Freedom of Religion and Politics in Contemporary Conflict Situation

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Abstract

Religion and politics are intrinsic and inherent part of man and accordingly, man is a politico-religious being. Also, it is significant to know that religion could be employed as an integrative phenomenon and as a divisive machinery in any given society. Indeed, if the divisive aspect of religion is not carefully managed, it creates conflicts. Although, religious and political institutions in every social setting appear to be inseparable, however, they differ in their methods and approaches. In other words, as societies become indeed heterogeneous, due to culture contact, as well as when sharper lines of stratification appear, a different pattern of relationship between religion and politics sets in. The "marching season" in Northern Ireland led to violent upheavals between Roman Catholics and Protestants which in fact threatened the peace process. The Jews and Palestinians had a fallout over the holy places in Jerusalem, thereby laying the foundation stone for the reconstruction of the mosque in Banja Luka (Bosnia and Herzegovina) led to violent conflagration of Orthodox Serbs against Muslims. Russia and the Central Asia nations feel very unsafe by the progress of the radical Islamic Taliban from Afghanistan. In another genre, the destruction of places of worship of Christians and Muslim is repeatedly reported from Sri Lanka, the Philippines, Indonesia, India and even Nigeria. In yet another development, two Roman Catholic nuns were convicted by a Belgian court for their role in the Rwandan genocide. This chapter therefore argues that attempts to expel religion from society as well as politics will create violent and cataclysmic dissensions and not reduce it at all. The issue summarized here is not whether or not religion should play a role in the society and politics rather the issue for determination is on strengthening the positive function of religion. The over-all enforcement of the right to freedom of religion or belief actually as a condition precedent to conflict prevention, pacific settlement of disputes and post-conflict standardization.

Keyword: Religion, Freedom, Politics, Conflict, Contemporary, Society, Standardization

Introduction

Religion plays a key factor in contemporary conflict. In the 1998 Oslo Declarations on the Freedom of Religion or Belief, the founding document of the Oslo Coalition for freedom of Religion or Belief, contended that: "Religions and beliefs teach peace and goodwill (Hans, and Karl-Josef, 1993). Moreover, peace and reconciliation and the care for one's neighbor are an integral aspect of all religions' doctrine as well as value orientation. Furthermore, issues such as aggressive mission activities and proselytism are deliberated on, in international, ecumenical, and interreligious in a bid to avoid violence. More recently and significantly too, deliberations centered on the issue of whether or not the special fund of the World Council of Churches Programme to Combat Racism could also support liberation movements in Southern Africa, which also used violence, if no other means brought about change of the apartheid system or saga. In Milosovic's Yugoslavia or like the situation in Sudan engendered a debate on the legitimacy of military intervention for humanitarian purposes. The member churches of the World Council of Churches, in January 2001, launched a Decade to Overcome Violence as well as adopted a statement on "The Protection of Endangered Populations in Situations of Armed Violence, (World Council of Churches Minutes). Epoch making events where religious beliefs were the main cause of armed conflict are, indeed, rather few compared to those situations in which religion was misused for other purposes. Infact, it is the misuse of religion that is on the ascendancy.

In this article, two significant trends will be considered here. The first trend is that the nature of armed conflicts in general has changed since the end of the cold war. In another genre, the number of armed conflicts remains fairly constant. Invariably, the 1990's witnessed a remarkable proliferation of armed conflicts in Eastern Europe, more especially in the former Soviet Union as well as in Asia, and there was a major decline in conflicts in latin American. Meanwhile, a second trend reflects that most of the prevalent wars were intrastate conflicts and which involves issues of autonomy and self-government.

In fact, as religion as well as ethnicity has, more often the framework for expressing one's own identify, analysts, are of the view that an increase of religious as well as ethnic conflicts. In other words, religion and ethnicity are in fact the main basis of cause of the conflicts.

Background to State, Politics and Freedom of Religion or Belief

When we take a cursory look at the life of men around us, we will not fail to be struck by two things or fact: as a rule, every man desires to have his own way, to think as well as act as he likes; and at the time, everyone cannot have his own way, because he lives in the state. One man's aspirations conflict with those of another and the state as well. The relations of the individual members of the state conflict with one another and so, need regulation by government. When a body of people is clearly organized as a unit for purposes of government, then it is said to be politically, organized. It can also be referred to as a body politic or state.

The basis of such a society is that a group of people referred to as the government are mandated with constitutional power to make laws and implement them and to that extent they claim obedience from the members of the society whom they govern.

Political theory is associated with the formulation of the ends as well as limits of state authority. Government is the instrument by means of which the purposes of the state are sought to be realized (Appadora, 2004). What is more, a study of Politics should, infact, naturally, involve an analysis of government and how the state operates in relation to freedom of religion or beliefs, and this is the subject-matter of this segment of our study.

Freedom of religion is one of the oldest and most controversial of all human rights and has been the object of international concern from the very beginnings of the modern international state system (Arthur 1954). Christianity on the other hand, posed, somewhat, a source of perplexity. Christianity like Judaism was monotheistic as well as claimed universal validity and was intolerant of other religious practices. Monotheism, this belief in only one God, was and still is the backbone, soul and Stamina of Christianity just like Judaism; were impregnated with uncompromising relentless and monolithic monotheism (Nwachukwu; n.d.). Christianity unlike Judaism was not exclusive but became a proselytizing religion that challenged the religious pluralistic status quo. It was this, rather than the substance of Christian belief per se, that best explains the official Roman policy that veered between toleration and persecution (Nwachukwu n.d.). The significant turning point came with the Edict of Toleration issued by Galerius on his death bed in 311, which granted Christians the indulgence of "the rights to exist again and to set up their places of worship; provided always that they do not offend against public order (Nwachukwu n.d.). However, this development was followed by the accession of Constantine to the throne of the Western empire. Constantine, in 313, promulgated the Edict of Milan, which provided as follows:

> All who choose (the Christian) religion are to be allowed to continue therein, without let or hindrance and are not in any way to be molested….At the same time all others are to be accorded the free and unrestricted practices of their religions; for it accords with the good order of the realm and the peacefulness of our times that each should have the freedom to worship God after his own choice; and we do not intend to detract from the honour due to any religion or its followers. (Henry and Chris, 1999).

In Europe, both the Canon law and Roman law had considerable influence on the development of Christianity and international law during the feudal period. St. Augustine (354-430) insisted that states must observe treaties and the customs of war. St. Augustine drew a distinction between just and unjust war, the former having a legal foundation (Umozurike, 2010). He considered that the enslavement of the vanquished was a natural consequence of war and called for the organization of all nations under the leadership of the church. Cicero, had considered that "no war is just unless it was waged after a formal demand for restoration, or unless it has been formally announced and declared beforehand". However, it came to be understood that such formalities could only apply between peoples organized into civilized societies. Thomas Aquinas (1224-1274) who systematized previous writings on international law, was influenced by the church and in turn supported its authority. Aquinas reworked this in the thirteenth century, concluding that a just war required "right authority" a "just cause", and a "right intent" (Aquinas, Summa Theologica). Edward Gibbon contended that:

> The policy of the emperors and the senate, as far as it concerned religion, was happily seconded by the reflections of the enlightened, and by the habits of the superstitious, part of their subjects. The various modes of worship which prevailed in the Roman world were all considered by the people as equally true; by the philosophers as equally false, and by the magistrate as equally useful. And thus toleration produced not only mutual indulgence, but even religious concord (Gibbon, 1976).

Thus, rejecting the claim that the emperor or the pope enjoyed a pre-existing jurisdiction, temporal or spiritual, over the New World, Francisco de Vitoria considered a number of other arguments, including whether the conquest was justified on the grounds that the Indians had refused to accept the Christian faith when it had been preached to them (Vitoria, De Indis n.d.). He accepted that the Indians were bound to listen to the preaching of the faith, and that they would commit a mortal sin if they refused to accept it, if it were presented "not once only and perfunctorily, but diligently and zealously"; but he did not

believe that such a refusal justified making a war. Furthermore he opined that "Christian Princes cannot even by the authorization of the Pope, restrain the Indians from sins against the law of nature or punish them because of their sins" for "it would be a strange thing that the Pope, who cannot make law for unbelievers; can yet sit in judgment and visit punishment upon them. The foreseeable and proximate implication here is that difference in religion as earlier stated above is not a cause of just war.

This position as time went on became the accepted usage and norm. An Italian Protestant who fled Italy to escape the inquisition, Alberico Gentili (1552-1608), was also clear on the subject that wars embarked upon on the grounds of religion as their sole motive were unjust. In other words, a man cannot complain of being wronged because others differ from him in religion (Gentili, De Indis n.d.). Again freedom in religious matters has been added to the heritage of humanity as one of the fruits of its struggle for liberty. The era of religious wars, of religious persecutions and disabilities has happily passed, except in a few obscurantistic and underdeveloped enclaves of the world. The victory of religious liberty marks the triumph of reason over emotions and authoritarianism. It is the victory of common sense over nonsense. Alberico Gentili contended that:

> Religion is a matter of the mind and of the will, which is always accompanied by freedom….Our minds and whatever belongs to our mind are not affected by any external power or potentate, and the soul has no master save God only, who alone can destroy the soul. Do you understand? Yet hear still one more thing. Religion ought to be free (Gentili. n.d.).

The Role of Religion and Freedom of Religion in Contemporary Conflict Situation

Irrespective of the fact that religion is indeed associated or characterized with violent upheavals, it "can and should play a significant role in conflict prevention and post-conflict resolution" (Civil and Political Rights 1999). The role of religious communities in peace and reconciliation cannot be overemphasized; and it is constantly recognized although much less stressed and besides, less used in real conflict circumstances.

Religion serves as an agent for peace as well as reconciliation. A number of grounds abound why religions are in a position to champion peace and reconciliation. This is because all religions are devoted to values of freedom, peace reconciliation and justice. Over the last decade shrewd and astuteness of religious communities to play the role of mediation or act as mediators in conflict resolution has assumed a wider dimension in recent times. The initiatives of the parliament of the World's Religions was demonstrated in the indispensible passage of the 1993 Declaration of the Parliament which stated inter

alia: "We commit ourselves to a culture of nonviolence, respect, justice, and peace. We shall not oppress, injure, torture or kill other human beings, forsaking violence as a means of settling differences (Kung and Kuschel, 1993).

Kumar Rupesinghe of International Alert: discussed another significant role religion play. "Religious organizations can be effective on all levels of security. While the work of the local church and religious leaders can complement the peace process at the grassroot level, international religious establishments such as the Quakers or the Catholic Church can bring pressure and influence on a wider spectrum (Kumar, 1996). Nowadays, there are numerous international structures in place, mono-religious, ecumenical and inter-religious, which are known for their third party interventions and their mediating function in many conflict affairs.

Thus, in most situations establishing peace is a long process. Against this backdrop, one of the strategic merits of religions is that they have a long standing presence in conflict affairs, which enables them to accompany projects as well as initiatives for a long time. Religious communities as well as their leaders unlike politicians do not depend on short-term success and solutions, which are usually not sustainable. Therefore, religions have not only the tendency to promote peace and reconciliation; there are many instances where religions have made significant contributions towards the resolution of contemporary conflict affairs.

The U.N. Special Rapporteur on Freedom of Religion or Belief have rightly contended, that, even the international human rights system tends to have rather retroactive effects: "The special Rapporteur considers it essential that special attention should continue to be paid to "traditional mandate fulfillment" activities, namely in most cases a posteriori action on human rights violations. At the same time however, a strategy to prevent intolerance and discrimination must be devised (Civil and Political Rights, 1999).

Also in a bid to react to emergency conflicts before they result into violent upheavals "early warning" devices are very essential. Early indicators of emerging violence are intolerance, discrimination, as well as human right violations and in particular infringements on minority rights as well as the right to freedom of religion or belief. Given the far reaching extensive networks that religious communities assess, their representatives to ensure that they bring early warning signals to the notice of international political organizations and institutions as well.

Usually when conflicts attract public interest, the international community often require a dialogue of the conflicting parties in cases that a religious aspect is involved, with a view

for a dialogue between the religious components. Yet in most instances, but it will be too late for an honest dialogue and the international organizations will need to exercise military, economic as well as political pressure to ensure that the conflicting parties to a round table as well as to be infact an element of conflict prevention than of conflict mediation. In a bid for potential parties in a conflict to gain trust as well as confidence in each other as well as to promote mutual tolerance. In this respect, Wesley Ariarajah contended that:

> Dialogue is not an ambulance service; it is a public health programme…Dialogue is not so much about attempting to resolve immediate conflicts, but about building a 'community of conversation', a 'community of heart and mind' across racial, ethnic, and religious barriers where people learn to see differences among them not as threatening but as 'natural' and 'normal'. Thus dialogue is an attempt to help people to understand and accept the others in their 'otherness' (Wesley, 1999).

For instance, it was the World Council of Churches (WCC) in consonance with the Africa Council of Churches (ACC), which had the credibility to mediate between the conflicting parties in Sudan in 1972. The same paradigm was replicated by the interreligious council in Bosnia and Herzegovina, which was established with the support of World Council of Religion and Peace (W.C.R.P) infact it is cumbersome to turn an instrument like this into an effective mediating tool as soon as conflict has began.

More evidential was the timely joint declaration of the religious communities in the former Yugoslavian Republic of Macedonia from 13th June 2001, which stated inter-alia:

> Led by the principles of our faith and bound to live and work together as brothers and sisters…we condemn the violent and conflict which, instead of bringing a solution, will only leave chaos. The recent violence and conflicts are not based on religion or religious differences, and we reject attempts to label them as acts of religious intolerance…We strongly reject any tendency to allow ourselves to be involved and manipulated, as well as any misuse of religious symbols and language for purposes of violence (Lederach, 1999).

Significantly as the role of the WCC and the Conference of European Churches may have been initiating a platform for the religious representatives to assemble, the consensus pact could not have been arrived at if not for the long mediating role of a local NGO, the Macedonian Centre for International Co-operation.

Although, more often even in conflicts without a religious undertone, it is often the religious organizations as well as religious personalities that have the credibility and integrity from the people to mediate. An outstanding example is the mediation of the Communio St. Egidio in Mozambique. In South Africa, the breakthrough of the Truth and Reconciliation Commission could not have been achieved without the involvement of a personality like Desmond Tutu, the Anglican Bishop.

Also, third party interventions in conflict situations do not, as a matter of fact need to come from outside nor from the top echelon. For example, in Northern Ireland, local communities like the Corrymeela community brought grass-root people together beyond their religious as well as national loyalties in a bid to develop a common peace front. Thus, the Irish School of Ecumenic engages people from conflicting parties in processes on the healing of memories. In Bosnia and Herzegoviina during the wars it was the "women black" who demonstrated publicly against the employment of violence. Besides in Croatia the Osijeh Centre of Peace, Non-Violence and Human Rights trained people in nonviolent conflict mediation as well as sent them in bicommunal villages once international mediators had laid off. Thus, the more these local initiatives are organized and the more they involve the local community the more hopeful and puissant they are. Infact, virtually all of the recent transitions towards peace…were driven largely from the grass roots (Lederach, 1999).

Civil society in after-war situations have usually ceased to survive. More often than not, it is the religious communities which are the only survivors of such societal structures. Thus, they are useful in expressing the voice of the people as well as in supporting the redevelop of civil society. Numerous religion-based aid agencies have pooled their resources in a Southeast Europe Partnership Programme under the aegis of the World Council of Churches (WCC) especially in the case of former Yugoslavia. The agencies are now embarking on long term development after a period of relief and emergency aid involving the local communities as well as civil society institutions. The programme emphasizes three crucial issues: peace and reconciliation, capacity building for local NGOs, and the repatriation and integration of refugees and internally displaced people (L.P.I in Somalia, 1999).

The activities of the life and Peace Institute Somalia, constitute an extra-ordinary instance of postwar community building. Somalia for so many years had no central government. Empowering local communities and strengthening their institutions and structures became the aim of the Life and Peace Institute in a bid to resist the unduly heavy emphasis given faction leaders by the international community. However, this objective is based on

the realization that peace cannot be achieved in Somalia through external intervention rather by the efforts of the people themselves. Note however, that the programme of the Life and Peace Institute in Somalia, involves a Women's Peace and Development Programme, support for locally initiated and advocacy programme to spread accurate and long-term positive involvement in the area.

The aforementioned are indeed just a few instances of how religion in its diverse organizational structures contributes to conflict prevention, mediation, and post-conflict community building.

Evidently, from the foregoing, banning religion from politics as well as public cannot be a sufficient response to the involvement of religion in conflict situations. "The best way to counter religious extremism or manipulation of religion…is with strengthened, more authentic religion, not weakened religion". In effect, the full enforcement of the right to freedom of religion or belief as stipulated in article 18 of the international Covenant on Civil and Political Rights (hereinafter referred to as the ICCRP) as well as elaborated in the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (hereinafter referred to as the 1981 Declaration), constitutes a prerequisite for religions to fulfill their role in conflict prevention, mediation, as well as post-conflict community building.

Invariably, in a bid to be able to achieve their role in peace building and reconciliation, it is indeed of great significance that religious communities have safeguarded status vis-à-vis their governments and a protected space to explicate themselves. Whereupon, and as a result, the UN Human Rights Committee, the principle of equality of all religions vis-à-vis the state does not necessarily mean that all religious communities in a given state must have the same status, but "[t] he fact that a religion is recognized as a state religion or that it is established as official or traditional or that its followers comprise the majority of the population shall not result in any impairment of the enjoyment of any of the rights under the [international] Covenant [on civil and Political Rights], including articles 18 and 27, nor in any discrimination against adherents of other religions or non-believers (1981 Declaration). In human rights standards have defined discrimination based on religion or belief as "any distinction, exclusion, restriction or preference based on religion or belief and having as its purpose or as its effect the nullification or impairment of the recognition, enjoyment or exercise of human rights and fundamental freedom on an equal basis (1981 Declaration).

Conclusion

This chapter has discussed religion as an element of contemporary conflicts. The 1998 Oslo Declaration on the Freedom of Religion or Belief, the founding document of the Oslo Coalition for Freedom of Religion or Beliefs, stated that: "religions and beliefs teach peace and goodwill". That peace and reconciliation and the care for one's neighbor are an integral part of all religions' doctrine as well as value, orientation.

The chapter has also treated religion as an agent for peace and reconciliation. Irrespective of the fact that religion is increasingly described as an element in violent conflicts, it can and has actually been playing an important role in conflict prevention as well as post conflict resolution. Thus the potential of religious communities to contribute to peace as well as reconciliation has been incessantly recognized as well as emphasized.

In this work, it has been reiterated that in order to react to emergency conflicts before they turn into violent confrontations, "early warning" mechanisms are important. Discrimination, intolerance, and human rights violations, as well as particular, the infringements on minority rights and the right to freedom of religion or belief are usually indicators or conflict triggers. Given the extensive networks that religious communities have, their representatives, often bring early warning signals to the notice of international political organizations. Other issues that were discussed include religion and conflict mediation; religion and postwar community building as well as the implementation of freedom of religion or belief as a pre-condition for religions' contribution to peace and reconciliation.

In conclusion, the chapter has tried to argue, that it is in most cases the discrimination by governments and the inability of various governments to protect the minority communities from discrimination by the majority, that often give rise to cataclysmic upheavals, tension, conflicts and religious extremism. On the contrary, in states where all religious segments are recognized as well as enjoy the right to freedom of religion or belief, the misuse or abuse of religion for national or ethnic interest is most unlikely be the case.

Therefore, human rights are those rights which the international community recognizes as belonging to all individuals by the very fact of their humanity. However, it is now clear, that human rights can more be regarded as exclusively the domestic affairs of a state. It was against this backdrop, that the atrocities committed against the Jews by Nazi Germany caused a revulsion against the gross abuse of human rights and a determination to ensure their protection and promotion as fundamental aspects of post-war governance for all peoples without discrimination. Even an alien, once admitted was entitled to international minimum standard treatment. To the extent that individuals had rights and duties, they

had a measure of international personality pro tanto. The right of humanitarian intervention in a foreign state to protect citizens was an exception to the general rule in conflict situation. Britain, France as well as Russia intervened in 1827 in the Greaco-Turkish war in reaction to widespread atrocities. Between 1840 and 1861, the Concert of Europe intervened in Turkey to protect Christian minorities and right to freedom of religion or belief. These were isolated cases for the rights of individuals in a state and freedom of religion or belief.

Key Terms

Politics- The art or science of governance.
Religion – One's Faith
Freedom of Religion- Right to religion of choice
Conflict- One man's aspirations conflict with those of another
Government –Ruling or system of governing
Conflict Prevention Remedy to conflict
Peace – A state of concourse and harmony
Reconciliation – Settlement of conflict between conflicting parties

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