s right to peace and with the individual person’s right to peace. A human right to peace would strengthen people’s rights, not diminish them.

Since 2008 the HRC has been seized by the issue and made efforts to promote the right of peoples to peace. In 2010 the HRC requested the Advisory Committee to prepare a draft declaration on the topic.

An Open ended Working group was appointed in 2012.

Already from the beginning however it became evident that there was little support for crafting new language for a declaration of peace as a human right. The red line was drawn at the word *human*.

In the final draft declaration, consisting of only four articles, human right to peace is obfuscated;

“Everyone *has the right to enjoy peace such that security is maintained, all human rights are promoted and protected and development is fully realized.*”

It is my impressions that the issue has not captured the attention of world leaders or the engagement of mass movements within civil society, including religious movements.

Diplomats have in a fundamentalist’s way argued for the wording of old texts, perhaps based on ideological prejudices or fear of giving away the option of war, should national or alliance interest so dictate.

There is more money in the war industry and in the waging of war than in peace building and peacekeeping

Some rather ludicrous arguments have been used to stall the process, such as the argument that human right to peace is not reflected in international law- as if international law is immutable! That exactly is the issue.

This means that a new process is needed to vouchsafe peace as a human right. Religious engagement for the cause needs to be intensified in keeping with the fundamental consensus on the sacredness of life.

If, as we must insist, every person on our planet has a *sacred* right to life, the day will surely come when this will find its expression in a binding declaration establishing every individual human beings right to peace. This I believe is what human dignity demands. This is indeed a religious issue. Peace is a religious and human imperative!

Impunity

Let me turn to the issue of impunity. At first glance this might sound more as an issue for law than for religion.

But in my view law, religion and quest for social stability converge in the perennial search for reconciliation after war and conflict. Social stability is about truth, justice and reconciliation.

During the last fifty years there have been more than forty truth and reconciliation mechanisms addressing different post conflict traumas in a number of local communities around the world.

The South African post-apartheid attempt at a healing process known as the Truth and Reconciliation commission, made an indelible impact globally on how memory and forgiveness matters in post conflict healing.

But increasingly it has been seen that the process needs to be broader in order to bring closure to the victims and lasting harmony to society. Justice is indispensable for sustainable reconciliation.

It is too easy in a post conflict situation to be duped to go for reconciliation *without* addressing the victims yearning for recognition. This is not a matter of revenge but of restoration. Sometimes heroes of liberation when in charge of the new freedom tend to forget

the victims that brought them there. A true narrative of heroes must include the equally epic saga of the victims.

Increasingly also the concept of transitional justice is becoming problematic as it is understood to suggest that piecemeal justice suffices and full justice needs to wait for more convenient times.

But facts of history bear out that time will not put to rest the denial of atrocities on both sides of the struggle and the complicity of foreign powers. Even if it is buried in classified documents sooner or later, truth will prevail, and justice will be served, even if only on a symbolical level.

In my experience a national consensus dialogue on truth justice and reconciliation is the best way towards closure of the past. Its aim is to honor the narrative of victims and communities. It restores the personal dignity of the afflicted by affirming the cost of resistance to evil. As restorative justice, it implies legitimate needs for reparations.

Freedom of religion

The examples I have noted reflect the need for dialogue and diapraxis. There is no true dialogue without freedom of expression and freedom of connection. No common action across faith identities is possible without freedom of faith and freedom of movement. Dialogue between religions and struggle for freedom of religion are intertwined.

Freedom of religion is established in the UN charter, the Universal Declaration of Human Rights and a number of UN declarations and resolutions, such as The Resolution on the Elimination of All forms of Intolerance, discrimination and Defamation Based on religion or Belief.

The UNESCO Declaration of Principles of Tolerance covenanted by all UN member states 20 years ago, links freedom of religion and tolerance, declaring tolerance to be: *not only a moral duty; it is also a political and legal requirement.*

On regional and national levels there is almost universally an affirmation of this fundamental freedom, with a few notable exceptions.

Some constitutions however modify this right with reference to a perceived preeminence of social, cultural and other contextual factors. On the other hand, some religious leaders insist that traditional values are superior to human rights.

Increasingly we have seen an alliance between religious conservative establishments and reactionary political forces against a universal canon of human rights including freedom of religion.

On the political level, such civilization values as freedom of religion, freedom of expression, and freedom of assembly and of movement, are being rolled back in the fight against extremism, indirectly giving victory to the terrorists for whom human rights is a joke.

Nuclear arms and death penalty

Finally allow me only a brief mentioning in the context of religion and law of the promising abolition strategies against nuclear arms and against death penalty.

Even if different in character and scope, they both challenge religion and international law about the sacredness of life. They both raise the specter of annihilation of individuals and masses of people.

Today, I find it encouraging witnessing a growing alliance between religion and state, between civil society and politics to address these issues. I believe in a strategy where declaration of none-use or abolition is seen as a step towards total elimination.

Even if death penalty is sanctioned in most religions, there is a strong impetus in the overarching message of the sacredness of life to counter this position. The nuclear threat is in itself a desecration of God.

We are here to make a difference

Friends, faced with all these great humanity issues today, we are here because we want to make a difference in the way we seek convergence of law and religion and in our commitment to equal citizenship and human well-being.

So let me in conclusion share with you a prayer about making a difference:

May God bless us with anger at injustice, oppression and exploitation of people, so that we will work for justice, equality and peace.

And may God bless us with the foolishness to think that we can make a difference in the world, so that we will do the things others tell us cannot be done.

And may God bless this conference to advance the healing of the nations and the freedom of its citizens.