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issue **29**



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# LETTER TO THE READERS

MARYURI MORA GRISALES

*Executive Editor of Sur | International Journal on Human Rights*

MAGALI DO NASCIMENTO CUNHA & PAUL FRESTON

*Guest Editors*

## SUR FILE ON RELIGIONS AND HUMAN RIGHTS

Are religions a legitimate language for us to discuss human rights? Are religious players considered to be valid social and political interlocutors in the context of human rights? What is the role of the State regarding religious plurality, its responsibilities and limits in assuring rights to citizens with different, perhaps conflicting, religious expressions, including those with no religion? These were just some of the many questions that appeared when preparing this issue of the Sur journal.

The mere plurality of experiences, discourses, records and images associated with religions was our main challenge. From the outset, a classic human rights approach seemed insufficient to achieve our purpose of understanding the ambiguities involved in this interaction. If, on the one hand, religious groups are involved in the articulation of political domination and rights denial processes around the world, the religious world also possesses an undeniable mobilization potential in subjects that involve human rights, both in the construction of an ethics of coexistence and in the creation of means to protect and assure rights.

Thus, gathering a sufficiently plural and simultaneously critical content was our intention for this issue of Sur, which, for the first time, entered the complex landscape of religions and their intersection with the universe of human rights – a universe whose discourses, rules and subjects are substantially secular.

Sur's readers will now encounter, in various formats and from different perspectives, the result of a dialogue between religions

and human rights. This interface showed both the obstacles resulting from a historically romanticized – or even denied – relationship and the lack of awareness of the hard core of human rights regarding the religious world, its ambiguity and its power. The results were sometimes evident, other times unexpected.

#### I • INTERNATIONAL PERSPECTIVE OF HUMAN RIGHTS AND RELIGIONS: A COMPLEX RELATIONSHIP

We open this issue with a question made by professor **Valentine Zuber (France)** in her text: “do human rights have a religious origin?”. In her article, the author problematizes the historical relationship between human rights and an alleged religious origin, which to this day haunts modern political thinking in regards to the universal nature of human rights and the debate regarding secularization and the secular State.

In an attempt to show the extent of mistrust that the international human rights system carries in relation to religious organizations, even when many of them are aligned in subjects such as development, safety and humanitarian issues, **Azza Karam (Egypt)**, coordinator of the United Nations’ Interagency Task Force on Religion, reports a recent experience involving this approximation, which took place in the context of a pioneer exercise of Strategic Learning Exchange that she designed and moderated. A clear example of a multi-religious dynamic promoted by the UN and oriented towards inter-religious collaboration, with interesting and challenging results.

Next, **Dennis Hoover (United States)** expounds upon the absence of religion in academic journals on international affairs, displaying its peripheral placement in discussions on international affairs. Not taking religion seriously has deprived both academia and international diplomacy of an important analytical factor, preventing religion from being seen as a potential ally in the promotion of human rights. Hoover presents a case study on the *Review of Faith*

& *International Affairs*, the first academic journal to focus exclusively, since 2003, on the roles of religion in international affairs.

## II • RELIGIOUS FREEDOM AS A RIGHT

In this section, **Ahmed Shaheed (Maldives)** sheds light on the importance of the right to religious freedom and belief in assuring plural, peaceful and inclusive societies. In his attributions as the UN's Special Rapporteur on Freedom of Religion or Belief and in dealing with constant complaints regarding the increase in religious persecution and discrimination worldwide, Shaheed highlights the challenges countries have in promoting and protecting this right.

**Rey Ty (Thailand)** emphatically criticizes the political instrumentalization of religion to violate the rights of religious minorities by describing the Rohingya refugee crisis in Asia. Over one million Rohingya, an ethnic Muslim minority, are persecuted, excluded and abused by Buddhists in Myanmar. For Rey Ty, there is a dissonance between, on the one hand, the reality of aggressive attacks from Buddhists and Hindus against people from other religions and, on the other hand, the romantic and idealist view of Buddhism and Hinduism as religions that promote peace and harmony. The historic colonial context and the political use of hegemonic Buddhism in Myanmar have created the setting for one of the largest refugee crises in the world.

Addressing religious freedom as a right also involves a discussion about its own legitimacy. In the context of Brazil, as a result of colonial heritage and the hegemonic character Christianity still possesses, followers of religions of African origin have suffered throughout the country's history to freely experience their religiousness and to have their rights acknowledged. In Brazil, the marks of structural racism, which operates with legitimacy granted by the State, directly affect black bodies, which are the major contingent of these religions.



**Humberto Manoel de Santana Jr. (Brazil)** presents in his text the circumstances of the fight for land fought by religions of African origin in Brazilian soil. From an anthropological and post-colonial approach, Humberto not only sheds light on the conflict of civilizations present in the fight for land, but also concludes that the denial of the right to land is, above all, an attack against the dignity of the *povo de santo*, and must be considered a centerpiece of the agenda against religious intolerance.

Also related to the claim of rights for religions, **Cezar Augusto Dranka** and **Melissa Martins (Brazil)** tackle a debate of international case law associated with Ayahuasca, a Brazilian religion with practices that include the use of psychoactive drinks. The article displays the legal conflict between the recognition of ayahuasca as a religion, the right to religious freedom and the war on drugs, through a comparison between the case law in Brazil, the United States and the Netherlands.

Religious intolerance worldwide causes murders, imprisonment, forced displacements, forced conversion and property destruction, among others.<sup>1</sup> Many of these violations are linked to authoritarian political contexts, social inequality justified by religious discourse or by local ethnic-religious conflicts, among other causes. Thus, the field of complaints and claims for rights, when associated with religion, becomes sensitive due to the involvement of complex political issues.

One such case is the situation of the Uyghur, a Muslim ethnic group present in China. Aware of the sensitivity involved in the issue, Sur is publishing an opinion and complaint written by a young Uyghur activist, **Salih Hudayar (East Turkestan)**, who lives in exile. His is one voice among many that have taken a stance on the subject, providing an opportunity to initiate dialogue.

On the other hand, **Yusef Daher (Palestine)**, a Palestinian Christian, in another opinion article, describes the frustration of the Palestinian people with the fruitless international attempts at solving the Israel-Palestine conflict. The author even problematizes the constitution

of two States in view of a context that, in spite of the discourse and strategies for resolution, increasingly victimizes and reduces the Palestinians' capacity of living in their territory, free from violence.

### III • RELIGIOUS AND POLITICAL ACTIVITY: CONFLICTS REGARDING RELIGION IN PUBLIC SPACES

An element that can no longer be ignored or denied in our time is the public visibility of religions. They are broadly evident in our everyday life, in the expressions of the cultural industry, in political representation and participation, whether institutional or not. There is more visibility regarding religious plurality and religions as a component that establishes multiple and plural identities. Thus, we may notice a surge of both new forms of communication and dialogue and reactions with manifestations of intolerance.

In Sur's space for reflection, we chose to highlight the case of Brazil, a country that has experienced a rise and consolidation of an evangelical bloc (*Bancada Evangélica*) in Congress. This happens in the context of ascension of the pentecostal religious segment in the public eye, in geographic, media-related and political spheres. This public visibility of Brazilian evangelicals, who are no longer a religious minority and are in the process of acquiring a central role in politics, has required more attention from social segments in general, generating curiosity, questions and perplexity.

In order to contribute to reflections on the phenomenon, **Christina Vital da Cunha** and **Ana Carolina Evangelista (Brazil)** present parts of a research on evangelical candidacies in the 2018 national elections, pointing to power mechanisms and techniques, exploring convergences between religious and secular interests and narratives and their respective uses during the electoral process and in the period that immediately followed. Through her experience as a lawyer specializing in national advocacy, **Silvia Souza (Brazil)** presents and explains in detail the troubled political

path of President Jair Bolsonaro's arms decree and the active participation of the evangelical bloc in this process.

### **Religious dogmatism and gender**

The problematization of the secular State – as a “legal and political instrument for the management of liberties and rights of all citizens”<sup>2</sup> and the true possibilities of its implementation are approached, from different countries and perspectives, by two articles – one by **Isabela Kalil (Brazil)**, of the Sexuality Policy Watch, and another by **Sandra Mazo (Colombia)** of the organization Catholics for the Right to Decide. In both cases, there is emphasis on a religious mobilization of conservative Christian sectors through a reactionary moral agenda for the withdrawal of sexual and reproductive rights. In both cases, the use of “gender ideology” in the media and in rhetoric is employed in order to, in the case of Colombia, hinder a peace process and, in the case of Brazil, to sanction municipal laws that prevent the use of the word “gender” in classrooms and educational material, which shows us that, in the intersection of religion, politics and gender, “sexual control is a priority”.<sup>3</sup>

#### **IV • RELIGION AND THE FIGHT FOR RIGHTS**

If, on the one hand, the achievement of the secular State in Latin America was directly related to the cultural and political hegemony of the Catholic Church, on the other hand, it was in that same Church that some signs of resistance provide echoes of hope in adverse settings. An example of that is the Amazon Synod called by Pope Francis for October this year, in Rome. This is a politically and symbolically relevant event, considering the Vatican's capacity for global articulation and the insertion of the Amazonian reality in the church's agenda.

**Marcelo Barros (Brazil)** and **Luz Marina Quintero Cely (Colombia)** provide two perspectives on the challenges of the Synod. Barros, a scholar of Liberation Theology who has monitored base ecclesial

communities for years in Brazil, emphasizes the importance of a process of attentive listening for the Amazon, as a challenge for the Church's mission from a non-colonial perspective. On the other hand, Cejil provides a more institutional perspective on the work of the Pan-Amazonian Ecclesial Network (REPAM) in the synodal process of "Amazonifying the church" in Colombia's concrete political reality.

Further on, we have the honor of including an interview granted by **Adolfo Perez Esquivel (Argentina)**, a Nobel Peace Prize laureate and tireless defender of human rights and non-violence. Esquivel was not only inspired by the Liberation Theology, but also worked for justice and peace in the continent with bishops and theologians of the region. **Leonardo Felix** personally conducted the interview for Sur at Esquivel's office at the Servicio Paz y Justicia building in Buenos Aires.

Considering the ambiguities and dichotomies inherent to religious activity in the public space, **Sheila Tanaka (Brazil)** highlights in her article the work of Christian Aid, a global ecumenical organization with a presence in Brazil for 40 years, in the fight against the structural causes of inequality and in the fight for social justice.

**Shailly Barnes (United States)** shares the experience of an innovative religious campaign recently held in the United States, the Poor People's Campaign, that reached almost the entirety of the country's states. The campaign was a national call to denounce the incoherence between an allegedly Christian nation and the poverty faced by the majority of the population. A "moral budget" was drawn up, showing that the country does in fact have sufficient resources to satisfy people's basic needs. Said resources would only require redistribution. The call for the recognition of the immorality of poverty in the United States – even though this context is not limited solely to the context of North America.

To cap off this section, we have the powerful voice and transgressor body, in her own words, of pastor **Alexya Salvador (Brazil)**, whose

faith and life trajectory converge into resistance and transformation. Pastor Alexya, heading the Metropolitan Community Church (ICM), in the Center of São Paulo, states her place of speech and celebrates the many possibilities of experiencing Christianity, presenting herself as a mother, educator and defender of human rights.

#### V • MIGRATION, RELIGION AND HUMAN RIGHTS

The subject of migration and refuge is of central importance in global human rights debates. The UN Agency for Refugees brings us alarming data: over 70 million people worldwide have been forced to leave their homes due to war, persecution and conflict. Along with them, other thousands are crossing borders in search of new opportunities. After all, this population has been the target of attacks by conservative governments in the Global North and South.

For decades, organizations linked to different religions have worked to grant refuge and defend the rights of this population. For that reason, this issue of *Sur* includes profiles on five religious people with a life trajectory that involves the migratory experience, whether due to their personal reality, due to the work developed in the defense of migrant human rights or both. These people are **Hasti Khoshnammanesh (Iran)**, father **Paolo Parise (Italy)**, pastor **Romi Bencke (Brazil)**, sheikh **Mohamad Al Bukai (Syria)**, and rabbi **Michel Schlesinger (Brazil)**.

These five stories help us reflect on how the defense of migrant rights stems from different religious sources. Furthermore, they allow us to know how these representatives – each from a different religion – have worked on the logic of inter-religious dialogue and how they face intolerances and resist within their own institutions.

#### VI • SPIRITUALITY, ART AND RELIGION

This section of the journal explores much more than the visual aspect. **Vincent Moon** and **Priscilla Telmon (France)**, in their multimedia

project “Híbridos”, gift this issue with a photographic portrayal of plurality and beauty of the “collective spirituality happening” in Brazil. In this issue of Sur, you will find a selection of nine pictures taken from the footage of the documentary “Híbridos – Os Espíritos do Brasil”, as well as from videos of the online archive of the Petites Planètes production company, including records of researches conducted in countries such as Peru, Uruguay, India and Morocco.

The images offer unique, poetic, and at times universal snapshots found in different rituals and spirituality expressions – whether by focusing on dances, rituals *per se* or the surrounding nature, revealing fraternal ties between healers, shamans, mystics, devotees, and initiates.

Speaking of plurality and Syncretism, the unusual pairing of São Paulo ghetto funk beats and Umbanda drums is found in the rhythmic poetry of **MC Tha (Brazil)**. The singer spoke to Sur about the influence of religion in the art she shares with the world and about the power of music in building bridges and awareness, especially in the voice of a black woman who practices a religion of African origin and represents a musical genre that echoes the voice of the people.

• • •

At the end of this process, we acknowledged that religion and human rights are much more related than we thought when we started preparing this issue of Sur. The 25 stories presented herein are not intended as either the start or the end of a debate; rather, our interest was to keep a door open for urgent reflections that take into account the potential of religion in its plurality of voices, sounds, languages and instruments in the fight for human rights. There’s no better summation than MC Tha’s verse to describe this issue and an ongoing journey: “Abram os caminhos” (Open the pathways).

Finally, Conectas would like to emphasize that this issue of the Sur journal was only possible due to the support of the Ford Foundation.

Furthermore, we would like to thank the Open Society Foundation, the Oak Foundation, the Sigrid Rausing Trust, as well as individual donors that institutionally support the work of the organization.

We thank the Institute of Religious Studies (ISER) for their partnership, as well as the collaboration and special dedication of Renato Barreto and Arquias Cruz for the preparation of this issue of Sur.

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As always, the members of the Conectas communication team deserve huge credit for their dedication in making this issue a reality.

*Translate by Luis Henrique Misiara*

## NOTES

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1 • “Report of the Special Rapporteur on Freedom of Religion or Belief,” A/HRC/40/58, Human Rights Council, Fortieth session, March 5, 2019, accessed August 19, 2019, [https://ap.ohchr.org/documents/dpage\\_e.aspx?si=A/HRC/40/58](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/40/58).

2 • Roberto Blancarte, “Laicidad y Laicismo en América Latina,” *Estudios Sociológicos* 26, no. 76 (jan.-abr., 2008): 25.

3 • Juan Marco Vaggione, “A Política da Dissidência: O Papel de Católicas pelo Direito de Decidir na América Latina,” in *Entre Dogmas e Direitos: Religião e Sexualidade*, org. Regina Soares Jurkewicz (Jundiaí: Maxprint, 2017).

# ARTICLES



## **ARE HUMAN RIGHTS OF RELIGIOUS ORIGIN?**

Valentine Zuber

## **FROM DIALOGUE TO *DIAPRAXIS* IN INTERNATIONAL DEVELOPMENT?**

Azza Karam

## **PROTECTING AND PROMOTING THE RIGHT TO FREEDOM OF RELIGION AND BELIEF FOR ALL**

Ahmed Shaheed

## **THE ROHINGYA REFUGEE CRISIS**

Rey Ty

## **RIGHT TO LAND AT THE CROSSROADS**

Humberto Manoel de Santana Jr.

## **RELIGIOUS FREEDOM AND TRANSNATIONALIZATION**

Cezar Augusto Dranka and Melissa Martins Casagrande

## **ELECTORAL STRATEGIES IN 2018**

Christina Vital da Cunha and Ana Carolina Evangelista

## **ARMS DECREE AND THE EVANGELICAL BLOC**

Silvia Virginia Silva de Souza

## **“GENDER IDEOLOGY” INCURSIONS IN EDUCATION**

Isabela Oliveira Kalil

## **RELIGION AS POLITICS?**

Sandra Mazo

## **THE SYNOD FOR THE AMAZON**

Marcelo Barros





# ARE HUMAN RIGHTS OF RELIGIOUS ORIGIN?<sup>1</sup>

**Valentine Zuber**

## ABSTRACT

*Are human rights codified in the late eighteenth century by natural rights of divine or philosophical origin? This question haunted Western political thought throughout the nineteenth and twentieth centuries. At the same time, the various Christian denominations have positioned themselves differently in the face of this political invention of modernity, between distrust and reappropriation. The international legal system of human rights resulting from World War II opted for a resolutely secular legal approach. According to its designers, the latter would be the guarantee of its real efficiency and universality. However, the universality of human rights is currently seriously challenged by new criticisms – both cultural and religious – emanating from certain countries – generally non-Western. But don't they denounce the Christian and Western origin of human rights in order to be better able to refrain from actually implementing them in their own societies?*

## KEYWORDS

Human rights | Religious freedom | Protestantism | Catholicism | Orthodoxy | Blasphemy | Universality | Natural rights

## 1 • Natural rights – divine or philosophical origin?

Shortly after the Declaration of the Rights of Man<sup>2</sup> and of the Citizen (DRMC) was proclaimed in 1789,<sup>3</sup> revolutionaries and the earliest commentators on the event immediately questioned the intellectual origin of the proclaimed rights. Natural rights, as they were promoted in the preamble of the DRMC – and in its revolutionary, but somewhat ambiguous article X on freedom of opinion, “including religious views”, in particular – evidently raised questions on the basis of the rights of man and the DRMC that they gave rise to.<sup>4</sup> Is this declaration simply an expression of the philosophical ideas (such as religious tolerance) popularized during the Age of Enlightenment or must we dig further – into religious doctrines – to find the original roots of its filiation and its liberalism?

The issue of natural rights is certainly the one that has been written about the most. The existence of “natural rights” has been the object of numerous debates – ones that have sparked some of the liveliest judicial-philosophical sparring matches up until today.<sup>5</sup> As Claude Nicolet recalls, Republican thought, the claimed heir of the revolution, is essentially a natural rights doctrine. It has always been affirmed that its original foundations are the declarations from the revolutionary period. In the eyes of their authors, all these historical declarations reflect the principles of natural rights in which they strongly believed.<sup>6</sup>

American jurist Harold Berman highlights that philosophers of law have continued to pursue the long-standing debate that opposes the so-called theory of positivism to the so-called theory of natural law for years. For the defenders of positivism, the law is primarily the expression of the will of actors who produce the law. For the latter, the law is the expression of moral principles that are specific to human nature, which are intelligible thanks to reason and conscience, and to which the historically established rules of substantive law must conform.<sup>7</sup>

For Christian churches, there is no doubt about the existence of immanent natural rights. Theological thought incorporated the idea that natural rights are of religious and divine origin and Christianity has assumed that this is true for centuries. Since the existence of natural rights has never truly been debated by the authors we are referring to, it is not our intention to get into this discussion here. Though clearly essential to jurists and historians and philosophers of law, this debate would distract us from our specifically historical purpose. We have therefore chosen to focus on the history of the religious interpretation of the DRMC in France from the time of the Revolution until the present day.

## 2 • The historical role of religious actors in the invention of human rights

To do so, we must first revisit the specific actions taken by religious actors during the first months of the French Revolution, namely the numerous representatives of the Catholic clergy (from the Order of the Clergy), but also the few Protestant ministers (from the order

of the Third Estate) who were involved. Lower clergy members and ministers did, in fact, play a decisive role in the debates on the place that religion should have in the new society in the making. In addition to the two well-known figures of Abbé Gregoire and minister Rabaut Saint-Etienne, the entire clergy (patriotic priests and pastors all mixed together) mobilised to passionately defend their concept of religious freedom.

Our aim was to re-examine the eminently religious roles that the first commentators attributed to the political fight for individual rights waged during the Revolution. We have thus identified the truly religious concepts of human rights that emerged among the commentators who were most active from a confessional point of view after the revolutionary events. We were able to retrace the emergence and development of a Protestant philosophy of history, which we feel is too often ignored by contemporary French political thinkers.<sup>8</sup> This philosophy, which highly valued America's earlier experience, naturally made the Reformation the first of a series of European political revolutions.

This notion of the religious origin of politics was developed by contemporary thinkers of the revolutionary phenomenon, from Thomas Paine to Germaine de Staël, and taken up again by the more liberal Romantic School in the 19<sup>th</sup> century. We also revised the concepts of several political thinkers who exerted strong intellectual influence in the 19<sup>th</sup> century, such as Edgar Quinet, Jules Michelet and Alexis de Tocqueville. Profoundly marked by the political-religious history of Europe from previous centuries, these authors were unable to disassociate revolutionary politics from its religious matrix and/or form. Several of their arguments have been clarified and refined by Republican historiographers, from Paul Janet to Alphonse Aulard, but not without controversy.

Debates arose between advocates of a religious origin of the rights of man, on one side, and defenders of a purely philosophical and French origin, on the other. It is important to note that this opposition between two antithetical interpretations of modern French political history became the most intense when the Republicans, who were finally firmly in power, adopted a policy that imposed secularism.

This controversy exploded for the last time when an academic quarrel erupted between French political scientist Émile Boutmy and Austrian jurist Georg Jellinek in the early 20<sup>th</sup> century. This dispute unfolded gradually throughout the year 1902 in a context marked by the tightening of the anti-religious policy by the Republicans in France. This debate, which offended advocates of a new line of French nationalism that appeared after the defeat of 1870 and continued to gain momentum until World War I, did not have any real intellectual offspring. The arguments used by the actors involved lost their relevance in French political thought developed since then. In our opinion, one of the reasons is the uncontested ideological and political victory of the secularist camp in France in the early 20<sup>th</sup> century. Another is the fact that political-religious issues were overtaken by the rise of social thought and socialist, then communist, activism. It was not until the ideology of continuous progress was brought into question, a "return of religion" was affirmed and

brandished like a scarecrow and, finally, the decline of Republican values was felt in the late 20<sup>th</sup> century that the debate was reassessed and the results of this assessment were discussed again. It resurfaced thanks to the contributions of a renewed historiography field.

The analyses produced by 19<sup>th</sup> century thinkers have undoubtedly contributed to the elaboration of contemporary political thought in various ways. And they are being studied once again by more contemporary thinkers who are debating their explanatory value in a world marked by the end of great ideologies. This is the case of historians and thinkers such as François Furet, Claude Lefort, Claude Nicolet and Marcel Gauchet, to mention only the most eminent ones among them. As a universalized political creed that is still celebrated today, the DRMC allows them to pose once again the question of the role that a theological-political philosophy could eventually play in a world marked by (unavoidable?) secularisation.

### 3 • Christian confessions on human rights: between distrust and reappropriation

Parallel to the development of all these political theories, religions also took a stance in the debate on human rights. Having made adherence to political ideas of progress the condition for their full integration into the national community after centuries of persecution, French Protestants massively and prematurely adopted the religious explanation of the advent of human rights. The DRMC became a modern political substitute for the teachings that they used to draw from their moral interpretation of the scriptures. After their civil and political reintegration into French citizenry in the first few months of the Revolution, they strongly contributed to the debate. Through their political actions or intellectual reflections, French Protestants helped establish a true myth – one on the eminently religious and Protestant origin of human rights and modern democracy.

It was only at the very end of the period of our study, after World War II, that certain Protestant thinkers voiced their theological reservations on this theory which had been, until then, unanimously accepted. Fighting to prevent the originality of their religious proposal from disappearing, as announced, because of what was deemed the excessive secularisation of its principles, they attempted to emphasise the need for a divine basis to guarantee a just enforcement of human rights by modern societies.

Catholicism, on the other hand, went in the exact opposite direction. Traumatized by the anticlerical and then anti-religious policy of the French Revolution, the magisterium in Rome immediately rejected the political and moral consequences of the ideology of human rights as it had been historically incorporated in France. It repeated its unwavering condemnation of this ideology regularly throughout the 19<sup>th</sup> and 20<sup>th</sup> centuries. The pope's admonitions and the Republicans' replies took on the tried and tested format of the traditional religious debate under the old regime. Yet, that did not prevent Catholics from elaborating original Christian thought on human rights outside the magisterium from the

19th century on. The intensification of the “War of Two Frances” prompted Catholics to attempt conciliation at the national level. These attempts were generally led by clerics or laypersons who had gradually adopted a more liberal vision and who, wanting to be more in touch with the society of their time, sought to reconcile the Catholic majority with the Republican’s policy. These attempts at an ecumenical sort of reconciliation were not understood by the magisterium, which maintained an uncompromising position for a long time, while it promoted intolerance of an exclusively theological nature. In a political space undergoing an accelerated modernisation process, it eventually became incomprehensible why the magisterium maintained this rigid stance.

While the same causes did not have exactly the same effects on Protestants, it was only during World War II that an intellectual movement seeking to alter the Church’s traditional position gradually asserted itself within the Catholic world. Appearing to no longer fear heinous condemnations, partisans of the movement strived to reconcile the modern ideology of human rights with the traditional teachings of the Church. The reflections of a Catholic layman and activist, Jacques Maritain, were, in our view, particularly decisive. He illustrated that the Catholic Church could come out from its besieged fortress – a position that was politically fatal at the time, as world politics were becoming increasingly global and secular – without having to renounce anything. Having made its mark by adopting a modern and Catholic concept of human rights during Vatican II, a turning point for the Church, the Church made its participation in contemporary political debates appear indispensable once again. Without renouncing all the reservations on an excessively individualist concept of human rights that it could have made until then, the Catholic Church proposed what it claimed was a personal and universalizable concept of human rights. Like the Protestants, the Church has never ceased to defend the directly divine foundation of human rights. Its position also included effective limitations on certain individual rights which it believed to fall within an exclusively religious and moral domain.

As for Eastern Orthodoxy, it has shown interest in the theology of human rights only very recently. This interest appeared as a result of the Orthodox churches’ ecumenical engagements at the end of World War II. Like Catholicism and Protestantism before them, the Orthodox churches affirm that an ideology of human rights originating in personalist theology existed well before it was written into international law. The Russian Orthodox Church proposed its own understanding of human rights in a document in 2008. This document links respect for human dignity to the moral duties and responsibilities of all humans. These responsibilities are summarised as a set of ethical norms that are consistent with the exercise of this original freedom. The document lists the five fundamental rights of man, which are the right to life, freedom of belief, freedom of speech, freedom of creation and the right to education.

Other Orthodox churches expressed their views on human rights, particularly during the Pan-Orthodox Council in 2016. There, the freedom of religion and belief, especially of people of faith, and also the collective rights of religious communities were prioritised at the

expense of other individual rights. In the Encyclical elaborated by the Council, the criticisms of the potential excesses that an overly individualist application of rights could lead to in society are even more precise: individual rights must be protected from attacks on freedom by the state (due to their Communist past, memories of totalitarianism play an important role in this approach). But they must not lead individuals to put their own rights before their human duties and their responsibilities to society. The orthodox doctrine on human rights is based on a particular and confessional understanding, which is different from universal human rights. It adheres to some principles, but does not recognise all of them.

It is the reinterpretation of the human rights adventure, from the time of their religious “prehistory” to their adoption by two Christian denominations of Western origin, that is important to us here. Following our more strictly judicial-political analysis,<sup>9</sup> we seek to unearth and restore the part played by religious actors in the reflection on human rights, from their origin until now. The success, or perhaps even the moral sacralisation of human rights tainted with political impotence that we are witnessing today, is the result of philosophical and theological-political debates that have fascinated French political and religious thinkers – and pitted them against one another – for over two centuries.

And it is thanks to the recent reconciliation of the doctrine on the moral and political universality of these rights among advocates of a strictly secular vision and defenders of a more theological-religious vision of history that the ideology of human rights is as consensual as it is today. Nevertheless, divergences among the two main schools of interpretation still lie behind this apparent political unanimity or this apparent unity among churches on human rights. No agreement has been reached on the exact nature of the foundations of human rights, nor on how far they should be allowed to extend into the human and social domain. The apparent global unity on the ideology of human rights thus still conceals many ambiguities, in at least so far as the definition of their exact content is concerned. Yet, this is also what still makes the search for the origin of human rights beyond their legal codification such a fruitful goal on the horizon, project or even utopia.

#### 4 • From religious or private human rights to secular and universal human rights

The issue of the philosophical or religious origins of human rights and the role of religions (as the engine or the breaks) in their slow development has been the subject of much debate in the 19<sup>th</sup> and 20<sup>th</sup> centuries, as we said earlier. We are particularly interested in recalling the outcomes of these debates through the analysis of texts published by different thinkers in a historical context marked by a constant political desire for emancipation from a dominant culture that was almost exclusively Christian at origin. Now, in the 21<sup>st</sup> century, the political world has become irreversibly laicised and societies, deeply secular, both in France and Europe. The risk posed by the manipulation of politics by religions, which fuelled the War of Two Frances for more than two centuries, appears to have been definitively dismissed.

Relegated to the management of the private sphere in relation to the personal and voluntary mode of adhesion, the main Christian religions resigned themselves to being but one of several sources of proposals in Western society. They have learned to play the democratic game – some with enthusiasm, while others with certain reservations – that history finally imposed upon them. A revisited and certainly more just version of Western history has emerged – one that naturally leaves room for religions to influence the elaboration of modern political thought, including its most liberal tendencies. What is there to say, then, of the little resonance that supporters of this version are currently having in France?

It should be noted that part of the intellection production of the most influential French thinkers of political philosophy today merely repeats a secular, Republican ideology, which is both overcautious and outdated in relation to the new issues raised by the growing diversity of religions and beliefs in society. Under the guise of a vision supposedly guided by a philosophical analysis that has been emancipated from theological thought, archaic forms of anti-religious anticlericalism inherited directly from French Enlightenment thinkers are resurfacing on a regular basis... This anticlericalism has diverted nearly all its attention away from its former enemies to attack another adversary: Islam, brought by the last peoples to set foot on French soil and who have, since then, established solid roots there.

Practicing Muslims became the new scapegoats, once the “clerics” had been defeated and Protestant or liberal Spiritualists had finally been hushed by secular Republic thought which had become mainstream and forgetful of its foundations. However, the current Republican and philosophical tradition – which too often excludes all religious explanations for social phenomena, as it deems them to be hopelessly outdated – becomes terrified when it sees a renewed religious conscience thriving among a part of those people who have decidedly become our fellow citizens. It judges them severely and does not allow itself to try to understand them, while mechanically taking refuge in the same old criteria from the past that are potentially harmful to individual rights. This explains the endless and dead-end controversies that have been convulsively stirring up the debate in France for over thirty years now – on both the left and the right – on the place and extent of secularism.<sup>10</sup> While these analyses do not necessarily assume, as clearly as they used to, the unthinkable nationalist and chauvinist ideas underlying them, they do not always avoid making racist assumptions. Furthermore, at a time when jihadist attacks are occurring in the region, the concern with security that is currently dominating politics contributes nothing to a calm assessment of the role that religious or spiritual proposals could have in our societies, which are sick from too much materialism and individualism.

This proves that the heart of our study – that is, the Jellinek-Boutmy debate in 1902 on the religious or philosophical origin of human rights – is still, in our opinion, quite relevant. Mentioned regularly in human rights literature since then, this debate, which has always been undervalued and thus avoided by the French, has never given rise to a substantial theoretical discussion. It would be interesting to understand the underlying reasons for this. However, our study pushes us now to validate our original hypothesis: Republican philosophy has never



really been unanimous and there has always been a tendency toward liberal political ideas and sometimes even Spiritualism, which are particularly influential in France. This line of thought deserves to be unearthed and some researchers are working to do just that.<sup>11</sup>

Even though its supporters have always been the minority, political liberalism has profoundly marked our legislation and how it has been used since. The philosophy behind the 1905 law separating the Church from the state is a clear example. The liberal jurisprudence of the Council of State in relation to the application of the principle of secularism shows that this liberalism is pragmatically integrated in practice. Universalised, secularised and made sacred all at the same time, the DRMC generally opposes actions that could potentially violate freedoms taken by a state that is sometimes more concerned with public order than with guaranteeing freedoms.<sup>12</sup> Thus, in the framework of the rule of law, French policy is more liberal than what people in France or abroad (especially Anglo-Saxon countries) tend to believe. Proof of this is the recent (one could even say overdue), still incomplete, but irreversible transformation of the Constitutional Council into a sort of supreme court “à la française” which is in charge of guaranteeing the constitutionality of laws, often in the light of the constitutionalised DRMC. It is not absurd to note that currently, civil liberties are most fiercely defended in France when religious issues are raised. And it is often first European, then French jurists acting as guardians of human rights, and thus of the principles of 1789, who manage to constrain the zealous calls for security by certain elected officials, regardless of the political side they are on.

Current French political thinkers cannot avoid the renewed questioning of the religious and political roots of the modern world without the risk of isolating themselves dangerously in the international arena.<sup>13</sup> Outside of our borders, this debate is far from over. It has been renewed and intensified since the major changes to the world order began in the 1980s. Since the end of a bi-polar world, consecrated by the collapse of the Berlin Wall and the failure of major secular political ideologies, we have witnessed the massive reaffirmation of the role of the theological-political in international affairs with the Iranian Islamic revolution and the rise of political Islamism that followed.

The trauma experienced in the West due to the September 11, 2001 events and the contradictions of the Anglo-American war “for democracy” against Iraq in 2003 gave rise to heated developments, especially on the other side of the Atlantic. The debates launched in 1989 on the “End of History” (Francis Fukuyama) and the “Clash of Civilisations” (Samuel P. Huntington) seem to definitely confirm the failure of it. Because even for Fukuyama, the end of history did not mean an immediate end to all conflict. It did announce, however, the absolute and definitive supremacy of the ideal of liberal democracy, which not only is the ultimate unsurpassable limit of our times, but that could also be effectively universalised and adopted here and now all over the world.<sup>14</sup> However, the current unrest in the Middle East, marked by troubling phenomena for democracies such as globalised violent jihadism and the bloody return of religious politics in Muslim countries (with the polarisation between Shiite and Sunni communities) pokes holes in

the hypothesis of a gradual, democratic and secular pacification of the modern world. Huntington could easily reply that the return of a non-liberal ideology or authoritarian restrictions on democracy are always a possibility and that this kind of development can be easily manipulated for political or social domination purposes. The current resurgence of identity politics led by former adversaries of the West (Russia, China and countries of Eastern Europe) and the destabilising international impacts of political Islamism are clear signs of the strong comeback of ideology in international relations.<sup>15</sup>

One could add that since the 2000s, the repeated violations of human rights principles resulting from the foreign policies openly implemented by Western countries that are supposed to uphold these rights weakens this liberal doctrine further. They gave rise to heated debates in North America between those who support the use of force to impose democracy in the Middle-East and others who argue that as commendable as the pursued goal may be, there is no justification for the use of these means at the risk of destroying the legitimacy of the entire edifice of human rights based on the absolute superiority of the values of individual and collective freedom.<sup>16</sup> The abuses committed by the West in Iraq and elsewhere, under the pretext of defending human rights, unleashed dissonant voices and transgressive policies coming from certain non-European states. These states saw the abuses as a convenient excuse to exempt themselves from fully respecting these rights, while the international community watched helplessly.

## 5 • The universality of human rights contested

All of this reopened the debate that had been temporarily closed in 1948 on the issue of the universalisation and the contemporary sacralisation of the ideology of modern human rights.<sup>17</sup> Political questioning of this self-proclaimed universalism began in the 1980s and found allies among certain Asian countries, like China and other Southeast Asian states, that defend the need to respect rights originating in their ancient traditions (vaguely referred to as “Asian values”) and relativize the ones established by international legal documents and declarations of principles on individual and political rights. Yet, it is the multiplication of human rights declarations in Islam that appears to pose the biggest danger to the foundations of the global legal system.<sup>18</sup> The tactical use of international human rights vocabulary to legitimise the primacy of Islamic law over secularised international law is a sign of this. In our view, it reminds us of the divergences that we described above between the Catholic Church and secular political authorities on the interpretation of the foundations and the limits of human rights. However, it is the fact that this new relativization of rights originated from political groups, and not from only one specific religious organisation, which makes it even more dangerous to the world order. Applied in a very specific way to Islamic countries, all these different texts were issued by political groups set up by Muslim states that are not necessarily all Arab. And it is in relation to the right to religious (and thus political) freedom that these declarations prove to threaten the universality of civil and political rights at the global level the most.

Narrow interpretations of the issue of the individual right to freedom of religion and belief can be effectively found in the majority of Islamic texts on human rights. The interpretation of freedom of religion differs little from one text to next, but in all of them, the enjoyment of this freedom is conditional upon respect for Islamic law and the absolute superiority of the rights of God. Articles 26 and 27 of the Arab Charter of Human Rights (ACHR) of 1994,<sup>19</sup> revised by article 30 of the 2004 version, appear to be quite liberal as they guarantee the freedom of religion, thought and belief of people of all faiths. They do not, though, guarantee the right to exercise this freedom “both in public and in private” as required by international standards. The same applies to articles 12 and 13 of the Universal Islamic Declaration of Human Rights of 1981 proposed by the Islamic Council of Europe. However, these articles completely disappeared in the two Declarations of Human Rights in Islam (DHRI) proclaimed by the Organisation of the Islamic Conference (OIC) first in Dacca in 1983 and then in Cairo in 1990. The first text is a mere declaration of intent, whereas the latter does not contain any articles specifically dedicated to the right to freedom of belief or religion. On the contrary, article 10 absolutely forbids Muslim men from renouncing their religion and/or embracing atheism.<sup>20</sup>

## 6 • The return of the blasphemy offense, a challenge to the integrity of human rights

As the crisis surrounding the international recognition of the crime of blasphemy shows, the application of the theory of the primacy of divine law over civil law to practical cases illustrates the size of the challenges that these declarations of human rights in Islam can raise for the international human rights system.

The renewed success at the international level of the concept of blasphemy – often referred to as “defamation of religion”, a term with fewer Christian connotations – was, in fact, the result of a moment of vacillation by the international community. This case illustrates once again the complexity of the relation between religions and human rights.<sup>21</sup> A study by the Pew Research Center established that 94 out of 198 countries possess laws against blasphemy, apostasy or defamation of religion, which seem to run counter to international texts on freedom of religion and belief.<sup>22</sup> In certain countries, punishments for blasphemy go as far as the death penalty. In Europe alone, 23 of the 28 states of the European Union specifically mention blasphemy in their legislation. They are, though, rarely enforced and only address attacks on individuals and not on beliefs or dogmas. But incidents abroad are what have put the issue of blasphemy at the centre of debate. Events with major international repercussions such as the fatwa against the writer Salman Rushdie (1989), the responses to the “Muhammed cartoons” (2005-2015) or the provocative images of American Protestant fundamentalists burning sacred texts such as the Koran distributed around the world on the internet caused events and mobilized entire crowds thousands of kilometres away.

Furthermore, the problem of the defamation of religions became one of the main topics of discussion at the UN Human Rights Council between 1999 and 2010. Generally

led by Muslim countries (and the political-religious voice of the OIC in particular) and sometimes supported *mezzo voce* by the Vatican and more loudly by Protestant fundamentalists, this debate is a global issue that involves much more than religious problems. By turning the conflict of values into a confrontation of norms and by seeking to impose a special and exceptional status on religious beliefs, the debate also brings into question the foundations and balance of the entire edifice of human rights built on secularised and universalist natural law. One of the initial consequences of this was the scuttling of the UN Commission on Human Rights, which had acceded to the complaints by proposing a resolution adopted at the UN General Assembly in late 2005, which was not binding. In 2006, the UN was forced to reorganise its human rights body in the framework of a new structure and according to new mechanisms (the Human Rights Council).<sup>23</sup> Western, European and French diplomats,<sup>24</sup> in particular, worked hard and succeeded in disarming these attacks on the freedom of expression.<sup>25</sup> At the end of this diplomatic wrestling match, the OIC renounced (temporarily?) its attempt to get an international law on the defamation of religions adopted. To the ambivalence of these texts and the demands from Islamic countries, we must add the continued legal existence in numerous Arab countries of the personal statutes inherited from the ancient law of minorities of the Ottoman Empire, which confines non-Muslim believers to their own communities instead of granting them true citizenship. When examined in the light of all this, certain Muslim countries' respect for the principle of freedom of religion and belief appears highly questionable. As of now, the UN obviously still has reservations about all these texts and denies that they are in conformity with international human rights standards as it has previously defined them. Thus, the international system continues to resist, but how long?

## 7 • Conclusion: human rights, secular legal principles of universal morality

Now, as we conclude this study, the question that has been posed regularly since the initial appearance of human rights declarations up until today remains: is the secular ideology of human rights, as it has been developed throughout contemporary history, the heir or the declared enemy of the anthropological proposals offered by various religions? We have attempted to show how, in the case of France, human rights thought lived historically through the process where the political was torn from the religious, the latter being represented by an overly compromised Catholicism of the ancient regime due to its opportunist alliance with the monarchy. The battle that ensued was between a deeply wounded Catholic party, which overbid on doctrinal intransigence, and a Republic model gradually imposed in the pain of unending political stability. This battle hardened these positions, which would continue to be irreconcilable for a very long time. Traces of this battle (or should we say scars that are still sensitive?) can be found even today. Some now endeavour to reopen the wounds, despite the triumphant Republic's attempt to appease everyone through the liberal and fair spirit it promoted in its version of

secularism.<sup>26</sup> The reluctance to recognising the spiritual side that the Christian model brings to the acclimatisation of freedom in France is obvious, especially now that other religious traditions want to benefit from it too. As for the American model, the War of Independence took another path – one that is more liberal and inclusive. By making the absolute right of all citizens to freedom of religion the guarantee for all their civil and political rights, it gave Christian and then non-Christian religions the opportunity to adapt gradually – including from a theological point of view – to the secularism of the state and to social pluralism, guaranteed by the figure of a transcendent god.

The international human rights system, for its part, followed another route. Established in the wake of the greatest tragedy in all history and constantly evolving ever since, it is intended to apply universally to all people in all societies, regardless of the political system chosen by their state. During the elaboration of the Universal Declaration of Human Rights (UDHR) by an international committee in which all continents, all opinions and all religious traditions were represented, the question of the foundation of human rights was inevitably raised. A broad consultation was carried out with the different countries involved. In view of the extreme diversity of the responses received, it was soon realized that finding a response that would please everyone was an impossible task. This is why it was deliberately decided that the Universal Declaration would not be placed under any supernatural authority in order to ensure that it would be popularized and adopted around the world as quickly as possible. Representing the peoples of the United Nations who reaffirmed their faith in fundamental human rights, the Assembly merely proclaimed an “ideal” common to all people and founded on the basic principle of equal human worth and dignity. As secular as the text is, it is broad enough to accommodate all proposals, provided that they respect its profoundly humanist terms. Its silence is where its greatness lies.

## NOTES

- 1 • Valentine Zuber, *L'Origine Religieuse des Droits de l'Homme. Le Christianisme Occidental Face aux Libertés Modernes (XVIIIe-XXIe Siècles)* (Genève: Labor et Fides, 2017).
- 2 • Editorial Note: In the text, the expression "droits de l'homme" was literally translated as "rights of man" only in cases of direct allusion to the French document of 1789 resulting from the French Revolution (Declaration of the Rights of Man and Citizen). Throughout the text, we chose to translate the same expression as "human rights", considering that in English the word "man" restricts the general meaning of "human beings", which are, in fact, the reference and basis of these rights recognized as universal.
- 3 • We will herein use "DRMC" to refer to the Declaration of the Rights of Man and of the Citizen of 1789-1791.
- 4 • Valentine Zuber, « Une Laïcité sous Contrôle ? Les Débats sur la Liberté Religieuse en France de la Révolution à Nos Jours, entre Libéralisme et Régalisme », in *Croire, s'Engager, Chercher. Autour de Jean Baubérot, du Protestantisme à la Laïcité*, dir. Valentine Zuber, Patrick Cabanel and Raphaël Liogier (Turnhout: Brepols, coll. BEHE, 2016): 165-195.
- 5 • See Joseph Charmont's book of summaries, *La Renaissance du Droit Naturel*, 2<sup>nd</sup> ed. (Paris: Librairie de jurisprudence ancienne et moderne, 1927), with a preface by M. Gaston Morin; *Annales de la Philosophie Politique* (Paris: Presses universitaires de France, 1959), and contributions from Hans Kelsen and Alessandro Passerin d'Entrèves; Michel Villey, *Leçons D'Histoire de la Philosophie du Droit* (Paris: Droz, 1961); « Le Droit Naturel et L'histoire », in *Seize Essais de Philosophie du Droit dont un sur la Crise Universitaire*, Michel Villey (Paris: Dalloz, 1969); and more recently: Franck Tinland, *Droit Naturel, Loi Civile et Souveraineté à L'Époque Classique* (Paris: Presses universitaires de France, 1988); Blandine Barret-Kriegel, *Les Droits de l'Homme et le Droit Naturel*, ed. Quadrige (Paris: Presses universitaires de France, 1989); Jacqueline Lagrée, *La Religion Naturelle*, coll. philosophie (Paris: Presses universitaires de France, 1991).
- 6 • Claude Nicolet, « Les Droits de l'Homme et du Citoyen; du Droit Naturel à la Loi Naturelle des Idéologues », in *L'Idée Républicaine en France. Essai d'Histoire Critique*, Claude Nicolet (Paris: Gallimard, 1982): 333-342.
- 7 • Harold J. Berman, *Droit et Révolution. L'Impact des Réformes Protestantes sur la Tradition Juridique Occidentale* (Paris: Fayard, 2011): 623-624.
- 8 • With a few exceptions... See Vincent Peillon, *La Révolution Française n'est pas Terminée* (Le Paris: Seuil, 2008).
- 9 • Valentine Zuber, *Le Culte des Droits de l'Homme* (Paris: Gallimard, 2014).
- 10 • In our opinion, the eruption of the « affaire du foulard » (the headscarf affair) in France for the first time was no accident: it happened in 1989.
- 11 • Jean-Paul Willaime, « La Fonction Infrapolitique du Religieux », *The Annual Review of the Social Sciences of Religion* 5 (1981): 167-186; Peillon, *La Révolution Française...*, 2008; Jean Baubérot, *Les 7 Laïcités Françaises*, coll. Interventions (Paris: Maison des Sciences de l'Homme, 2015), and Philippe Portier, *L'État et les Religions en France. Une Sociologie Historique de la Laïcité* (Rennes, Presses universitaires de Rennes, 2016), among others.
- 12 • Zuber, *Le Culte...*, 2014.
- 13 • Micheline Ishay, *The History of Human Rights: From Ancient Times to the Globalization Era* (Berkeley: University of California Press, 2004). See recent analyses of the construction of "human rights" as an object of study in the 1970s and 1980s within the Anglo-Saxon sphere: Samuel Moyn, *The Last Utopia. Human Rights in History* (Cambridge: Belknap Press of Harvard University Press, 2010).
- 14 • Francis Fukuyama, *La Fin de l'Histoire et le Dernier Homme*, coll. Histoire (Paris: Flammarion, [1989] 1992).
- 15 • Samuel P. Huntington, *Le Choc des Civilisations* (Paris: Éditions Odile Jacob, [1996] 1997).

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16 • See the vigorous debate on the US crusade in 2003 in Iraq between Michael Ignatieff, "The Burden." *New York Times Magazine*, January 5, 2003, accessed June 25, 2019, <https://www.nytimes.com/2003/01/05/magazine/the-american-empire-the-burden.html>; and Wendy Brown, « Néolibéralisme et Fin de la Démocratie, » *Vacarme* 4, no. 29 (Autumn 2004): 86-93, <https://vacarme.org/article1375.html>.

17 • See, in particular, the analyses of Wolfgang Schmale, «Georg Jellinek et la Déclaration des Droits de l'homme de 1789», in *Mélanges Offerts à Claude Petitfrère: Regards sur les Sociétés Modernes (XVIe-XVIIe siècle)*, ed. Denise Turrel (ed.) (Tours: CEHVI, Publication de l'Université de Tours, 1997); Duncan Kelly, «Revisiting the Rights of Man: Georg Jellinek on Rights and the State,» *Law and History Review* 22, no. 3 (Fall 2004): 493-530, accessed June 25, 2019, <http://www.historycooperative.org/journals/lhr/22.3/kelly.html>; and Hans Joas, *The Sacredness of the Person. A New Genealogy of Human Rights* (Washington: Georgetown University Press, 2013).

18 • To see the translations of these human rights declarations into Islam, see Mohammed Amin Al-Midani, *Les Droits de l'Homme et l'Islam. Textes des Organisations Arabes et Islamiques* (Strasbourg: Association des Publications de la Faculté de Théologie Protestante, Université Marc Bloch, 2003), preface by Jean-François Collange.

19 • Amin Al-Midani, «La Charte Arabe des Droits de l'Homme de 2004.» ACIHL, July 30, 2004, accessed June 25, 2019, [https://www.acihl.org/texts.htm?article\\_id=16](https://www.acihl.org/texts.htm?article_id=16).

20 • «Déclarations sur les Droits de l'homme en Islam,» Organisation de la Coopération Islamique (OCI), August 5, 1990, accessed June 25, 2019, [https://www.oic-iphrc.org/fr/data/docs/legal\\_instruments/OIC\\_HRRIT/942045.pdf](https://www.oic-iphrc.org/fr/data/docs/legal_instruments/OIC_HRRIT/942045.pdf).

21 • Alain Dierkens and Jean-Philippe Schreiber, ed., *Le Blasphème: Du Pêché au Crime*, coll. «Problèmes d'histoire des religions», t. XXI (Bruxelles: Édition de l'Université de Bruxelles, 2012).

22 • «Laws Penalizing Blasphemy, Apostasy and Defamation of Religion are Widespread, » Pew

Research Center, November 21, 2012, accessed June 25, 2019, <http://www.pewforum.org/2012/11/21/laws-penalizing-blasphemy-apostasy-and-defamation-of-religion-are-widespread/>.

23 • This did not prevent the UN General Assembly from holding another vote on a new resolution (61/164) on the need to "respect religions", in which the "defamation of religions" had been included in the accepted reasons for limiting the freedom of expression. The following year, the Human Rights Council adopted a resolution (A/HRC/4/L.12) urging the "international community" to fight against the "defamation of religions". This resolution notably received the support of Russia and even countries that are officially "atheist", such as China and Cuba.

24 • Patriziana Sparacino, «La Politique Extérieure de la France et la Liberté Religieuse,» in *La liberté religieuse*, ed. Valentine Zuber (Paris: Vandieren éditions, 2017): 131-137.

25 • The debate also emerged in the international system's regional bodies such as the Council of Europe. Article 3 of resolution 1510 adopted by the Parliamentary Assembly of the Council of Europe in 2006 also states that "Attacks on individuals on grounds of their religion or race cannot be permitted but blasphemy laws should not be used to curtail freedom of expression and thought." "Freedom of expression and respect for religious beliefs", Parliamentary Assembly, June 28, 2006, accessed June 25, 2019, <https://rm.coe.int/16806461f9>.

26 • The liberal philosophy is summarized by the first two articles of the Law on the Separation of the Churches and the State of December 9, 1905: "Art. 1: The Republic shall ensure freedom of conscience. It shall guarantee freedom of worship, subject only to restrictions imposed hereinafter in the interests of public order. Art. 2: The Republic does not recognise, pay or subsidise any religion". «Loi du 9 Décembre 1905 Concernant la Séparation des Eglises et de l'Etat. - Article 1,» Legifrance, 1905, accessed June 25, 2019, <https://www.legifrance.gouv.fr/affichTexteArticle.do?idArticle=LEGIARTI000006340313&cidTexte=LEGI TEXT000006070169&dateTexte=19051211>.

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# FROM DIALOGUE TO *DIAPRAXIS* IN INTERNATIONAL DEVELOPMENT?

**Azza Karam**

- *The Case of the United Nations Strategic Learning Exchanges* •

## ABSTRACT

*The United Nations Population Fund pioneered peer-to-peer strategic Learning Exchanges in 2010, designed and facilitated by the author. Thus effectively creating the only space in the United Nations where policy and programme officers convened, on an equal footing, with faith-based actors, to assess multi religious dynamics as they interacted with issues of development, peace and security, and human rights. This inter-religious diapraxis, effectively, was catalytic to the normalization of 'engagement' between secular development officials and diplomats, and their religious counterparts in many religiously inspired organizations. The Strategic Learning Exchanges were also conducive to the formation of several programmatic alliances, or partnerships between the UN, governments and Faith-Based NGOs (FBOs). This article reflects on some of the developments and outcomes of this form of diapraxis, while also warning that increasing partnerships notwithstanding, such alliances are not always conducive to the realization of human rights.*

## KEYWORDS

Inter religious dialogue | *Diapraxis* | Strategic Learning Exchanges | Religion | Gender | Partnerships | Human rights

In 2010, the United Nations hosted what was a unique form of a meeting cum training modality – i.e. a “Strategic Learning Exchange” (SLE), on “Religion and Human Development”. Over 40 participants from within the UN system’s development, humanitarian, and peace and security fields, participated, together with Christian, Muslim and Buddhist development NGOs, and academics with experience in dialogues around faith and development. The Learning Exchange was designed from the very outset to create a level playing field between and among all participants – each of whom were selected according to their experience in working in, and on, development and humanitarian issues – particularly in so far as these intersect with either religious considerations, religious actors, and/or religious civil society NGOs.

The SLE was the first of its kind: offered inside the UN system through a collaboration between several UN entities,<sup>1</sup> simultaneously facilitated and attended by diverse UN staffers, including religious civil society development actors, *as equals*, and provided, then, at no fee. Other firsts included the fact that it was entirely designed and provided not as a training or a top-down lecture format, but rather, as a peer-to-peer learning methodology, designed with an intentionality to offer this annually<sup>2</sup> as a commitment by the UN system (then) to be more deliberate and learned about religion and about partnering with religious actors.

Part of the reason this was new, is that until today, the preference among many international development actors is to seek knowledge and skills from outside of their own circles – for “the grass is always greener on the other side”, even if these circles know very little about the institution of the UN itself. Indeed, there is a preparedness to pay rather high fees for this outside instruction, even at a time when governments are urging the UN to cut their costs and implement austerity programmes. Still many UN entities prefer to ‘invest’ in expertise hired from the outside – almost always this expertise is based in the western hemisphere and in western institutions.

## 1 • “The other” to each other

The three-day SLE was structured in such a way as to enact pragmatic, evidence-based and candid discussions, informed by case studies which participants themselves submitted beforehand according to a common template, describing ongoing or planned partnerships between UN and religious entities, in the realm of development, human rights and peace-building work. The SLE was, to all intents and purposes, the first example of an international and intergovernmental entity embarking on increasing its own literacy around religion, and doing so in partnership with its religious civil society partners.

What added to the novelty of this SLE process is what happened within it – and which began to take shape during the three annual iterations of it. The first SLE convened a diverse range of UN entities (each operating in its own realm). The SLE also brought together faith-based NGOs (FBOs) – each of which was an actively engaged

partner of the very same UN entities partaking. During the first SLE, each of the FBO representatives chose to sit on opposite sides of the room, even after they had identified each other as coming from the same milieu: FBOs, headquartered in the west but undertaking the bulk of their work around the world – often in exactly the same countries. By day three, the FBO representatives were much more relaxed with one another and with their UN peers, and even consented to take part in a role play (based on a real life situation) in which they had to serve in each other's shoes (i.e. the UN actor would emulate an FBO, and vice-versa, and a Christian FBO would also play a Muslim leader and vice versa). The role play, it must be said (consistently) resulted in acclaim, rich post-role play reflections, and invariably, even enjoyment.<sup>3</sup>

Several layers of ice were broken in this SLE. One layer we can brand as 'stereotyped images of one another'. The UN middle managers are trained in an institution which is not a stranger to sacralising the Universal Declaration of Human Rights, and in which some officials verge on a form of secular fundamentalism in their worldview. To these UN staffers, religious actors are (or were) largely alike: religious leaders often pictured as wearing some form of robe and head cover, forever preaching about righteousness and/or God, and largely anti-human rights – particularly women's rights. To the average UN staffer, even where they had signed official partnership agreements with some of the FBOs (largely because they saw them as an NGO first and foremost), religious leaders were a source of harm to be avoided, at worst, and with limited value-added, at best.

From the faith-based staffers' side, the UN as a whole is an inexplicably complicated behemoth, out of reach of most communities – indeed as far away from grassroots life as possible. When the UN staff were seen by FBOs, they were often seen as elitists with secular mindsets, sometimes even arrogant, at best distant policymakers and/or report sources. Even where they partnered on, say, health or humanitarian relief, the FBO staffer tended to see the UN as the well-dressed men (or women) driving around in UN vehicles, in and out of a given locale, with a great deal of money about them somehow.

In other words, these two constituencies were 'the other' to each other.<sup>4</sup>

## 2 • Humanization of the other

The SLE experience forced these two already extremely intrinsically diverse constituencies to come together as development and humanitarian practitioners. Full stop. And yet within a safe space which allowed them to reflect on their own self-perceptions, and be challenged by one another. As the facilitator, the best way I can describe the sentiments after three days of frank discussions based on actual programmes and initiatives (shared also in the form of case studies), discussing respective world views and sharing perspectives on religious dynamics and geo-political tensions unfolding around them, is to say that there was a "humanization of the other".

The UN staffers were, at that time, relatively much more used to coming together in several types of meetings and trainings. But for the FBOs, being convened with one another, across their religiously-inspired differences, and then doing so with several representatives of the UN – with each one representing a different UN institution/office – was definitely a novelty. The evaluations showed that each of them highly rated the experience of coming together *itself*, even when and if they differed with the worldviews of each other, or with those of the UN staff (in the latter case, particularly the attachment to human rights as a the end all and be all). “This is the first time I sit with fellow programme managers in the United Nations ...so many different UN offices... working on the same issues as my organisation...a unique opportunity...” is an oft repeated quote from consecutive evaluations.

The FBO representatives also highly rated the opportunity to come together as faith-based NGO actors. “This is the first time I have an opportunity to actually meet and discuss common areas with a [Muslim/Christian/Evangelical/Catholic/Buddhist] NGO counterpart” – was often reiterated. These evaluations continued to be iterated – almost verbatim - for the next four annual SLEs offered. Meanwhile, each year the SLEs expanded to convene NGOs from diverse Christian denominations (e.g. Methodist, Lutheran, Anglican) with religious leaders, and NGOs representing Hindus, Buddhists, Sikhs and Bahais, as well as interfaith ones.

But was it not only the novelty of meeting and seeing and somehow transgressing the divide of otherness. Both the FBOs and the UN representatives were made aware of an important and profound, yet very simple, setting: they were *all practitioners of human development and humanitarian concerns*. For the FBO actors, another realization dawned: although they worked in NGOs which were inspired by different religious traditions, in sharing their stories of their motivations, and their praxis, they were able to appreciate, particularly in comparison to their secular human-rights’ oriented UN counterparts, that they (the FBOs) were inspired by their *faith*.

### 3 • Gender rights and inter-religious collaboration

You may recall I mentioned that the first SLE, the FBO representatives started by sitting almost diagonally opposite each other. By year two, they were sharing in the various case study discussions that their respective organizations had initiated conversations and tentative outreach to and with one another’s leadership, to assess how they could potentially combine their humanitarian work in the same countries – where they were both serving the same communities, yet each implementing services separately.

This meant that for the first time since their respective inception, the FBOs were talking about expanding their base of operations so that it exceeded serving their own communities of believers (e.g. the Muslim FBOs serving only the Muslims, the Christian

FBOs serving only the Christians), but they were actually consolidating a journey to ensure they continued to serve all communities in a given geographic space (regardless of their religion), *and to do so jointly*. In 2014, when Islamic Relief Worldwide and the Lutheran World Federation (LWF) signed their Memorandum of Understanding, the then Director of the LWF Department for World Service, Mr. Eberhard Hitzler, described this critical development thus: “at the heart of our collaboration are the many core values we share such as dignity, justice, compassion and commitment, and our common vision to empower and support vulnerable communities and people affected by disaster, which unite us across our religious differences”.<sup>5</sup>

Another evolving dynamic noticed at subsequent UN convenings – including at the SLEs – was what appeared to be decisions by the respective FBOs to “dig deeper” into their respective faith discourses, in order to describe the specific religious tenets which informed their policy directions, and their subsequent developmental interventions. World Vision and Islamic Relief Worldwide, for instance, each proceeded to document their specific ‘unique’ religious methodologies, or approaches.

World Vision describes its “Channels of Hope” as they way they mobilize “community leaders – especially faith leaders – to respond to core issues affecting their communities – such as HIV and AIDS, maternal and child health, gender equity and gender-based violence, and child protection”. World Vision publications stress that Channels of Hope is “more than just training or education”, it is a methodology based on (re) reading of biblical text, with religious leaders, and doing so in direct reflection on, and with, the very real human afflictions and challenges ordinary people are confronted with. World Vision practitioners convened by the UN, continued to describe how their practitioners at the community level, began to perceive positive shifts in attitudes and behaviours – from declining stigmatization of people living with AIDS to diminishing incidents of gender based violence and child marriage.

Impressed by the approach, Islamic Relief decided to collaborate with World Vision to adapt the Channels of Hope methodology – but using Islamic texts. Moreover, also inspired by what they were seeing other FBOs now undertake around women’s rights issues – and directly using the same terminology crafted and adopted by other FBOs – Islamic Relief, in 2015, developed its first “gender justice” policy. Furthermore, but emboldened by global efforts around the Sustainable Development Goals, Islamic Relief began to steward a “Gender Justice Declaration” – a process they launched with the UN, and at the UN Commission on the Status of Women<sup>6</sup> in 2018. Far from limiting this to their own organization, Islamic Relief describes the Declaration as a “landmark initiative... developed... in partnership with humanitarian agencies, faith leaders and community organizations who are committed to tackling what is one of the greatest injustices of our time... [by presenting] key faith principles of justice and balance to proactively challenge negative cultural practices and engrained social traditions that are leaving women and girls disadvantaged and vulnerable”.<sup>7</sup>

## 4 • *Diap Praxis*: interfaith dialogue in action

The above effectively constitute examples of direct and action-oriented outcomes of interreligious collaboration. What makes these of particular interest, is that these are not religious leaders or scholars conversing with one another in religious spaces around text or belief systems. Rather, these are faith-based NGO staff – development practitioners in fact, who are learning from one another’s actual projects and programmes, and sharing their learning in the context of broader multi-stakeholder dialogues. In other words, non-religious actors were/are very much involved in these dialogues.

Even more unique is the fact that these dialogues were facilitated by the United Nations, which, apart from being a secular space with relatively little to no literacy about religions or the massive universes of religious existence, is itself a simultaneous hybrid of peoples, politics, races, culture, ethnicities, institutions, objectives, *modus operandi*, and mandates – among others. The context, the language, and the practices of this form of dialogue, therefore, have little in common with common notions of “interreligious dialogues”.

And yet it was in this hybrid space that such concrete instances of *diap Praxis* – to borrow from the Lutheran understanding of interfaith dialogue in action<sup>8</sup> – are being catalyzed. When diversities of context, languages and methods inform interreligious dialogues, we can anticipate positive trends relating to gender – as noted earlier. However, we also need to be aware of the fact that the very same spaces and modalities of dialogue are spurning some relatively more conservative positions around women’s rights and gender. Elsewhere I have elaborated on some of these dynamics around sexual and reproductive health and human rights’ issues.<sup>9</sup> Suffice it here to say that on issues such as sexual identity, sexuality education, contraception and abortion, we have polarizing and competing narratives of interreligious dialogue *and* interreligious collaboration. And it is on thus on the terrain of “religion” that some of the most contentious debates about human existence are being fought, today.

## NOTES

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1 • Stewarded by the United Nations Population Fund (UNFPA) and provided in collaboration with UNAIDS and the United Nations System Staff College (UNSSC). The first iteration in 2010 was attended by several UN entities including UNICEF, UNDP, UNESCO, the World Bank, DESA and UN Habitat.

2 • Due to its successful methodology, and the increasing interest in religion within international

development circles, the SLE celebrated its 10th iteration in 2018 with over 80 participants.

3 • The outcome of the real situation the participants were enacting in the role play was not shared beforehand, since the facilitators preferred to see how the actors would behave, and what decisions they would take on their own – this, as a reflection of how much they had absorbed (or changed their

mindsets) during the SLE.

4 • This is not to say that the diverse UN staffers felt at home with one another by virtue of belonging to the same (huge and vastly diverse universe of the United Nations). They too differed significantly amongst one another. But this is the theme of an entirely different paper.

5 • “LWF and Islamic Relief Sign Memorandum of Understanding,” The Lutheran World Federation, August 25, 2014, accessed July 4, 2019, <https://www.lutheranworld.org/news/lwf-and-islamic-relief-sign-memorandum-understanding>.

6 • “Islamic Relief Announces ‘Islamic Declaration of Gender Justice’ at UN Conference,” March 20, 2018, accessed July 4, 2019, <https://www.islamic-relief.org/islamic-declaration-gender-justice>.

7 • *Ibid.*

8 • “Diapaxis for Peace and Reconciliation,” Lutheran World Information (LWI), 2005, accessed July 4, 2019, <https://www.lutheranworld.org/sites/default/files/LWI-200504-EN-low.pdf>.

9 • See Azza Karam “On Faith, Health and Tensions An Overview From an Intergovernmental Perspective,” *Heythrop Journal* 55, no. 6, (2014): 1069-1079.



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# PROTECTING AND PROMOTING THE RIGHT TO FREEDOM OF RELIGION AND BELIEF FOR ALL

**Ahmed Shaheed**

- *Challenges and Opportunities* •

## ABSTRACT

*Freedom of thought, conscience, and religion or belief (FoRB) is one of the cornerstones of pluralism, and growing evidence indicates that respect for religious pluralism is indispensable to peace and security. The protection for the right to FoRB enables people of all faiths and none to live together, learn from each other, and be treated equally. In other words, the right to FoRB is fundamental to peaceful and inclusive societies. However, religious persecution and discrimination worldwide continue to speak to the widespread challenges facing our ability to adequately promote and protect this right. This article examines some of the reasons for these deficits, including widespread misconceptions about the normative content of FoRB, and the challenges of securitisation and politicisation of religion. It also identifies some of the emerging opportunities to address them, including increasing international investments in promoting FoRB and relevant normative and practical tools to guide actions by stakeholders.*

## KEYWORDS

Human rights | Religion | Religious intolerance

*[T]he disregard and infringement of human rights and fundamental freedoms, in particular of the right to freedom of thought, conscience, religion or whatever belief, have brought, directly or indirectly, wars and great suffering to mankind...<sup>1</sup>*

It is widely recognized that the freedom of thought, conscience, and religion or belief (FoRB) is one of the cornerstones of pluralism, and growing evidence indicates that respect for religious pluralism is indispensable to peace and security.<sup>2</sup> The protection for the right to FoRB enables people of all faiths and none to live together, learn from each other, and be treated equally. In other words, the right to FoRB is fundamental to peaceful and inclusive societies. However, religious persecution and discrimination worldwide continue to speak to the widespread challenges facing our ability to adequately promote and protect this right.

The challenges facing FoRB vary among countries and regions based on differences in culture, history, structures of governance, and other variable factors. Some restrictions on the right result from government actions, policies and laws while others result from hostile acts by private individuals, organizations and social groups. The UN special procedures mandate on freedom of religion or belief, throughout its 33-year history,<sup>3</sup> has also had to contend with misconceptions worldwide about the scope of the right that present a fundamental challenge to the task of promoting and protecting FoRB for all. These include misperceptions that religious freedom is absolute; mischaracterisations of this freedom as majoritarian privilege rather than a universal human right; misconceptions about how, when, why and to what extent FoRB may be limited. These misconstructions about FoRB are engendered by both the complexity of this right and the political and ideological dispute over the norms of the international legal framework that underpin it. For some, FoRB is a foundational human right which sets the pluralistic context in which all other rights can be realised.<sup>4</sup> For others, FoRB is less important, because it intersects with and depends on a range of other human rights such as freedoms of expression, peaceful assembly and association, and among other rights, the right to privacy and equality before the law. To operationalize respect and protection for the right to freedom of religion or belief, we must therefore enhance understanding of the right itself and better promote the tools available for protecting freedom of religion or belief for inclusive, peaceful societies. Norm clarification, and hence, FoRB literacy, is a pre-requisite to effective implementation.

## 1 • International normativity

The right to FoRB is recognized by Article 18 of the Universal Declaration of Human Rights and Article 18 of the legally-binding International Covenant on Civil and Political Rights and further clarified by General Comment 22 of the UN Human Rights Committee.<sup>5</sup> While there are numerous sources articulating the right in international law,<sup>6</sup> the 1981 United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (“1981 Declaration”)<sup>7</sup> is one of the most detailed, but perhaps underused, international documents we have to advance the right to freedom of religion or

belief. When adopted on 25 November 1981, the Declaration was the culmination of about twenty years of work following the United Nations' mandate of 7 December 1962, to draft a document that would spell out the specific guarantees of freedom of religion or belief.<sup>8</sup> Importantly, it addressed concern that protecting "religion" would "imply a discrimination of atheist or non-religious convictions." The Declaration addressed this by adding the word "whatever" before the word "belief," implying that belief could be defined in the negative.<sup>9</sup> As a UNGA resolution, the Declaration has no institutional machinery for supervision or implementation of the principles it stipulates, it has an indefinable legal effect as a UN statement agreed by consensus and is regarded as part of customary international law.<sup>10</sup>

Article 6 of the 1981 Declaration details some of the rights central to the manifestation of the right to freedom of thought, conscience, and religion or belief. These include the right (a) "[t]o worship or assemble in connection with a religion or belief, and to establish and maintain places for these purposes"; (b) "[t]o establish and maintain appropriate charitable or humanitarian institutions"; (c) "[t]o make, acquire and use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief"; (d) "[t]o write, issue and disseminate relevant publications in these areas"; (e) "[t]o teach a religion or belief in places suitable for these purposes"; (f) "[t]o solicit and receive voluntary financial and other contributions from individuals and institutions"; (g) to train appropriate leaders (h) "[t]o observe days of rest and to celebrate holidays and ceremonies in accordance with the precepts of one's religion or belief"; and (i) "[t]o establish and maintain communications with individuals and communities in matters of religion and belief at the national and international levels." The remaining articles in the 1981 Declaration deal primarily with religious discrimination and intolerance, and the parental right to education of their children.

The 1981 Declaration unequivocally condemns discrimination between human beings on the ground of religion or belief, as an offence to human dignity and a denial of the principles of the UN Charter and the Universal Declaration of Human Rights.<sup>12</sup> Thus religious discrimination does not only take place when an individual's right to manifest their religion or belief freely is restricted or interfered with by the State or non-State actors. It can also take place when an individual's enjoyment of other fundamental rights – for example the right to health, education, expression, peaceful assembly – is restricted or interfered with by State or non-State actors in the name of religion, or on the basis of a person's religion or belief.<sup>13</sup> Additionally, the Declaration concludes that "nothing in the present Declaration shall be construed as restricting or derogating from any right defined in the Universal Declaration of Human Rights and the International Covenants on Human Rights,"<sup>14</sup> respect for the rights and duties set forth in those declarations and covenants are implicitly included in the 1981 Declaration.

While international law does not explicitly prescribe any particular form of State-religion relationship, the State must act as an impartial guarantor of FoRB rights for all. In practice, what facilitates this outcome is for the State to adopt a position of 'respectful distance'

towards religion or belief, rather than rejecting or embracing religion or belief. Evidence shows that FoRB rights are most frequently violated where the State is either closely entangled with religion or is hostile towards religion. In the former case, blasphemy laws and coercive measures based on religious doctrine could suppress the rights of all, particularly those of women, dissenters and minorities. In the latter case, ideological commitments to secularisation could suppress a range of fundamental freedoms of everyone.<sup>15</sup>

In recent times, many of the most pernicious manifestations of intolerance and consequential violations of the right to freedom of religion or belief have been carried out by non-State actors. Attacks on synagogues, churches, mosques and other places of worship and the terrorisation of minorities in the name of religion or belief or because of their religious identity have become a global challenge to which no country or community appears to be immune. Implicated in these attacks are religious extremists and far-right groups who may be mobilised to do so through incitement to violence, hostility and discrimination towards dissenters and those who are perceived to be different. To protect the right to FoRB, UN member States have a duty to protect individuals from discrimination by third-party non-State actors, including threats stemming from ‘religious’ vigilante groups and terrorist groups.<sup>16</sup> Yet non-State actors operate with impunity in States with poor rule of law and are empowered by laws and policies that discriminate against religious minorities. Even if a State does not explicitly discriminate against minority religious groups, sectarian policies empower religious-political extremists to act without fear of reprisal.<sup>17</sup>

## 2 • A challenge for the international community

Combating discrimination and other forms of intolerance against persons based on religion or belief has been a primary objective for the international community for decades but at a national level, many States have responded to violence in the name of religion by ‘securitizing’ human rights.<sup>18</sup> As Special Rapporteur, I continuously receive reports alleging violations of freedom of religion or belief as a result of counter-terrorism measures or efforts to combat religious extremism. For example, unjustified charges of “extremism” are increasingly used by authoritarian regimes to hinder the freedom of religious groups that are not favored by those in political power.<sup>19</sup> Some States have officially instituted discriminatory practices that intentionally or unintentionally target individual adherents, or groups of persons of a particular faith they perceive to be predisposed to terrorist or other violent acts. While international human rights law allows, with high thresholds, for certain limitations related to the manifestation of one’s religion or belief (often referred to as *forum externum*), any and all limitations must be the exception, not the rule.<sup>20</sup> Moreover, extensive research has demonstrated that such excessive measures further compound the corrosive conditions that already undermine human rights, including the right to freedom of religion or belief.<sup>21</sup>

A more insidious threat to FoRB from non-State actors includes false invocations of ‘religious liberty’ for political ends. The right to hold and express one’s beliefs should not

be conflated with a non-existent right to arbitrarily discriminate against people on the basis of their gender, sexual orientation, or religious identity. Such discrimination is indeed prohibited under international law. The right to FoRB can serve as a shield to protect religious institutions from attack and allow for the freedom of all beliefs to flourish – not a sword to cause harm to others. Many religions have formal doctrines that reflect a negative perspective on same-sex sexuality. Yet religious leaders' views do not always coincide with the formal doctrines, and religious leaders can also be instrumental in promoting social acceptance of same-sex sexuality and gender nonconformity responses.

In recent years, the international community has increasingly focused on manifestations of intolerance involving religion or belief, including discrimination, hostility or violence, and incitement thereto, resulting in a number of key developments. As Special Rapporteur, I have urged States to operationalize various tools developed by the United Nations system in the context of freedom of religion or belief and the prevention of mass atrocities, and which are grounded in the human rights framework, to build societal resilience against violent extremism. One instrument is Human Rights Council resolution 16/18 of 2011 on combating intolerance, negative stereotyping, stigmatization, discrimination, incitement to violence and violence against persons based on religion or belief.<sup>22</sup> Another major landmark is the 2012 Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.<sup>23</sup> These provide organising frameworks to mobilise policymakers and civil society, including faith-based actors, to combat the tsunami of hate and intolerance that is drowning communities everywhere, and to advance freedoms for all.

Yet despite these and other United Nations efforts to strengthen international protection for freedom of religion or belief, acts of intolerance have been on the rise in many parts of the world, revealing an alarming gap between international commitments to combat intolerant acts and national practices. As such, it is incumbent upon State and non-State actors to continue to increase literacy about the right to FoRB. It is integral that States abstain from adopting restrictions that limit the right in ways not recognized by fundamental standards integral to the enjoyment of FoRB, and it is necessary for States to address violations or acts of abuse, while ensuring that the right is not being used to undermine protections for myriad other rights on which FoRB depends, or to deprive persons of their equal enjoyment of freedom of religion or belief and other rights.

### 3 • Conclusion

Despite increasing violations of FoRB worldwide, it is heartening to note the rising importance attached to promoting this fundamental right by the international community. Indicators of this positive trend include the growing number of funds committed to promoting FoRB, the appointment of envoys on FoRB by several countries, the formation of global networks to promote FoRB, and the dedication of an International Day for

Victims of Acts of Violence Based on Religion or Belief. In order for these endeavours to realise their full potential, it would be vital to frame these efforts within international human rights law and to achieve coherence between actions at home and energies abroad. For civil society actors, including faith-based groups, it would be useful to work in broad coalitions, to build bridges amongst stakeholders, and develop narratives of inclusion, as recognised by the 2017 Beirut Declaration on Faith for Rights.<sup>24</sup> For all stakeholders, it would be important to harvest synergies across institutions, actors and activities, including those working on peace-building and development and ‘to leave no one behind’. It requires the recognition that ‘seeking to protect some from persecution necessarily requires seeking to protect all from persecution’.<sup>25</sup>

## NOTES

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1 • U.N. Doc. A/36/684 (1981) [hereinafter 1981 Declaration], preamble, UNOHCHR, November 25, 1981, accessed July 10, 2019, <https://www.ohchr.org/EN/ProfessionalInterest/Pages/ReligionOrBelief.aspx>.

2 • See e.g. Brian J Grim and Roger Finke, *The Price of Freedom Denied* (Cambridge: Cambridge University Press, 2011): 2-3. See also “Plan of Action to Prevent Violent Extremism,” A/HRC/70/674 para 26 & 28, United Nations General Assembly, December 24, 2015, accessed July 10, 2019, [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/70/674](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/674).

3 • The mandate, when created in 1986, was called the special rapporteur on religious intolerance. The current title was adopted in 2001.

4 • For more see, “Report of the Special Rapporteur on Freedom of Religion and Belief,” A/HRC/34/50 para 22, United Nations General Assembly, January 17, 2017, accessed July 10, 2019, <https://undocs.org/A/HRC/34/50>.

5 • “General Comment Adopted by the Human Rights Committee Under Article 40, Paragraph 4, of the International Covenant on Civil and Political Rights,” CCPR/C/21/Rev.1/Add.4, United Nations, September 27, 1993, accessed July 10, 2019, <https://undocs.org/CCPR/C/21/Rev.1/Add.4>. See also

“General Comment 34” on freedom of expression, CCPR/C/GC/34, International Covenant on Civil and Political Rights, September 12, 2011, accessed July 10, 2019, <https://undocs.org/CCPR/C/GC/34>.

6 • Virtually all modern human rights instruments contain provisions protecting freedom of religion and prohibiting discrimination based on religion. The most salient of these is Article 18 of the International Covenant on Civil and Political Rights which reads: 1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. 2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. 3. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others. 4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians, to ensure the religious

and moral education of their children.

7 • U.N. Doc. A/36/684 (1981) [hereinafter 1981 Declaration].

8 • During its 1187th plenary meeting, the GA asked the Human Rights Commission to work on a draft declaration and a draft convention against all forms of religious intolerance. "Preparation of a Draft Declaration and a Draft Convention on the Elimination of all Forms of Religious Intolerance," U.N. GAOR, 17th Sess., 1187 plen mtg. at 33, U.N. Doc A/RES/1781 (XVII), United Nations General Assembly, December 7, 1962, accessed August 13, 2019, <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0192/89/IMG/NR019289.pdf?OpenElement>.

9 • Christian Walter, "The Protection of Freedom of Religion Within the Institutional System of the United Nations 589," in *Universal Rights in a World of Diversity – The Case of Religious Freedom, Political Academy Of Social Sciences*, eds. Mary Ann Glendon and Hans F. Zacher (Vatican City: The Pontifical Academy of Social Sciences, 2012): 591.

10 • Carolyn Evans, "Time for a Treaty? The Legal Sufficiency of the Declaration on the Elimination of All Forms of Intolerance and Discrimination," *Brigham Young University Law Review* 2007, no. 3 (2007): 617-638. See also, Sean D. Murphy, *Principles of International Law* (Minnesota: West Academic Publishing, 2006): 65-88.

11 • "Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief," A/RES/36/55, supra n. 2, Art. 6, United Nations General Assembly, November 25, 1981, accessed July 10, 2019, <https://www.un.org/documents/ga/res/36/a36r055.htm>.

12 • Article 2, supra n. 1, Art. 6.

13 • See "Report of the Special Rapporteur on Freedom of Religion and Belief," A/HRC/37/49, para. 37, United Nations General Assembly, February 28, 2018, accessed July 10, 2019, <https://undocs.org/A/HRC/37/49>.

14 • A/RES/36/55, 1981 Declaration, supra n. 1, Art. 8.

15 • See A/HRC/37/49, para 77.

16 • See, Article 4 of the 1981 Declaration imposes a positive obligation on States to "take effective measures to prevent and eliminate discrimination... in all fields of civil, economic, political, social, and cultural life" and "to take all appropriate measures to combat intolerance on the grounds of religion." See also "Report of the Special Rapporteur on Freedom of Religion and Belief," A/HRC/34/50, para. 47b, United Nations General Assembly, January 17, 2017, accessed July 10, 2019, <https://undocs.org/A/HRC/34/50>.

17 • See e.g. Brian J. Grim and Roger Finke, *The Price of Freedom Denied* (Cambridge: Cambridge University Press, 2011): 2-3. See also A/HRC/70/674 para 26 & 28; Anthony Gill and Timothy Shah, "Religious Freedom, Democratization and Development," Paper presented at the Annual Meeting of the Association for the Study of Religion, Economics, and Culture Washington, D.C., April 13, 2013, accessed July 10, 2019, <http://www.asrec.org/wp-content/uploads/2015/10/Gill-Shah-Religious-freedom-democratization-and-economic-development.pdf>.

18 • States have responded to violent extremism by (1) enacting new laws and policies which directly restrict freedom of religion or belief; (2) curtailing its enjoyment as a consequence of limitations on other fundamental rights; or (3) scrutinizing religious organizations and intruding into the religious affairs of religious communities. For more see, "Report of the Special Rapporteur on Freedom of Religion or Belief," A/73/45410, United Nations General Assembly, September 4, 2018, accessed July 10, 2019, [https://www.ohchr.org/Documents/Issues/Religion/A\\_73\\_45410.docx](https://www.ohchr.org/Documents/Issues/Religion/A_73_45410.docx).

19 • Kirsten Lavery, "Overview of Anti-extremism Legislation." United States Commission on International Religious Freedom, Legislation Factsheet Anti-Extremism Laws, March 2019, accessed July 10, 2019, <https://www.uscirf.gov/sites/default/files/Legislation%20Factsheet%20-%20Extremism.pdf>.

20 • Article 18 (3) of the International Covenant on Civil and Political Rights provides that all limitations



on the right to freedom of religion or belief must be prescribed by law, and they must be necessary and directly related to the pursuit of a legitimate aim: the protection of “public safety, order, health, or morals or the fundamental rights and freedoms of others”. These restrictions must also be applied in a non-discriminatory manner and be proportionate to the realization of the legitimate aim and, therefore, be the least restrictive among all the adequate measures that could possibly be applied, without vitiating the right itself. Unlike some other provisions of the Covenant, the right to freedom of religion or belief cannot be restricted on the grounds of national security, and the non-discriminatory nature of the right ensures that nationality cannot form a basis for imposing restrictions on minorities, migrants or non-nationals. See also, A/HRC/34/50 para 30.; A/73/45410.

21 • See for e.g. Ben Emmerson, “Report of the Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms While Countering Terrorism,” A/HRC/31/65, para 54, United Nations General Assembly, April 29, 2016, accessed July 10, 2019,

<https://undocs.org/A/HRC/31/65>.

22 • “Resolution Adopted by the Human Rights Council 16/18 Combating Intolerance, Negative Stereotyping and Stigmatization of, and Discrimination, Incitement to Violence and Violence Against, Persons Based on Religion or Belief,” A/HRC/RES/16/18, United Nations General Assembly, April 12, 2011, accessed July 10, 2019, [https://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.18\\_en.pdf](https://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A.HRC.RES.16.18_en.pdf).

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# THE ROHINGYA REFUGEE CRISIS

**Rey Ty**

- *Contexts, problems, and solutions*<sup>1</sup> •

## ABSTRACT

*This article focuses on a case study of the extremist actions of militant Buddhists who violate the rights of entire civilian populations of other religions in Myanmar. The goal is to question the popular stereotype of all Buddhists as promoters of unconditional peace and to examine the Rohingya refugee crisis. The text begins with an overview of the historical and current contexts that gave rise to the Rohingya crisis, after which a discussion of the causes and effects of the problem is presented. It concludes by presenting the proposed agenda to solve the refugee crisis besetting the Rohingya.*

## KEYWORDS

Arakan State | Refugees | Rohingya | Statelessness

## 1 • Introduction

There are many problems related to statelessness and refugees in Asia, such as the current tensions in Assam, India, along the Myanmar-Thailand border, and the ones affecting the Rohingya in Myanmar, to name a few. Muslim-majority Rohingyas have been living in the Rakhine State for as long as they, their parents, their grandparents, and their great grandparents can remember. Their land is between Bangladesh, to the west, and the rest of Myanmar, to the east. Myanmar, as the country is known today, is home to a multiplicity of ethnicities, religions, and languages.

Many westerners come to Asia to learn about Buddhism and Hinduism, joining Buddhist Vipassana meditation retreats and practicing Hindu yoga. With their romanticised and Orientalised views of Asia,<sup>2</sup> many westerners convert to Buddhism and Hinduism. When asked about the reasons for their conversion, they invariably answer because these two are religions of peace which allow them to find serenity towards themselves and tranquillity in relation to the universe. True, the tenets of Buddhism and Hinduism deal with social and universal concord. However, when confronted with the fact that extremist Buddhists, including incitements from prominent Buddhist monks, attack Muslims and Hindus in Sri Lanka and Myanmar, that Hinduism is built on the basis of a caste system under which the *Dalits* and the *Adivasis* or indigenous peoples are outcasts, and that extremist Hindus attack Dalits, Muslims, and Christians, these same westerners turn a blind eye and a deaf ear on these acts of oppression and repression. They ignore the fact that Hinduism is built on the foundation of the structural violence of the caste system under which the *Dalits* or “outcasts” and the *Adivasis* or indigenous peoples are marginalised. For millennia, Hindu widows had the duty to perform sati or to immolate themselves by throwing themselves on their husband’s fiery funeral pyre, thus dying a slow and excruciating death. A 1987 law banned the practice of *sati* but isolated cases of widow immolation continue. Up to the present time, Dalit men swim into sewage to clear clogs, while Dalit women collect human excrements by hand in public latrines, even though this practice is banned. In their effort to impose Hindutva, or Hindu ultranationalism as the term is understood today, fanatical Hindu “cow police” monitor, attack and sometimes even kill Christians and Muslims who sell or eat beef. There is a cognitive dissonance between the reality of Buddhists’ and Hindus’ aggressive attacks on people of other faiths on the one hand and the romanticised, idealistic views of Buddhism and Hinduism as philosophies that promote total peace and universal harmony on the other hand. Note, however, that the problem is not religion per se, but the political use of religion.

This article focuses on a case study of the extremist actions of militant Buddhists who violate the rights of entire civilian populations of other religions in Myanmar. The goal is to question the popular stereotype of all Buddhists as promoters of unconditional peace and to examine the Rohingya refugee crisis. This article begins with an overview of the historical and current contexts that gave rise to the Rohingya crisis, after which a discussion of the causes and effects of the problem is presented. It concludes by presenting the proposed agenda to solve the refugee crisis besetting the Rohingya.

As this crisis is still brewing, there is still a gap in academic journals on this matter, which this article seeks to fill. Most of the literature cited here is from news media outlets, such as The Atlantic, BBC, Democracy Now, El Diario, Frontline PBS, The Guardian, El Mundo, NPR, El País, The New York Times, and the Washington Post, to name a few. Insider views from Myanmar are also cited, including publications in English, such as The Irrawaddy. Piecing together snapshots from news releases to form a coherent narrative of the saga of the Rohingya mass exodus, the central focus of this paper was the major events surrounding the refugee crisis which took place in 2017, while looking back at the historical context that led to this situation and synthesising the main proposals to solve this refugee crisis.

## 2 • Early history

The Rohingya refugee crisis is a very complex case. Both the Buddhist Arakanese and the overwhelmingly Muslim Rohingyas have been cohabitating in the general area of what is now known as the Arakan state in Myanmar and the Chittagong Division in Bangladesh since the pre-colonial era.<sup>3</sup> Historians trace the Muslims living in the frontier between what is now known as the Arakan State in Myanmar and Bangladesh to as early as the 12<sup>th</sup> century.<sup>4</sup> Through Arab traders who also doubled as missionaries, Islam came to the region in the 7<sup>th</sup> century, in the Christian Era (CE), during which they intermarried with local Buddhists as well as converted Buddhists to Islam by 788 CE.<sup>5</sup>

The Arakans and the Rohingyas, as we call them now, have been living at the frontier between what we now call Bangladesh and Myanmar for centuries. For example, from 1429 to 1785, the independent Kingdom of Mrauk-U ruled over what is now known as the Rakhine State in Myanmar and the Chittagong Division in Bangladesh, where Muslims and Buddhists of different ethnicities coexisted. During this same period, this region was a protectorate of the Sultan of Bengal at different points in time. By the 18<sup>th</sup> century, it became part of the Burmese Empire.<sup>6</sup>

The conflict besetting the Rohingya is the result of a civil war that started in 1948 during which British colonialists drew up the flawed map of what was known as Burma at that time.<sup>7</sup> Many of the problems in the world today are the result of maps drawn by former colonialists. In the post-independence period, many ethnic groups in Burma demanded federalisation, while the Rohingya called for unification with the then East Pakistan, which is now Bangladesh.<sup>8</sup> Why is Myanmar faced today with several armed conflicts among different ethnic groups which consider themselves as separate nations? The primary reason is that the non-Bama ethnic groups are not fully integrated into the Bama-dominated government, politics, economy, and culture. Despite the diversity in Myanmar, only the Bama history is taught in schools. Only Bamas can engage in politics and administration. As the dominant Bama ethnic group has economic, political and cultural hegemony over all the other ethnic groups, the latter continue to demand respect for their right to self-determination. Only the Bama version of history, Bama language, and Bama culture are

taught in schools. For these reasons, many ethnic and religious minorities live as second-class citizens and therefore continue to wage civil war in Myanmar today. The minorities that continue their revolutionary struggles today include the Chin, Kachin, Karen, Karenni, Rohingya, Shan, Wa and other ethnic minorities.

### 3 • Post-colonial context

In the immediate post-independence period in 1948, the Union Citizenship Act was passed, which defined which ethnic groups could gain citizenship. The law excluded the Rohingya, according to the International Human Rights Clinic at Yale Law School.<sup>9</sup> However, Rohingya whose families had stayed in Myanmar for two generations or more could apply for identity cards. Initially, Rohingya were given these identity cards and even citizenship under the provision with respect to generations. At that time, many Rohingya served in parliament.<sup>10</sup>

The Rakhine State as we know it today is the homeland of several different ethnic communities. The two major ethnic groups residing in the Rakhine State are the Muslim Rohingya and the Buddhist Rakhines, whose identities are not fixed but change over time. Buddhist Rakhines, formerly called the Arakanese, live along the coast of the Rakhine State, known as Arakan and the Kingdom of Mrauk-U in the past, and in the Chittagong and Barisal divisions of Bangladesh. The Rakhine State is also home to other ethnicities, such as Hindus, the Chins and the Myo. The predominantly Buddhist Arakanese Chakma, the Marmas (known as Moghs or Maghs in the past) and other peoples who inhabit the Chittagong Hill Tracts in Bangladesh since the 16<sup>th</sup> century share similar, if not the same, cultural elements with the Rakhines in the Rakhine State in Myanmar. There are also the Arakanese Buddhist Mog people who live in Tripura, India. To make the situation even more complex, other Muslim groups live in Myanmar, such as the Kamans who are the only Muslim *taing-yin-tha*, or members of the 135 ethnic groups officially recognised by the Burmese government. The situation for the Rohingya worsened after the military coup in 1962. On 12 February 1964, General Ne Win made the *taking-yin-tha* (“national races”) concept the centrepiece of Burma during his Union Day speech.<sup>11</sup> All citizens were given national registration cards, while the Rohingya were given foreign identity cards, which restricted their economic and educational opportunities. The Kaman also experience discrimination because they are not Buddhists.<sup>12</sup> They were themselves displaced together with the Rohingya Muslims in 2012.<sup>13</sup>

The Rohingya have been persecuted since the 1970s. In 1982, the military junta in Myanmar passed a citizenship law that listed 135 ethnic groups entitled to citizenship, which excluded the Rohingya who had enjoyed citizenship rights since independence in 1948.<sup>14</sup> As a result, all Rohingya legally lost their citizenship and became stateless overnight.

The conflict between Muslim Rohingya and Buddhists in the Rakhine State intensified in 2012, 2015, 2016, and 2017. In June and October 2012, Arakanese political party

members, Buddhist monks themselves, and ordinary Arakanese organised, incited violence and attacked Rohingya and Kaman Muslim communities. As a result of this violence, at least 125,000 Muslims were displaced internally. Many were killed and buried in mass graves.<sup>15</sup> In 2012, Muslims, both Rohingyas and Kamans, were driven from their places of residence in Central Rakhine, especially from large cities such as Sittwe and Pauktaw, but also smaller villages. Over 120,000 Rohingyas fled camps, many of which left on perilous maritime trips.<sup>16</sup> The Myanmar and Arakanese security forces' ethnic cleansing of Rohingya Muslims in the Arakan State from June 2012 onwards constitutes crimes against humanity. The ultranationalist Buddhist majority engaged in acts of violence against the Rohingyas.<sup>17</sup>

The Myanmar government appointed Advisory Commission on Rakhine State, which former United Nations Secretary General Kofi Annan chaired, remarked that the Rohingya people should be called "Muslims or the Muslim community in Rakhine", not "Bengalis".<sup>18</sup>

#### 4 • Social context

Myanmar is a classic case of a mythical nation-state. In fact, it is a state composed not only of one nation, but several nations. Many ethnic groups in Myanmar do not simply consider themselves ethnic minorities, but rather nations without their own sovereign states that they must fight for in order to achieve self-determination. By nation, we mean a group of people who share a common history, a language, an ethnic identity and a culture and who have lived in the same general area for a long time. Aside from the dominant Buddhist Bama majority, some of these nations or ethnic groups in the country include the Shan, Karen, Rakhine, Rohingya, Kachin, Chin, Karenni, Mon, Wa and Kokang Chinese, to name a few. Each of them lives in more or less generally defined, sometimes overlapping, territories. Many practice traditional religions or Christianity, while others are Buddhist. Hence, Myanmar is, in reality, a state with many nations with different religions. Having a multiplicity of ethnic groups or nations is a blessing because of the diversity it brings. At the same time, it is a curse, as these nations' clamour for self-determination has led to armed conflicts that continue up until the present time. Many ethnic groups have armed revolutionary groups with active combatants fighting the central government, while others have signed ceasefire agreements with the central government. Most Rohingyas are Muslim, while a few are Hindu. Many in Myanmar call Rohingyas "Bengalis" and do not consider them people from Myanmar.

#### 5 • Political context

On the one hand, the international community has expected Nobel Peace Laureate Aung San Suu Kyi at the very least to step up to the plate and take up the Rohingya issue, but she has failed miserably. On the other hand, ultranationalist groups accuse Aung San Suu Kyi's National League for Democracy (NLD) for not promoting and protecting

Buddhism. Clearly, Aung San Suu Kyi stands on a tightrope. Many want to know the reasons for which she has been quiet on the matter.<sup>20</sup> On one extreme, some outside Myanmar claim that she is complicit in the crime of ethnic cleansing. Another explanation is that she is a mere politician and the military is the institution that wields both political and military power in the country. This raises questions of who is in charge: the military or Aung San Suu Kyi? The role that she plays in this crisis is unclear. The relationship between the military and the government might not be so simple.

The reasons for the speculation about the important role that Aung San Suu Kyi can play in resolving the Rohingya crisis are manifold. First, she was the symbol of democracy thanks to her fight for the political rights of the Myanmar people against the military junta, for which she had been placed under house arrest several times since 1989. Second, she has sacrificed her personal life and professional career for peace. Third, she is the daughter of Aung San, the founder of modern-day Burma, now called Myanmar. Fourth, she has connections with Oxford University. Fifth, she has worked at the United Nations, which stands for justice, equality, self-determination, and peace. Sixth, she is a leader of the National League for Democracy (NLD) which led the mass democratic movement that fought for the democratic rights of the people of Myanmar under the rule of the military junta. Seventh, she is a Nobel Peace Laureate. The list goes on and on. But she has not taken a strong stand to defend the rights of all people in Myanmar, including the Rohingya.

## 6 • The Janus face of Buddhism

The role of leading ultranationalist Buddhist monks and laity in sowing animosity towards and inciting violence against the Muslim Rohingya is well documented in insider news sources in Myanmar.<sup>21</sup>

The problem underlying the Rohingya crisis is not religion per se, but the political use of religion. Ultranationalist Buddhists, including Buddhist monks, are metaphorically in bed with the military.<sup>22</sup> When communal violence broke out in 2012 in the Rakhine State, prominent ultranationalist Buddhist monks engaged in anti-Muslim hate speech, sowed fear about the danger of Islamic fundamentalism, called for a boycott of Muslim businesses and spread the narrative that the Muslim Rohingyas are a threat to the security of the Myanmar state.<sup>23</sup> Clearly only the prominent ultranationalist monks cited spew words of hatred, prejudice, and racism against the Rohingya, even inciting the killing of non-Buddhists. These ultranationalist monks urge their followers to support the military at all cost against the Rohingya, even when the military committed disproportionate retaliation against not only the Rohingya rebels, but the whole Rohingya civilian population not engaged in armed conflict. Buddhism is known as a religion of compassion, mercy, harmony, peace, serenity and calmness, while the military and the police in the country have the monopoly of the use of force and can and do resort to physical violence.<sup>24</sup> Ultranationalist monks joined, gave speeches, or sent messages praising the security forces at mass rallies held in downtown

Yangon, the Karen State, the Mon State, and the Mandalay Region that thousands attended in order to show their support for the military's actions against the Rohingya in the Rakhine State.<sup>25</sup> Some Buddhist monks criticise foreign governments and the international media for lambasting the military for its use of excessive force against Muslim Rohingyas.<sup>26</sup> Ultrationalist Buddhist monk U Wirathu wrote a message which was read on his behalf at a rally: "Monks and people are the ones who will take care of the helpless army like their sons".<sup>27</sup> Sitagu Sayadaw, who is a prominent Buddhist monk, stated that taking the life of a human being is fine as long as that person is not Buddhist.<sup>28</sup>

The Constitution of Myanmar prohibits inter-religious or inter-ethnic conflict. Yet, in 2015, the government under the then President U Thein Sein favoured the actions of ultrationalists by passing the Protection of Race and Religion laws. Ultrationalists had participated in the drafting of the law, which is perceived as discriminatory against women and religious minorities, especially Muslims.

However, when Aung San Suu Kyi's National League for Democracy (NLD) came to power in March 2016, ultrationalist Buddhists, especially under the Ma Ba Tha, hiding under the skirt of Protection of Race and Religion laws lost their clout. The NLD-led government arrested and prohibited prominent monks from preaching and arrested ultrationalists who had committed crimes against the state. Ma Ha Na, the state Buddhist Sangha authority which is a government appointed council of monks that tracks monastic discipline and adherence to the monastic rules of the Myanmar government, has declared the ultrationalist umbrella group Ma Ba Tha an illegal organisation that has not been established according to the monastic rules of the country.<sup>29</sup>

Clearly, Buddhism is Janus-faced in Myanmar. The ultrationalist Buddhist clergy and laity reared their ugly heads, while the NLD indirectly showed its compassion towards the Rohingya by putting a brake on inflammatory Islamophobic speeches and actions. Since then, the outlawed Ma Ba Tha changed its name to Buddha Dhamma Prahita Foundation.

## 7 • Causes and effects of the current crisis

On August 25, 2017, just hours after Kofi Annan's Advisory Commission publicly issued its recommendations on the situation in the Rakhine State, which Aung San Suu Kyi embraced, the Arakan Rohingya Salvation Army (ARSA) used knives and home-made bombs to carry out attacks on about twenty to thirty police outposts in the northern Rakhine State. During the attacks, about 150 militants were involved and 1 soldier, 1 immigration officer, 10 policemen and 59 militants were killed.<sup>30</sup> The attack triggered massive counterattacks by security forces on the Rohingya population in general, which is a violation of international humanitarian law. In short, the ARSA's attack sparked the current escalation of violence and set off a whole chain of events that led to the mass exodus of the Rohingya from their homeland in search of a safe haven.



The bloodbath that the Myanmar army's military operations generated, which ultranationalist Buddhists support, led to the displacement of more than half a million to one million Rohingyas.<sup>31</sup> Myanmar security forces have the right and duty to engage in battle with the ARSA, as both sides are combatants who must engage in armed conflict based on the laws of war. But international humanitarian law states that on the one hand, reprisals against civilian population and their property are forbidden and military actions on both sides must be proportionate on the other hand. It also establishes that Rohingya civilians must be spared from military attacks under all circumstances and at all times.

Both Article 3 common to all four Geneva Conventions and Protocol II additional to these Conventions affirm that: (1) there should always be a distinction between the armed forces and civilians; (2) all persons taking no active part in the combat, including the wounded and the sick, must be treated humanely; (3) the only legitimate objective is to weaken the enemy's armed might; (4) and the civilian population, including women and children, as well as civilians' homes, property and cultural objects, must be protected, as they are not military targets.

Most of the persecuted Rohingyas fled to Cox's Bazar in neighbouring Bangladesh to seek refuge and a safe haven, which is where the Bangladeshi government welcomed them. After Rohingyas left their villages, their houses and properties were bulldozed.<sup>32</sup> At least 55 Rohingya villages were destroyed in order to eliminate the evidence.<sup>33</sup> About half a million Rohingyas still remain in the Rakhine State in Myanmar. UN envoy Yanghee Lee claims that mass graves show "hallmarks of genocide".<sup>34</sup> The United Nations High Commissioner for Human Rights at that time, Zeid Ra'ad Al Hussein, called the maltreatment of the Rohingya as a "textbook example of ethnic cleansing".<sup>35</sup> A group of Nobel Peace Laureates called on the UN Security Council to protect the Rohingya from further attacks.<sup>36</sup>

What were some of the responses to this crisis? The Association of Southeast Asian Nations (ASEAN), of which Myanmar is a member, was blasted for keeping mum on the persecution of the Rohingya.<sup>37</sup> India and Japan support Myanmar. China and Russia oppose UN resolutions on the Rohingya issue. The European Union (EU) and the US imposed economic sanctions on top military officials as a form of punishment. The UK is calling for repatriation, while China mediates between Bangladesh and Myanmar on repatriation. With China's overtures, Bangladesh and Myanmar signed an agreement to implement the Chinese peace plan for the repatriation of the Rohingya from Cox's Bazar in Bangladesh to the Rakhine State in Myanmar.<sup>38</sup>

Pope Francis is concerned about the massacre of Muslims in Myanmar. He said, "I see Jesus again in the children I met during my recent visit to Burma and Bangladesh, and it is my hope that the international community will not cease to work to ensure that the dignity of the minority groups present in the region is adequately protected".<sup>40</sup>

After Reuters' local correspondents published an appalling report on the killing of Rohingyas with before and after photographic evidence, its journalists were arrested, charged with

national security crimes, and imprisoned.<sup>41</sup> While the journalists were later freed as a result of international pressure, the Rohingya's status as stateless refugees remains unchanged.

Bangladesh is now struggling to cope with the pressure of hosting approximately 1 million stateless Rohingya refugees in Cox's Bazar.<sup>42</sup> Not allowed to work in Bangladesh, the stateless Rohingya refugees are desperate and are only permitted to work as part-time volunteers. There are over 200 aid agencies operating in the Rohingya camps. Purporting to serve the Rohingya in the refugee camps, some NGOs are allegedly engaged in corruption and nepotism, while the locals at Cox's Bazar seeking employment with these charities were turned away.<sup>43</sup> Sixty-five shipwrecked Rohingya who were survivors of human trafficking were found stranded in southern Thailand.<sup>44</sup> Human trafficking of vulnerable Rohingya refugees is on the rise. Rohingya girls are the targets of sex trafficking.<sup>45</sup>

## 8 • Conclusion

Outsiders see the Rohingya as the world's most persecuted ethnic and religious minorities, but many people in Myanmar see them as a foreign group with a separatist agenda. The democratic system in Myanmar is flawed, as no one or no institution seems to bear the responsibility of making a clear statement and taking a clear policy action based on the rule of law and without prejudice. George Orwell reminds us that “[t]he most effective way to destroy people is to deny and obliterate their own understanding of their history.”

The attacks on the Rohingya civilian population violate international human rights law and international humanitarian law, also known as the laws of war. The crimes committed include crimes against peace, crimes against humanity, and war crimes. The UN Secretary-General expressed his position according to which “the Rohingya are one of the most discriminated against population in the world – and that was even before the crisis...”<sup>46</sup>

Some of the recommendations to stop the atrocities against the Rohingya in the short, medium, and long-term include the following: a ceasefire, high-level dialogue, and negotiations; immediate access to relief; a stop to ethnic cleansing and genocide; massive training for security forces on human rights and the laws of war; interfaith dialogue at the grassroots and middle levels to teach tolerance and acceptance; immediate support for reputable humanitarian organisations; fact-finding missions; repatriation; restoration of the Rohingya's citizenship; promote, observe, and protect international human rights laws; all parties to the conflict to comply with international humanitarian law; and, autonomy or federalism.

In 1947, Aung San, the founder of Burma, as Myanmar was called then, floated the idea of the adoption of a federalist system in which the homelands of the ethnic groups in the country would be the states under a federal system, thus promising equality among all ethnic groups.<sup>47</sup> Today, Aung San Suu Kyi is reviving her father's dream of a federal country. After Aung San was assassinated, the hope for federalism in Burma was dashed, as the

Bama military centralised all government powers. Since then, over twenty rebel groups have fought the central government at one time or another.<sup>48</sup>

In its final report, the Advisory Commission on Rakhine State, which former UN Secretary-General Kofi Annan chaired, issued a number of recommendations on August 25, 2017. One of the most important ones was a review of the 1982 citizenship law. The citizenship law is crucial to finding a durable and just solution to the current conflict.<sup>49</sup> At that time, Aung San Suu Kyi embraced those recommendations.<sup>50</sup>

Are we holding Aung San Suu Kyi to a much higher and therefore unfair standard? No. She stood up for abstract principles of democracy and equality. She is thus held to her own high standards. Do these standards apply to the Rohingya? Yes, indeed, they do. Can Aung San Suu Kyi do much if she wants to? She is the best hope for change in Myanmar. She could take a larger-than-life moral stance against the military, moving from a mere politician to a grand statesperson. Peace is not merely the absence of physical violence, but the presence of the conditions of justice.

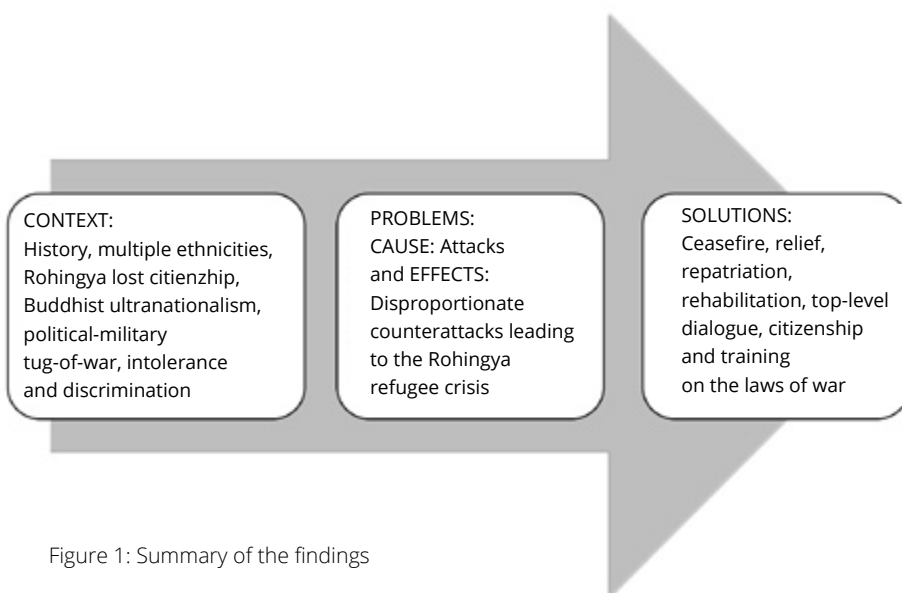


Figure 1: Summary of the findings

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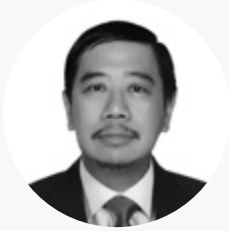
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# RIGHT TO LAND AT THE CROSSROADS

**Humberto Manoel de Santana Jr.**

- *The povo de santo<sup>1</sup> and the fight for dignity* •

## ABSTRACT

*This text is a reflection on the struggle of the people of the African-derived religions in Brazil, for the right to land. The different notions of land in the dispute of civilisations and the need to include the struggle for the right to land in the agenda of the fight against religious intolerance are presented in the text. The denial of the right to land is analysed as a direct attack on the dignity of the people of African-derived religions and therefore acknowledgement of this right is, above all, acknowledgement of the dignity of these people.*

## KEYWORDS

Deterritorialisation | Right to land | Dignity | Religious intolerance | Crossroads



This text is a reflection on the importance of a discussion on the right to land for African-derived religions, with particular reference to candomblé. For this reflection, understanding of the different relationships with the land that emerge in the clash of civilisations is needed.<sup>2</sup> For a full analysis of what is involved in the struggle for land a brief background of the process of deterritorialisation and re-territorialisation of the African peoples who were torn from their homelands, is necessary. Then we can state the importance of understanding the fight against religious intolerance as part of the struggle for the right to land. The reflection on religious intolerance will be constructed based on the field of work of racism that affects the African-derived religions, which allows for a false conviviality, employing the liberal rhetoric of tolerance and religious freedom in official discourse, while in practice intolerance in its many forms is encouraged by silences<sup>3</sup> that defend an attitude of anti-negritude.<sup>4</sup>

It is only when we acknowledge the power of this system that we are able to understand that any struggle or demand by the people of African-derived religions is a struggle to stop this system in its tracks.<sup>5</sup>

Construction of this text will partly use my field work on the *Pombagiras* and the *Exus*, who are very often present at Umbanda meetings, and also at some Candomblé houses, and are part of the lineage of the *povo de rua* (people of the street). The *povo de rua* are spiritual entities strongly characterised and related to the desires of both the people who seek them out as well as their own. The *Exus* and *Pombagiras* are the spirits of *malandros* (rogues) and prostitutes, people who occupy the position of the socially marginalised. They are known for appearing when they feel like it and for having the capacity to make unexpected and frightening interventions. They are called upon to 'clear the path' and to resolve difficult problems.<sup>6</sup>

The *Pombagiras* and the *Exus* live at the 'crossroads' and establish communication between the invisible world (*orun*) and the visible one (*aiyé*).<sup>7</sup> It is at the crossroads that paths are opened and closed in a search for balance between the *orun* and the *aiyé*, and the *Pombagiras* and the *Exus* establish communication between these worlds.

The crossroads provides the possibility for divergences and is also a point of ambiguity in Afro-Brazilian religions as it is presented as both the beginning, the start of a flow, and an obstruction of the flow.<sup>8</sup> The crossroads works with 'and' not with 'or' and one does not cancel out the other, it can be a point of ambiguity. Accordingly, we introduce the notions of land of the civilisations that are in conflict at the crossroads, as this is a place to meet and to choose new paths and possibilities. It is important to comprehend that, despite the similarities in format with the Christian cross, the crossroads is conceptually and epistemologically different. Unlike in Christian thinking, good and evil walk side by side at the crossroads and they communicate. We will follow the path of the crossroads, substituting 'or' with 'and' and establishing communication between the notions of land and its uses with the intention of creating an intersection at which elements come together, but do not mix,<sup>9</sup> in order to consider the possibility of inventing a new path at this crossroads.

In inventing<sup>10</sup> a new path it is important that the different civilisations' notions of land be taken seriously. For example, Antônio Bispo dos Santos, more commonly known as Nego Bispo, had to learn to read when he was defending the quilombolas so he could understand what the laws were saying in order to establish an argument with a civilised narrative using what he believed to be universal understanding. He instituted a counter-colonialist narrative<sup>11</sup> and also had to establish communication between the civilised understanding of the Quilombo Saco-Curtume and the understanding of academia, reading and laws without negating any of them. Likewise it is important to take into consideration the notion of land in the African-derived religions, taking the construction of the concepts of adherents to these religions seriously and learning from this community. This is a process of researching and building a new path that talks to the 'law found on the street', this being the public space where new social norms are invented based on people's lived experiences.<sup>12</sup>

The construction of this text was inspired by the provocation of the crossroads between the advice of Dona Maria Mulambo, Dona Maria Padilha and Seu Tranca Ruas.<sup>13</sup> During one of the *giras*,<sup>14</sup> Dona Maria Mulambo started by explaining that I would leave Rio de Janeiro to study and work, but that I should not worry about by connection to the *terreiro*. She said that that piece of ground would still be there for me whenever I needed to take care of myself, because I belonged to it even if I went travelling. She said that this was what was wanted of me at that time.<sup>15</sup> She went on to say that belonging to a piece of land where balance can be sought in order to continue, is a necessity. Dona Maria Padilha asked me the following question: "How are you going to build a family travelling so much? You need firm ground to stand on, to live and to build your life. A girl likes firm ground." Seu Tranca Ruas, then went on to say that, indeed it was important to have a piece of land, because this is a form of dignity. The size of the place does not matter, however it is necessary to focus in order to have your land and this means belonging to it and staying in touch with the Orixás.<sup>16</sup>

## 1 • Land: divergences/convergences of civilisations

When we talk about the time of the great navigations and the colonisation of Portuguese America we must use the correct terms and not romanticise this crime against humanity, the principal element of which was to take away people's dignity, without acknowledging their humanity and treating them like merchandise. The process of colonisation was built on the capture of Africans who had been in their own land, in the bosom of their families when they were thrown onto slave ships to be taken away to other lands. From their capture until they arrived in the new land their story is one of violence, rape and stealing. These practices reflect the way in which European civilisation related to the land and to work.

Land was stolen by the Portuguese, because it could be conquered and taken over making them the owners. Based on Christian logic the Portuguese set sail again to conquer new territories, taking the word of God and starting a process of land grabbing and the

detritorialisation of the African people. There are a number of justifications for the enslavement of Africans, based on interpretations of the Bible, one example of which is the story of Noah, in which the curse of Ham<sup>17</sup> is compared with the curse of the black people.

*Racist theologians add that black people are descendants of Ham and are therefore condemned to permanent servitude and slavery. In 1869, Juan Bautista Casas, a Spanish clergyman, alleged that the black race suffered from the curse mentioned in the Pentateuch and that their inferiority would stretch over centuries.*<sup>18</sup>

Attacks on the dignity of the African people came in a number of forms in Portuguese America. The Portuguese arrived with their customs and the belief that their culture was universal and should be imposed on the rest of the world. So, they tore people from their land and from the families they belonged to. They tried to remove their gods and to deprive people of their dignity and their basic sociocultural values, attacking individual and collective identities, starting with an attempt to impose the Christian God.<sup>19</sup>

The Africans who were captured fought in their own land and continued to fight in the land onto which were thrown. The Africans went into the forests and reorganised themselves with the natives, rebuilding their way of life based on a relationship with common land, where everyone benefitted from what was produced.<sup>20</sup> Although the relationship with the land was different – it was perceived as divine – this did not mean that there were no differences. This relationship and the conflicts involved can be seen in the book *Things Fall Apart* by de Chinua Achebe,<sup>21</sup> in which the writer investigates internal issues in the Ibo nation in Nigeria before the arrival of the British. In spite of this, their relationship with the land was a point of unity.

Here, we seek to present the idea that for these communities land has a spiritual owner, land is its own god, while in Christian thought land is the product of God's work. For example, Mãe Detinha<sup>22</sup> explains this in terms of why the *caboclos* are worshipped in African-derived religions. Ialorixá explains that Africans acknowledge that the true owners of the land were the indigenous people and that in order to worship their gods it was necessary to convince them. In addition, Mãe Detinha states that the Africans did not understand the relationship between the plants here and the plants on the African continent.

Meanwhile, the Africans had a different relationship with the land, because they belonged to it, in the same way that Dona Maria Mulambo told me that we belong to the land and that land is the living *Orixá*. There were many forms of resistance, as a means of guaranteeing the continuation of their customs, as well as ways of fighting to win their dignity.

Towards the end of the slavery regime, the Brazilian elite struck a blow by passing Law 601 in September 1850, known as the *Land Law*, forbidding the use of unclaimed land unless it was bought. In the same territory where the Portuguese and the elite had been donated

land since the arrival of the Portuguese, black people were prevented from benefitting from the right to land. Although slavery had ended they did not even have work. At the end of the regime, black people were thrown out onto the streets with no possibility of having a piece of land and with no guarantee of their dignity.

## 2 • Dignity of the *povo de santo*: the right to land and religious intolerance

The struggle for dignity was a thread through the period of slavery. The repression of the worship of forbidden and persecuted African-derived religions was reported in newspapers at the end of the Monarchy and during the transition to the Republic. This religion was considered to be the practice of witchcraft. It was not protected by laws and was condemned by the dominant religion. During the period of slavery, masters reacted with violence to the religion and following the Lei Áurea (that ended slavery) it was subjected to an unregulated police force.<sup>23</sup> A number of *terreiros* were persecuted which led to a huge quantity of sacred objects. These are to be found in museum collections throughout Brazil.

It was only in 2010, with Law 12.288/10, that the Statute for Racial Equality included concern with the issue of land for the *terreiros*, in chapter IV, Section I, entitled *Do Acesso à Terra* (Access to Land). This law was the culmination of the struggle of social movements for the dignity of the black people. It represents progress, but land in this sense is associated with the notion of property and work for agricultural production. In this way, the notion of land defended by the social movements is based on a Marxist perspective that does not enter into dialogue with the understanding of land of the people it seeks to assist. It projects an idea of 'salvation', again demonstrating a colonial way of thinking. From this perspective, land is not seen with all the richness with which followers of candomblé see it. A river, for example, cannot be designated as being part of the land of the community. Land, as previously stated, is a deity in itself for these communities. People belong to the land and are the children of the Orixás, known by the people as the 'children of the saint'. So, dignity is also a question of being in touch with your Orixás: Omolu in the mud; Oxóssi in the forest; Oxum in the river, etc.

The fight for the right to land was and continues to be of enormous importance for the *povo de santo*. It was only on 20 November 2014 that a decree was published in the *Diário Oficial da União* in the Municipality of Salvador, recognising the same rights for the *terreiros* as conceded for other religious temples, such as churches, which already had the right to tax relief as well as tax exemption. The decree also allows the *terreiros* to organise themselves legally as a religious temple. This was a huge victory in the fight for the dignity of these people. However, it is important to note the efficiency of the anti-negritude system, that took until 2014 to make this decree a reality, in the city of Salvador. Here we see that the Christian civilisation's notion of land was placed at a crossroads alongside the *povo de santo's* notion of land, allowing convergence and a new path.

### 3 • Qualitative Africa: between de-territorialisation and re-territorialisation

Africans who were torn from their land had to undergo a process of re-territorialisation in Portuguese America.<sup>24</sup> This process involved the formation of the black family on the new continent based on its own customs. Due to deterritorialisation, the fight of the Africans and their descendants relied on the *terreiros*, the place of worship of African-derived religions, as an important territory in forming the black family.<sup>25</sup> This family can be seen through the denominations used, such as ‘family of saint’, ‘brother and sister of saint’, ‘child of saint’, ‘father and mother of saint’. Therefore, the candomblé *terreiro* became qualitative Africa in the new land.<sup>26</sup> The dignity of living in contact with one’s gods and one’s customs was not given, however, through a process of the struggle and creative capacity of the followers. Their gods were re-territorialised.<sup>27</sup>

We are talking about a process of re-territorialisation that took place at the crossroads. As the Portuguese customs and religion were imposed, the African customs had to be invented based on the opportunity provided by the crossroads. The dignity of these people was also invented at the crossroads, in the same way that other cultures are invented through cultural shock.<sup>28</sup>

### 4 • Re-territorialisation: to belong to the land is to invent dignity

In the *terreiro* of candomblé it is very important to have a *barracão* (a shed) where public festivals are held, so the gods can come to earth. It is also important to have plants in the *terreiro* and to build the Orixás house. If there is a river nearby Oxum herself is connected as part of the land. Given that the land is the gods themselves, the relationship that emerges is of bio-interaction, as the river is the best place to keep fish. Everything that is organic produce must return to the earth.<sup>29</sup> The land bestows food on the visible world and on the invisible world, so it too must be fed in both senses.

Land goes beyond that which is seen in the visible world. In this sense, dignity and the right to land must progress based on the notion of land and this relationship with it. Followers of candomblé belong to the land and this sense of belonging also means being part of an ancestral family, in which the father and mother are Orixás present in the earth. To understand this relationship with the land of these communities is to abandon a perspective which is only able to envisage property that is useful for production and capitalist development. These communities relate to land in terms of involvement, as they are part of the land, they belong to it and for this reason they are always re-connecting to their ancestors through organic wisdom, as stated by Nego Bispo,<sup>30</sup> and thus inventing a qualitative Africa.

To have dignity is also to belong to the land and to be in direct contact with the Orixá, with one’s father and mother. It means finding, in religion, a re-connection with the land from which one has been torn and living a life based on creative power with one’s own customs,

values and meanings in order for the violent experience of slavery to be lived through the invention of new worlds, springing from encounters at the crossroads.

Land is what makes the act of going between the invisible and visible worlds possible. It is on the land that worlds and destinies are invented. Destiny is what shows us that paths do not always lead to the same place. In this way, qualitative Africa was invented, with respect for different paths, including the Portuguese and indigenous cultures. Lack of respect for different paths and different cultures leads to the invention of ‘intolerance’, a euphemism for the religious racism in question. In the face of the new de-territorialisation processes that are happening with the *candomblé terreiros* – violence towards adherents, houses and *terreiros* that are being attacked and destroyed and communities that are being uprooted – the question arises: if these attacks were directed at Christian churches what would society’s reaction be? Would the response be silence? Would these violations of rights be taken more seriously? Could it be that social movements, who fail to take into consideration the notion of land of these communities and the notion of involvement instead of development, see themselves as the saviours of this new colonisation? Is the imposition of a universal notion of land the same as accepting the concept that this is the only path, the truth and the life that can guarantee salvation?

## 5 • Conclusion

For Seu Tranca Ruas a piece of land is necessary in order to have dignity. Land is of the utmost importance in the *candomblé* experience as it is the means to maintain contact between *orun* and the Orixás. Denial of the right to land is a direct attack on the dignity of the *povo de santo*. There is a failure to guarantee communication between the *povo de santo* and their gods which means to disrespect them. Even social movements regard the right to land to be a fight for property and for a means of production, in line with the capitalist viewpoint, with no interest in understanding what land represents for these communities. The intention here is not to negate this notion, but to highlight the need to instigate communication with the other notion, that of the *povo do santo*. It is a question of establishing communication with the concept of land of the civilisation that is rightfully fighting for its dignity, a work in progress that could be destabilised and transformed at both the symbolic and judicial levels, under the influence of social forces.<sup>31</sup>

The fight against religious intolerance must be understood as a fight for the right to land and as a fight for the dignity of *candomblé* believers. To make this possible the notions of land must be placed at the crossroads and communication for the dignity of this community must begin. In the same way that qualitative Africa was invented through political philosophy at the crossroads,<sup>32</sup> we can use this to bring notions of land together and to build a new path that truly respects the meaning of land for the *povo de santo* and the followers of *candomblé*. As in ethnography, it is important to listen closely to understand what people are saying and to their own concepts.

The fight against intolerance could be discussed taking into account the importance of the notions of the community itself. This community knows very well what it wants, what land represents, how to establish communication between *orun* and *aiyé* and the involvement needed in order to be worthy of belonging to the land. So, it is important to listen and learn with the *povo de santo* to allow for the invention of dignity of these people through another process of re-territorialisation. As an example, we can consider the fight for recognition of the rights of the *terreiros* – which had existed for a long time for churches and other religions – not as an end, but as a means, a process of construction, based on specific points that only the *povo de santo* can elucidate. The process of re-territorialisation could be forged within a dialogue between the fight for the right to land and the ‘law found on the street’ to enable a meeting at the crossroads capable of inventing the dignity of the *povo de santo*.

## NOTES

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10 • The word invention is used in the sense that Wagner uses it, i.e. the act of creating something new and not an illusion; Roy Wagner, *A Invenção da Cultura*, trad. Marcela Coelho de Souza e Alexandre Morales (São Paulo: Ubu Editora, 2017).

11 • Santos, *Colonização, Quilombos*, 2015.

12 • Roberto Lyra Filho, *Para um Direito sem Dogmas* (Porto Alegre: Sérgio Fabris, 1980).

13 • Dona Maria Mulambo and Dona Maria Padilha are Pombagiras and Seu Tranca Ruas is an Exu.

14 • A whirling ritual when Pombagira and the Exus are called to come to earth.

15 • The way in which she refers to the Orixá.

16 • Deities of candomblé in the Yoruba language.

17 • Genesis – Chapter IX.

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19 • Santos, *Colonização, Quilombos*, 2015.

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# RELIGIOUS FREEDOM AND TRANSNATIONALIZATION

**Cezar Augusto Dranka and Melissa Martins Casagrande**

- *The regulation of Brazilian ayahuasca religions •  
under United States and Netherlands jurisdiction*

## ABSTRACT

*This work analyses legal conflicts on the international arena, involving Brazilian religions that use ayahuasca in their worship and provides evidence that the process of legalising these religions and the very right to religious freedom are being encroached upon by the so-called war on drugs. A brief history of ayahuasca in Brazil is presented, as well as the origins of the Brazilian religions that use the substance. The process of regulating the drink for religious ends is analysed, as well as the expansion of these religions into the international arena. Finally, an analysis of comparative law is presented regarding jurisdiction and legislation of the substance, in the United States of America and the Netherlands. The research shows the importance of the global debate concerning international drugs policy and its interrelationship with the obstacles to fulfilling the right to religious freedom.*

## KEYWORDS

Ayahuasca | Comparative law | Human rights | Religious freedom

## 1 • Brazilian ayahuasca religions and their regulation

The term “Brazilian ayahuasca religions” is used to designate the Brazilian religions whose rituals are centred around the consumption of ayahuasca, a psychoactive drink made from the combination of two plants: the vine *Banisteriopsis caapi* and the leaves of the bush *Psychotria viridis*.<sup>1</sup> According to believers of these religions, people have deep experiences of self-awareness through the effect caused by ingesting the drink and are able to gain clarity on their problems and difficulties which can lead to a process of change in behaviour.<sup>2</sup>

There are three religions that use ayahuasca in Brazil: Santo Daime, Barquinha and União do Vegetal.<sup>3</sup> These religions<sup>4</sup> originated in Acre, at the start of the 20th century, when the rubber tappers of Acre met the Peruvian *caboclos*, who already used the drink in their rituals.<sup>5</sup> The doctrines of these religions are structured around a combination of the Catholic faith, Afro-Brazilian traditions, Kardec spiritism and indigenous traditions and focus on ideas of self-awareness and charity.<sup>6</sup>

The process of regulating the use of the drink for religious purposes in Brazil stretched from 1985 to 2010. During this period there were exhaustive discussions between the state and members of the ayahuasca religions in order to reach a consensus.<sup>7</sup> In 2004, A Multidisciplinary Working Group (GMT), was formed between state authorities, researchers from a number of different areas of knowledge and representatives from ayahuasca religions. Following the results obtained by the Working Group, the ethics of ayahuasca were stipulated, in other words, a set of norms, principles and duties to be followed by those participating in ayahuasca ceremonies. This set of norms was included in Resolution number 01 of the National Board of Drug Policies (CONAD), in 2010, and has been the regulatory act used regarding the religious use of ayahuasca in Brazil ever since.<sup>8</sup>

## 2 • International expansion of Brazilian ayahuasca religions and legal problems regarding religious freedom as a human right

At the beginning of the 1970s, a number of people interested in matters related to self-awareness and expanding consciousness started to visit remote regions of the planet in search of spiritual experiences. It was in this context that people from Europe and North America started to visit South America and heard stories of experiences arising from the practice of religious worship using ayahuasca.<sup>9</sup>

Throughout the 1980s Santo Daime<sup>10</sup> and União do Vegetal (UDV)<sup>11</sup> became established on international soil which sparked discussions regarding legal disagreements involving the religious use of ayahuasca, as the drink contains the alkaloid, dimethyltryptamine (DMT) in its composition. This substance is widely prohibited in the international community, as set out in the Convention on Psychotropic Substances (CPS) that was ratified by Brazil.

Article 3 [1] of the CPS states that: “[...] a preparation is subject to the same measures of control as the psychotropic substance which it contains.”<sup>12</sup> In this sense, the term “preparation” refers to any mixtures made using one or more than one psychotropic substance, as set out in article 1 of the Convention itself. On the other hand, the Commentary on the Convention made by the United Nations alleged that the list of vetoes did not cover the natural hallucinogens in question, only the chemical substances that constituted the active ingredients contained in them.<sup>13</sup>

Although DMT is classified as a controlled substance, according to the International Narcotics Control Board (INCB), plants containing DMT, psilocybin and other chemical components commonly present in plants used for religious purposes, are not on the list of controlled substances. This also includes substances created by mixing these plants, such as ayahuasca. Therefore, on the basis of this interpretation, ayahuasca could only be prohibited in countries whose national legislation made this specific statement.

Although the objective of the international policies mentioned was to curb the trafficking and use of harmful drugs, these measures have ended up having a negative impact on the right to religious freedom of groups who use plants that alter consciousness in their ceremonies.

This impact has led to a clash with the human rights norms that guarantee religious freedom that are recognised in at least four international treaties: The Universal Declaration of Human Rights (article 18), the International Pact on Civil and Political Rights (article 18), the European Convention on Human Rights (article 9) and the American Convention on Human Rights (article 12).

In spite of the existence of these guarantees, it is possible to apply restrictions regarding exercising the right to religious freedom, in cases where the practice of worship could lead to risk or damage to health, public order or security. Careful examination of the implications is needed.

## 2.1 - UDV in the United States

On 21 May 1999, in the city of Santa Fé, North American customs control, with officers from the Federal Investigation Department, seized a batch of *hoasca*,<sup>14</sup> destined for the UDV, and threatened to condemn Jeffrey Bronfman (*Mestre* and representative of UDV in the United States) on the grounds of the Controlled Substances Act.<sup>15</sup>

A year and a half later, the UDV filed a complaint with the United States Federal Court, seeking legal recognition of their members’ right to use the drink for religious purposes.<sup>16</sup> One of the central points of the current dispute is the Religious Freedom Restoration Act (RFRA). According to Drug Enforcement Administration (DEA), the principal criteria for invoking the RFRA embraces three elements: demonstrating that the application of the Controlled Substances Act causes an impediment (1) that is unnecessarily large (2) to sincere (3) religious practice. Under this law, the government cannot impede the free practice of

a religion, even by means of laws that are generally applicable. The only exception which allows for freedom of this nature to be curtailed is when there is overriding state interest and in this case curtailment must be carried out using the least restrictive means possible.<sup>17</sup>

Subsequent to UDV winning in both the trials court and the appeals court, the state demanded a review of the case by the Supreme Court and the request was accepted. Although the government had insisted on the line of argument that no exception should be made regarding application of the Controlled Substance Act, the Supreme Court brought up the case of the Native American Church (NAC), who have used peyote in a ritualistic context for decades and claimed this was similar to the case of UDV.<sup>18</sup>

Eventually, the Supreme Court addressed the hermeneutic issue of the CPS, claiming that this treaty does, in fact, prohibit the use of ayahuasca. As such, the Supreme Court ignored the Commentary on the Convention and regarded an interpretation based purely on the text of the treaty to be more appropriate.<sup>19</sup>

The Court, therefore, considered ayahuasca to be included in the CPS prohibitions, as the text of the treaty considers substances prohibited therein include any mixtures involving these substances. However, the Supreme Court stated that this fact did not provide sufficient motive to prevent the UDV's religious practice which led to a final decision in favour of religious freedom, based on application of the RFRA.<sup>20</sup>

The aforementioned decision is interesting from a social and legal point of view, given that in the face of a clash in fundamental rights, the right to religious freedom prevailed, above all given the fact that the United States is one of the pioneering countries concerning the prohibition of drugs.<sup>21</sup>

## 2.2 - Santo Daime in the Netherlands

In October 1999 a Santo Daime ceremony, organised by the Céu da Santa Maria and Céu dos Ventos churches in the Netherlands was raided by the police.<sup>22</sup> The religious leaders were held in custody for four days and the daime that was to be used during the ceremony was confiscated.<sup>23</sup> The police also searched the home of Alida Maria Fränklin-Beentjes, leader of the CEFLU-Luz da Floresta church and confiscated daime found there.<sup>24</sup>

The national authorities believed this was a criminal organisation disguised as a religious group. The prosecutor's attitude changed when this misunderstanding was cleared up, so much so that the criminal complaint was withdrawn. The churches did not agree as they wanted the Judiciary to take a clear stance confirming their right to religious freedom.<sup>25</sup>

The case only came to court in 2001, with Geraldine Fijneman, leader of Céu da Santa Maria acting as defendant. The prosecutors argued that the drink being served contained DMT, a prohibited psychoactive substance. The drink was considered to be a "processed substance",<sup>26</sup> making it equivalent to its prohibited active ingredient.<sup>27</sup>

Fijneman's legal basis was article 9 of the European Convention on Human Rights, that guarantees freedom of thought, conscience and religion, as long as expressions of such do not threaten or cause damage to order, health, public morals or the rights and freedom of others.<sup>28</sup>

Fijneman successfully demonstrated that the daime churches in the Netherlands were practicing serious religious worship and had been registered since 1995. This led to a legal decision that favoured religious freedom. This success stemmed from the fact that the churches gathered a group of specialists from the areas of Anthropology, Pharmacology and Psychiatry who brought important information to the case and clarified the historical and anthropological history surrounding the religion of Santo Daime. They also demonstrated that the religious use of the drink represents no risk to health.<sup>29</sup>

Following the decision, the legal practice of Santo Daime was again questioned in other cases which led to three more positive precedents in the years 2009, 2012 and 2015. The outcomes of the three cases were based on the same arguments delivered in 2001, in other words that religious freedom, in these cases, prevails over the supposed risk to public health.

Regarding the decision given in 2015, the prosecutors lodged an appeal, focussing on the decision that led to Santo Daime being prohibited in the Netherlands, going against the established precedents. It is worth stressing that, in the many years that Santo Daime was practiced in the country, the stance of the Public Prosecutor's Office remained inflexible and focussed on the ideal of anti-drugs.<sup>30</sup>

Consequently, the Amsterdam court of appeal ruled that the measures of control adopted by the church were insufficient in guaranteeing public health, bearing in mind the large increase in the number of members in recent years. For this reason specialist research provided at the 2001 judgment should no longer be taken into account. It also stated that the possibility of appropriate consumption of the drink relied too heavily on the good faith of everybody involved in the religion (official members and guests) and concluded that the practice of Santo Daime was unacceptably dangerous to public health and was in violation of the Opium Law.<sup>31</sup>

Therefore, Santo Daime has been prohibited in the Netherlands since 28 February 2018, which quashes the religious freedom of hundreds of people.<sup>32</sup> There is still the possibility of an appeal to the Supreme Court and the European Court of Human Rights.

### 3 • Conclusion

Based on the cases analysed here, it can be seen that there is still considerable resistance on the part of states in terms of guaranteeing religious freedom and religions founded on the use of substances that alter consciousness. The internationalisation of the model of the punitive drugs policy, imposed principally by the United States is a large obstacle. The

internationalisation of this model has happened largely through the CPS of 1971 and the 1988 Convention against the Illicit Traffic in Narcotic Drugs and Psychotropic Substances. These two Conventions present the idea that the war on drugs is an extremely necessary measure given the damage caused by some narcotic drugs. As such, this model suggests that the only viable solution is the severe punishment of practices involving narcotic drugs.<sup>33</sup>

Notwithstanding, this war on drugs has not led to desired results in recent years.<sup>34</sup> With this in mind, the adoption of a new model for international drug policy is suggested, one that handles religious practices involving psychotropic drugs from the perspective of public health and not public security.<sup>35</sup> It is argued that the perspective of public health would be beneficial to the religions involved in these practices, because although these believers are already protected by the right to religious freedom, this would avoid these spiritual practices being erroneously interpreted as criminal acts, which would facilitate the process of the legalisation, respect and recognition of these religions.

It is also important to mention that, unlike Brazil, the United States and the Netherlands do not accept the idea, based on international norms, that ayahuasca is not prohibited by the CPS, as postulated in the Commentary on the Convention, consequently increasing the obstacles against ayahuasca religions becoming legal.

Bearing in mind the fact that the legal systems analysed here are in so-called democratic societies, it would be pertinent to strengthen the dialogue between the authorities and representatives from ayahuasca religions, in a similar way as happens in Brazil. An interesting measure to be taken in these countries would be regulation of the religious use of the drink through legislation, including the application of the ethical principals of Brazilian ayahuasca religions as a guideline.

In any case, the process of legalising these religions in the international arena is still in the early stages. It is up to the international community, the states and members of these religions to fight for fulfilment of their rights, drawing on protection provided by internal state legislation and international mechanisms for the protection of human rights.

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# ELECTORAL STRATEGIES IN 2018

**Christina Vital da Cunha and Ana Carolina Evangelista**

- *The case of evangelical candidates running for Brazilian legislatures* •

## ABSTRACT

*Views on the relation between religion and politics in Brazil vary. Religion has taken centre stage in electoral debates since the 2010 elections. On one side, we find a vision that defends the opposition and the autonomy of these spheres while denouncing what it perceives as a threat to the secular state. On the other side, we can identify social actors who defend the close ties between religion and politics as an affirmation of democracy and/or a “solution” to problems in politics and society. In the first case, humanist/universalist thought combined with negative perceptions of religion guide the narrative. In the second, a moral basis influences the narrative.*

*In this article, we seek to reflect on mechanisms of power during the 2018 elections and explore the convergences among religious and secular interests and narratives and their relative uses during the electoral process and immediately after it. In addition to ongoing research on national electoral processes since 2010, we use the study entitled “Evangelical candidates in the 2018 elections: mapping candidates running for legislative elections in Rio de Janeiro, São Paulo, Bahia and Minas Gerais” as an empirical basis. This study was conducted in 2018 and 2019 by the Institute of Religious Studies (ISER).*

## KEYWORDS

Religion | Politics | 2018 Elections | Evangelical candidates

## 1 • Introduction: The climate during the 2018 elections

The 2018 elections broke several records: the highest number of spoiled votes and abstentions at the national level (30.8%); the highest number of presidential candidates (13 candidates and a total of 34 political parties); the largest number of competitors for a seat in the Chamber of Deputies (8,207 candidates); not to mention that this was the election in which the issues of violence and religion were the most prominent. In this election, 79% of Brazilians wanted a president who believed in God and 30% wanted the president to be from the same religion as them.<sup>1</sup> Feelings of bewilderment and fear among the public, which were very present in the 2014 presidential elections,<sup>2</sup> had not dissipated by election time in 2018. On the contrary, they remained strong and took on many forms, as people felt threatened on at least four levels: physical, moral, economic and in relation to their property. This feeling of threat was exploited and fustigated by the majority of candidates vying for positions in the national and state-level executive and legislative branches.

In this article, we seek to analyse the strategies used during the 2018 elections and explore the convergences among religious and secular interests and narratives and their relative uses during the electoral process. In addition to ongoing research we have been conducting on national electoral processes since 2010, our empirical basis is the study entitled, “Evangelical candidates during the 2018 elections: mapping candidates running for legislative elections in Rio de Janeiro, São Paulo, Bahia and Minas Gerais”.<sup>3</sup> This study was conducted in 2018 and 2019 by the Institute of Religious Studies (ISER, for its acronym in Portuguese), with the support of the Heinrich Boll Stiftung.

In this study, we aimed to understand the supply of candidates from the evangelical world to legislative elections in the biggest electoral districts in the country. The goal is to verify if there has been an increase or decrease in the “confessionalisation”<sup>4</sup> of candidates and their profiles and to reflect on the power filters that end up enabling candidates with certain political profiles and of specific denominations to win. Secondly, we seek to identify and examine these candidates’ origins, motivations, political and religious alliances, priorities and positions.

In terms of methodology, we gave priority to the creation of a database on evangelical candidates running for election to the National Congress and state legislative assemblies in the states of São Paulo, Rio de Janeiro, Bahia and Minas Gerais.<sup>5</sup> Our primary sources were: data from the Superior Electoral Court (TSE),<sup>6</sup> party lists, the official lists of evangelical parliamentary coalitions in the 2015-2018 legislature and texts of reference and websites on the evangelical world. We also monitored TV and social media campaigns to identify elements of discourse, political positions and alliances.

## 2 • Profile of evangelical candidates per region

While monitoring the candidates’ campaigns, we interviewed candidates with different religious and political profiles to obtain a more in-depth understanding of

their political aspirations and motivations, projects, campaign formats and structure and ties to political parties.

In the four states examined in this study, 381 evangelical candidates running for the federal and state legislatures were identified. Of the 164 candidates for the Federal Chamber of Deputies, 42% were “confessional”. Bahia was the state with the highest percentage of confessional candidates among candidates for both the federal and state level (78% and 58%, respectively).

Of the candidates identified as evangelicals who ran for the National Congress in the four states, 32% were successful. As for the state legislative assemblies, of the 217 candidates, 27% were elected. The numbers varied from one state to another, as illustrated in the following tables.

**Table 1:** Total evangelical candidates identified

	State	Federal	TOTAL
BAHIA	34	19	53
MINAS GERAIS	38	31	69
RIO DE JANEIRO	73	60	133
SÃO PAULO	71	54	125

Source: “Candidaturas evangélicas nas eleições 2018: Mapeamento de postulantes ao poder legislativo no Rio de Janeiro, São Paulo, Bahia e Minas Gerais” [Evangelical candidates in the 2018 elections: mapping candidates running for legislative elections in Rio de Janeiro, São Paulo, Bahia and Minas Gerais], ISER; Heinrich Boll Stiftung.

**Table 2:** Total evangelical candidates elected in 2018 in four states  
(% of total evangelical candidates elected)

	State	Federal	TOTAL	Elected confessional candidates
BAHIA	14 (41%)	5 (26%)	19 (35%)	3
MINAS GERAIS	13 (35%)	15 (50%)	28 (41%)	0
RIO DE JANEIRO	17 (23%)	14 (23%)	31 (23%)	0
SÃO PAULO	15 (21%)	18 (33%)	33 (26%)	1

Source: “Candidaturas evangélicas nas eleições 2018: Mapeamento de postulantes ao poder legislativo no Rio de Janeiro, São Paulo, Bahia e Minas Gerais” [Evangelical candidates in the 2018 elections: mapping candidates running for legislative elections in Rio de Janeiro, São Paulo, Bahia and Minas Gerais], ISER; Heinrich Boll Stiftung.

### 3 • Thematic framework

This study gives continuity to a line of research developed in previous ISER studies.<sup>7</sup> In all of them, we observed the narratives and strategies of religious leaders and politicians, especially ones from evangelical churches, in the National Congress. The need to re-establish the moral foundations of society by strengthening the participation of their religious groups in politics was a common thread found in the narratives emerging from the interviews and the public actions of the actors monitored in this study. For our observations on the intersections between religions, media and politics, we did not use approaches based on the supposition that secularism in Brazil was under threat or has never existed. We also did not base our work on views on what secularism should be or on the secularisation of the country.

As we indicated in our other studies,<sup>8</sup> we recognise the social importance of religions in different areas of social life, their contributions to historical political processes and how they have shaped the very concept of secularism in the country.<sup>9</sup> We also recognise the differences between the different religions' actions in the public sphere and the diversity within each one of the traditions. In other words, we have empirically identified different interpretations of doctrines that mark how religious leaders act in public in relation to politics.<sup>10</sup> This diversity of ideological positions and political-social behaviour is not new. It is a normal part of the process by which religions are established in Brazil, but not only here. However, the way certain, more theatrical evangelical leaders express themselves in the media<sup>11</sup> makes it appear as though among the evangelicals, it is the more extremist members who dominate politics and civil society.<sup>12</sup>

In this context, a highly negative perception of religion's presence in society is becoming increasingly commonplace, especially among the intellectual and economic elite. However, it should be noted that part of the prejudices towards evangelicals in the country comes from the fact that they are perceived as the cultural "other". The hegemony of Catholicism was exposed by the hierarchy of the Church of Rome's public *modus operandi* which promoted a "social accommodation of diversity" in a "unit" that was socially dominated by the Church itself.<sup>13</sup> Today, these elites contribute significantly to the tendency to think of religion as a problem that needs to be combatted. Thus, the idea that religion needs to "go back" to a space of belief or assume the private place it would normally be given in modern Western society is spreading, as Asad criticises.<sup>14</sup> The prominence of actors who base their actions on a very specific conjugation of the Theology of Prosperity and Dominion Theology,<sup>15</sup> together with the economic and political disputes now emerging between the main denominations in the media, end up strengthening these groups' efforts to drive religion out of public life.

There are many problems with this antagonism towards religions. The first one is, as we have already mentioned, perhaps the failure to recognise religious traditions' historical contribution to the defence of citizenship and human rights and to the country's social and political life in general. Secondly, there is the problem associated with the perception that sees one single religious unit where there is plurality. In other words, religious groups

– even the ones whose leaders present one single doctrinal and liturgical framework – are themselves diverse in not only doctrinal or liturgical, but also political and even moral terms. Thirdly, we observed how the two previous problems (blaming religions for all evil and one “imaginary unit”) help strengthen politically religious leaders and the politicians close to them who use religion to create a smokescreen to cover up economic and political interests. These interests include the complete assimilation of indigenous peoples into the “culture of the Christian majority”,<sup>16</sup> the priority given to agribusiness’s agenda over the food security agenda, the maintenance of tax exemptions on churches’ property and the increase of these and other exemptions, as well as the increase in the circulation of legalised weapons in the country, among others.

#### 4 • Rhetoric of loss in the context of “moral insecurity”

In parallel to laying the blame for all evil on religions, and perhaps as a result of this ostensive radicalisation, religious leaders – some of which are also political leaders – portray themselves as victims of persecution because they are (allegedly) the guardians of moral behaviour that make society feel secure. They primarily defend traditional gender roles, which they claim are fundamental to the organisation of social life in modern society. The rhetoric of loss can be considered a discursive tactic used by different social and political leaders (including religious ones) to achieve one essential goal: to restore order, predictability, security and unity.<sup>17</sup> It emerged in a context where there was growing recognition of diversity in the political sphere<sup>18</sup> and, at the same time, the visibility of actors and discourses identified as conservative increased – conservative understood here as the sense of the morality that regulates the shared notions of normality in society at any point in time.<sup>19</sup> The rhetoric of loss is therefore a narrative founded on the moral insecurity that people feel when faced with obvious social changes that seek recognition.

In the 2018 elections, the rhetoric of loss overlapped the confessionalisation of politics strategy. In this study, we identified a higher number of religious, non-confessional candidates – that is, candidates who strongly identified with their religious groups and whose base of political support was the members of evangelical churches, but who presented themselves and/or registered as candidates based on their work identity: for example, as singers, broadcasters, military officials, police officers, teachers or digital influencers.

#### 5 • Gender of evangelical candidates in the 2018 elections

The majority of evangelical candidates were men. It is striking that in Bahia, no women were elected as federal deputies. It was only in Rio de Janeiro that women running for this position obtained almost the same number of votes as men. Considering that the number of elected women candidates was lower, we can say that proportionally, in Rio de Janeiro, women were more successful than men in the elections for the Chamber of Deputies.

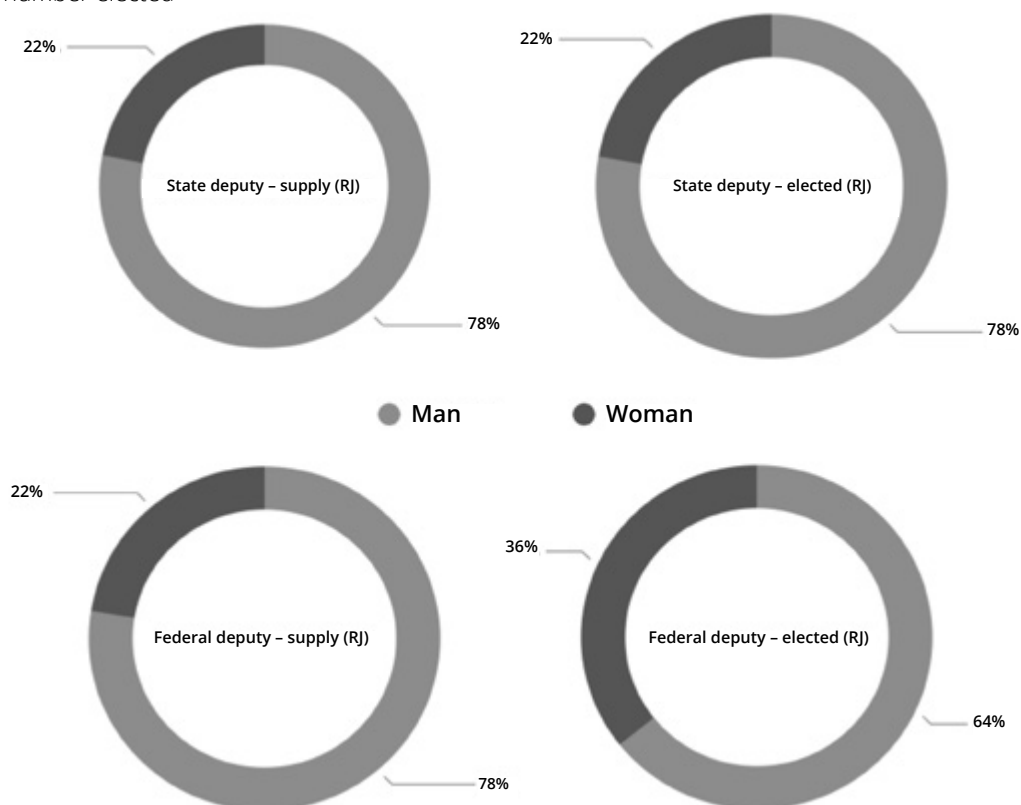


**Table 3:** Total votes obtained by men and women in the 2018 elections in four states

STATES	Total votes for women elected as state dep.	Total votes for men elected as state dep.	Total votes for women elected as federal dep.	Total votes for men elected as federal dep.
BAHIA	93.524	622.287	0	637.162
MINAS GERAIS	220.118	867.685	85.663	1.333.733
RIO DE JANEIRO	257.294	541.416	477.132	532.469
SÃO PAULO	272.043	1.031.519	1.541.271	3.417.221

Source: “Candidaturas evangélicas nas eleições 2018: Mapeamento de postulantes ao poder legislativo no Rio de Janeiro, São Paulo, Bahia e Minas Gerais” [Evangelical candidates in the 2018 elections: mapping candidates running for legislative elections in Rio de Janeiro, São Paulo, Bahia and Minas Gerais], ISER; Heinrich Boll Stiftung.

**Figure 1:** Rio de Janeiro – Comparison between the supply of evangelical candidates and the number elected



Source: “Candidaturas evangélicas nas eleições 2018: Mapeamento de postulantes ao poder legislativo no Rio de Janeiro, São Paulo, Bahia e Minas Gerais” [Evangelical candidates in the 2018 elections: mapping candidates running for legislative elections in Rio de Janeiro, São Paulo, Bahia and Minas Gerais], ISER; Heinrich Boll Stiftung.

Women candidates also focused their campaigns on the rhetoric of loss, arguing that there was a need to restore security in all dimensions of life. This was not contradictory to their defence of greater respect for women, the fight against gender violence and women's importance in the labour market during the campaign and even before it began. It is interesting to note that none of the winning women candidates presented themselves as “housewives” – a mythical figure in the most patriarchal version of the rhetoric of loss. On the contrary, they positioned themselves as “victorious women” (to borrow the term used in the name of the ministry led by Elizete Malafaia, pastor and wife of pastor Silas Malafaia) who had jobs as media professionals and professors, for instance. However, the maternal figure associated with women and their success was heavily used.

## 6 • The evangelical territorial base: the Baixada Fluminense region in Rio

Another important strategy was the recourse to their territorial base. Numerous studies confirm the growth of evangelical groups mainly in cities and their geographic and social peripheries.<sup>20</sup> In Rio de Janeiro, the majority of inhabitants in the region known as ‘Baixada Fluminense’ identify themselves as evangelicals:<sup>21</sup> in nine of the 13 municipalities in the region, the majority of people are evangelical. The ones with the highest proportion of evangelicals are: Seropédica (44%), Duque de Caxias (35%), Nova Iguaçu (36.94%) and Belford Roxo (37.13%). The strong presence of evangelicals in the territory was reflected in the high number of winning candidates from all over the Baixada Fluminense region. Thus, as Decothé reminds us,<sup>22</sup> this region constitutes one of the main driving forces of the “political renovation” of the Rio de Janeiro State Legislative Assembly (ALERJ): 51% of the elected deputies are there for the first time. At the national level, 65% of positions in the National Congress for Rio de Janeiro were renewed. The base of evangelical candidates elected from the Baixada Fluminense region has grown and is the biggest in Rio's history. In 2018, 15 candidates whose electoral base was in the Baixada region were elected to federal and state legislatures, which represents an increase of 36% in comparison to the last elections in 2014.

Evangelical deputies from the Baixada Fluminense region hold 13% of the positions reserved for the state of Rio de Janeiro in the National Congress; they occupy the same percentage in the ALERJ. In the latter, aware of the political opportunity to increase organicity and empower their group, evangelical leaders decided to imitate what had been done at the federal level and form the Evangelical Parliamentary Coalition (FPE, for its acronym in Portuguese) in the ALERJ, with Fábio Silva (from the DEM party) as the coalition's president.

## 7 • Priorities on the agendas of evangelical candidates in 2018

In the evangelical universe we analysed, there were three main common issues on the winning candidates' agendas, which coincided with questions raised by the campaigns

of most of the candidates elected to executive and legislative positions all over Brazil. These issues were: the moral agenda (with an emphasis on the “gender ideology” and the defence of the nuclear family, referred to as the “traditional family”), public security (in relation to the “fight against violence” and “maintaining public order”) and the fight against corruption (which had strong moral overtones and promoted a cleansing/renovation of politics, often without, however, questioning the fundamental participation of companies owned by national and foreign capital or the financial system). All three issues gained strength in conservative activism, especially, but not only, of the religious type.<sup>23</sup> During the interviews with evangelical candidates from different political parties, we were able to observe an overlap between the evangelical identity and the affirmation of a moral cleansing to be carried out by people of this identity, which gave them more power and credibility to use the discourse on the fight against corruption. It was as though there was a line of continuity between being evangelical and moral and correct practices and behaviour in public and in private.

*For me, being evangelical is life! For me, it is everything. I discovered a different way of life. My gospel is not the one on TV. Gospel is Jesus Christ. The gospel they are preaching is to get rich. If we take the bible, the ones who had a lot of money and became poor - quote Zacchaeus and Pedro. Now, they are preaching a gospel that is different from the one that I believe in. For me, the gospel is transformation; if it does not change and transform life, it's not the real gospel. There is no point in accepting Jesus to get rich (or win the elections). I go to the mountain to pray every Wednesday morning to ask God to give me strength because I need it. I believe that the gospel that is being preached today, what many religious leaders are doing, is not what God taught me. (Pastor, candidate interviewed in Rio de Janeiro).*

*Spread the good news, 'new things', someone who went through a radical change in their life and plans to help their family and society more. Be a man of character, a fair man, someone who lives his life by moral and spiritual rules. Be a just man. It is like having a whole new life! (Pastor, candidate interviewed in Rio de Janeiro).*

*Live by the values of the reign of God: justice, peace, participation. Make life better. (Candidate interviewed in Rio de Janeiro).*

All interviewees cited the case of former federal deputy Eduardo Cunha<sup>24</sup> (MDB-RJ) to exemplify those that “call themselves evangelicals” but are labelled by this religious community as ones who “do not belong”. One of the interviewees emphasised that “Those guys have no shame. They said they were evangelicals and we discovered that they weren't. Then, it was discovered that that one (Cunha) was not evangelical”.

As for the evangelical candidates from the Baixada Fluminense region, in the winning candidates' campaigns, the fight against violent crime was just as important or an even more important issue than the "moral agenda" was. The issue of public safety has been a sensitive one in that region for decades, as it has the worst indicators on violence in the region.

*According to the map of violence of 2018,<sup>25</sup> of the 10 most violent municipalities in the state, 8 are in the Baixada Fluminense region. Queimados deserves special mention for being the municipality with the highest rate of violent deaths in all of Brazil in 2016. There were 134.9 deaths for every 100,000 habitants, according to the survey published in the Atlas of 2018. [...] The centrality of the debate on violence is what guided most of the election campaigns in the region. As such, we were able to observe the correlation that exists between the most violent municipalities in the Baixada region and the amount of votes obtained by parties whose evangelical candidates appropriated public safety issues. PSL and MDB stand out for having won a significant number of votes in the municipalities that have the highest homicide rates in the Baixada region. They elected 3 evangelical federal deputies and 4 evangelical state deputies, respectively.<sup>26</sup>*

## 8 • Evangelicals and their party affiliations in the 2018 elections

The evangelical candidates we identified were found in all the political parties with the highest number of winning candidates: PRB (20), PSL (07), PP (06), PSC (05) and DEM (05). The predominance of evangelicals in certain parties and denominations is still similar to what we had observed in earlier studies: they are more concentrated in PSC and PRB, and the *Assembleia de Deus* and *Igreja Universal do Reino de Deus* churches. While fewer PSC candidates were elected in 2018 than in the 2014 elections, the party's candidate Wilson Witzel won the race for governor of Rio de Janeiro, a strategic state in the national political scene. The new element in the 2018 elections was the PSL, which managed to mobilise support among Youtubers, public security force professionals and evangelicals for its winning candidates.

Evangelical candidates were, thus, present in parties all along the political spectrum. They were, however, concentrated in the ones identified with the right. Among the winning candidates, this concentration in right-wing parties was even greater. Of the 46 federal deputies elected to the Chamber of Deputies for the state of Rio de Janeiro, 26% are evangelical and only one of these names is linked to a left-wing party (PT).<sup>27</sup> The same is true for the ALERJ: only one evangelical candidate was from a left-wing party (PSOL).<sup>28</sup> In both cases, the candidates were black, evangelical, lower class women: they both lived in favelas, which is where one of their main electoral bases was located. Based on our research, we can affirm that candidates who are identified as left-wing or progressive have more success due to their activism in social movements than among their "brothers of faith".

Very few cases of new, young, evangelical candidates linked to centre-left political parties were identified.<sup>29</sup> Other politicians who have a more consolidated base of support and had pursued progressive agendas during previous mandates did not get re-elected.<sup>30</sup>

## 9 • Final considerations

The 2018 elections were, on the whole, surprising. They were marked by the imprisonment of the leader of the opinion polls, former president Luiz Inácio Lula da Silva, followed months later by the victory of Jair Bolsonaro who, until then, had been a niche candidate. Bolsonaro was catapulted into the presidency by a conservative base of support of different political shades, in which there was a strong presence of Christian (Catholic and Evangelist) groups and a line of supporters who sympathised with the military and the security forces in the country in general. Obviously, the votes that guaranteed Bolsonaro's victory did not come exclusively from these Christian religious groups, but they did serve as an important base of support and even engaged in activism. The strategies adopted in his campaign, including the rhetoric of loss, were centred on promises of a return to order, economic growth and family tradition. These strategies were activated by many of the candidates analysed in this study. The rhetoric of loss was a fundamental strategy of action that connected evangelicals, Catholics, legal practitioners and representatives of the area of public security to one another and to a broad social base that felt that its capacity for economic, social, physical and moral reproduction was increasingly under threat.

In general, as we highlighted earlier, the winning evangelical candidates were from political parties associated with the right and the majority of them hold religious positions in their churches. In addition to belonging to institutionalised religions, most of the elected candidates are radio broadcasters or TV programme hosts, entrepreneurs from the communications, agriculture and real estate industries and lawyers. Approximately 15% of FPE members are professionals from the area of public and national security, such as military officials and police officers.

When we compare the 2018 elections with previous ones, we observed that the supply of evangelical confessional candidates continues to increase. However, while the percentage of evangelical confessional candidates rose 40% between 2010 and 2014, it increased a little more than 8% between 2014 and 2018. Even so, the number of winning confessional candidates was much lower than the amount of non-confessional evangelical ones. In the four states monitored in this study – Rio de Janeiro, São Paulo, Bahia and Minas Gerais – 164 evangelical candidates were identified. Of them, 70 were confessional candidates. Of this total of 164 candidates, 54 were elected. This means that these four states of the federation were responsible for electing 63.5% of the FPE in the Chamber of Deputies and 28.5% in the Senate.

Even though the moral agenda has been an important element in the electoral dispute, which has been inflated by candidates interested in mobilising religious bases in Brazil, evangelical deputies and the population's disapproval of the current presidential administration is growing. This indicates that the moral discourse cannot sustain popular support, as has

been noted in other studies. To maintain support, people need to see improvements in their daily lives, and this is true for the general public, and not only religious people. The main demands of the people – the fight against unemployment and guarantees for more security in cities and in rural areas – are not even mentioned in media coverage on the presidency, which increases feelings of helplessness and dissatisfaction among the population.

## NOTES

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1 • These data are from the *Retratos da Sociedade Brasileira – Perspectivas para as Eleições 2018* study conducted by Instituto Brasileiro de Opinião e Estatística (IBOPE) in March 2018 upon the request of the Coordenação Nacional da Indústria (CNI).

2 • To consult the analyses on this election, see Christina Vital da Cunha, Paulo Victor Leite Lopes and Janayna Lui, *Religião e Política: Medos Sociais, Extremismo Religioso e as Eleições 2014* (Rio de Janeiro: Fundação Heinrich Böll: Instituto de Estudos da Religião, 2017).

3 • The research team for this study was composed of Christina Vital da Cunha and Clemir Fernandes as consultants and Ana Carolina Evangelista as the coordinator. Felipe Lins, Marcelle Decothé, Gabriele Ribeiro, Vanessa Cardozo, Rafaela Marques and Rodrigo Camurça participated as research assistants. The project was elaborated and data were collected and analysed between July 2018 and February 2019.

4 • This phenomenon was originally identified by Maria das Dores Machado in research that led to the book *Política e Religião: A Participação dos Evangélicos nas Eleições* (São Paulo: FGV, 2006). Coined by this author, the term is used to refer to a process where candidates identify themselves with a religion as part of a strategy to strengthen their political capital and, consequently, their chances of obtaining positive results at the ballot box. In this process, candidates directly refer to their religious ties (brother, sister or missionary) or to their positions in the hierarchy of a church (pastor, minister, presbyter, Babalawo, mother, father, priest or cleric) when presenting themselves in

public when they register with the electoral tribunals.

5 • These states were selected because they are the largest electoral districts in the country. With these states, we arrived at a sample that corresponds to close to 50% of the country's electorate. More in-depth fieldwork was carried out in Rio de Janeiro and São Paulo.

6 • "Divulgação de Candidaturas e Contas Eleitorais," TSE, 2019, accessed July 20, 2019, <http://divulgacandcontas.tse.jus.br/divulga/#/>.

7 • Christina Vital da Cunha, Paulo Victor Leite Lopes and Janayna Lui, *Religião e Política: Medos Sociais, Extremismo Religioso e as Eleições 2014* (Rio de Janeiro: Fundação Heinrich Böll: Instituto de Estudos da Religião, 2017); Christina Vital da Cunha and Paulo Victor Leite Lopes, *Religião e Política: Uma Análise da Atuação de Parlamentares Evangélicos sobre Direitos das Mulheres e de LGBTs no Brasil* (Rio de Janeiro: Fundação Heinrich Böll; Instituto de Estudos da Religião, 2012); and Christina Vital da Cunha, "Televisão para Salvar: Religião, Mídia e Democracia no Brasil Contemporâneo," *Revista Antropológica* no. 42 (1st sem., 2017): 199-235.

8 • Paula Montero, "Controvérsias Religiosas e Esfera Pública: Repensando as Religiões como Discurso," *Religião e Sociedade* 32, no. 1 (2012): 167- 183; Paula Montero, "Religião, Pluralismo e Esfera Pública no Brasil," *Novos Estudos CEBRAP* no. 74 (2006): 47-65; Emerson Giumbelli, "A Presença do Religioso no Espaço Público: Modalidades no Brasil," *Religião e Sociedade* 28, no. 2 (2008): 80-101; and Regina Célia Reyes Novaes, "Juventude, Religião e Espaço Público:

Exemplos 'bons para pensar' tempos e sinais," *Religião e Sociedade* 32, no. 1 (2012): 167- 183.

9 • Eduardo Dullo, "Política Secular e Intolerância Religiosa na Disputa Eleitoral," in *Religiões e Controvérsias Públicas: Experiências, Práticas Sociais e Discursos*, org. Paula Montero (São Paulo: Editora Terceiro Nome; Campinas: Editora da Unicamp, 2015): 27-48.

10 • To illustrate the diversity of positions among Christians, we can note, for example, the large divide between federal deputies Flavinho and Eros Biondini, Catholic representatives linked to the Charismatics, on one side, and the Catholics for the Right to Decide organisation, on the other. Another example, this time among evangelicals, is the difference between the positions of federal deputies Sóstenes Cavalcanti and Marcos Feliciano, on one side, and federal deputy Benedita da Silva and groups such as Feministas Cristãs (Christian Feminists) and Frente de Evangélicos pelo Estado de Direito (Evangelical Coalition for the Rule of Law), on the other.

11 • Magali do Nascimento Cunha, "Religião e Política: Ressonâncias do Neoconservadorismo Evangélico nas Mídias Brasileiras," *Perseu: História, Memória e Política* 11 (2015): 147-168; *Magali do Nascimento Cunha, Do Púlpito às Mídias Sociais. Evangélicos na Política e Ativismo Digital*, 1<sup>st</sup> ed. (Curitiba: Prismas, 2017); and Ana Carolina Evangelista, "Mais que um Rebanho." *Revista Piauí*, 2018, accessed July 20, 2019, <https://piaui.folha.uol.com.br/mais-que-um-rebanho/>; and Ana Carolina Evangelista, "Evangélicos sem Bancada." *Revista Piauí*, 2018, accessed July 20, 2019, <https://piaui.folha.uol.com.br/evangelicos-sem-bancada/>.

12 • Using the concept proposed by Lindgren Alves, we consider the behaviour of ministers who receive considerable media attention, often appearing in radio or TV programmes, and who are well-known for using their religious intolerance to promote themselves or their churches as extremist. Likewise, members of churches led by these ministers and who directly reproduce their intolerant practices when confronted with anything that differs from their interpretation of the bible are also considered

extremists. "[...] extremism, in broader terms, advocates the use of radical measures to achieve political objectives" (José Augusto Lindgren Alves, "Coexistência Cultural e 'Guerras de Religião'", *Revista Brasileira e Ciências Sociais* 25, n° 72 [2010]: 32).

13 • On the public modes of legitimisation of religious sectors in Brazil, see Emerson Giumbelli, "A Presença do Religioso no Espaço Público: Modalidades no Brasil," *Religião e Sociedade* 28, no. 2 (2008): 80-101.

14 • Talal Asad, "The Construction of Religion as an Anthropological Category," in *Genealogies of Religion. Discipline and Reasons of Power in Christianity and Islam* (Baltimore: The Johns Hopkins University Press, 1993).

15 • The Theology of Prosperity promotes discipline in various areas of life, not only in relation to one's finances. According to this theological perspective, which abandons the "old message of the cross" that resigns people to suffering, believers are destined to be prosperous, healthy and happy in this world. Thus, instead of rejecting the world, neo-Pentecostals began to embrace it. In the pursuit of divine blessings and to "do well in life", believers must strictly observe the rules of the bible. One of the main sacrifices that God demands of his servants, according to this theology, is of a financial nature: pay your tithe faithfully and give generous offerings with joy, love and detachment. The Dominion Theology can be characterised by an emphasis on spiritual battles against inherited and territorial demons and breaking family curses, and doctrinal concepts forged and popularised by the Fuller Theological Seminary. For more on this, see Ricardo Mariano, *Neopentecostais: Sociologia do Novo Pentecostalismo no Brasil* (São Paulo: Loyola, 1999); and Jacqueline Moraes Teixeira, *A Mulher Universal: Corpo, Gênero e Pedagogia da Prosperidade*, 1<sup>a</sup> ed., v. 2 (Rio de Janeiro: Mar de Ideias, 2016), among others.

16 • This political affirmation of a Christian-majority culture in Brazil was mentioned in a document issued by the Ministry of Women, the Family and Human Rights on January 21, 2019 in commemoration of the Day against Religious Intolerance, which was officially recognised through a presidential decree in 2007. See Damares Alves and Sérgio Augusto de Queiroz,



- "Nota em Celebração ao Dia Nacional de Combate à Intolerância Religiosa." Ministério da Mulher, da Família e dos Direitos Humanos, January 22, 2019, accessed July 20, 2019, <https://www.mdh.gov.br/todas-as-noticias/2019/janeiro/nota-em-celebracao-ao-dia-nacional-de-combate-a-intolerancia-religiosa>.
- 17 • This notion is explored in more depth in Christina Vital da Cunha, "A 'Invisibilidade Ativa' das Religiões na Política: dos Subterrâneos à Centralidade Pública de Evangélicos no Brasil Contemporâneo" (forthcoming).
- 18 • Regina Célia Reyes Novaes, "Em Nome da Diversidade. Notas sobre Novas Modulações nas Relações entre Religiosidade e Laicidade," *Comunicações do ISER* no. 69, year 33 (2014).
- 19 • Petrônio Domingues, "Democracia e Autoritarismo: Entre o Racismo e o Antirracismo," in *Democracia em Risco? 22 Ensaios sobre o Brasil Hoje* (São Paulo: Companhia das Letras, 2019); Ronaldo Almeida, "Deus Acima de Todos", in *Democracia em Risco? 22 Ensaios sobre o Brasil Hoje* (São Paulo: Companhia das Letras, 2019); Daniel Aarão Reis, "As Armadilhas da Memória e a Reconstrução Democrática", in *Democracia em Risco? 22 Ensaios sobre o Brasil Hoje* (São Paulo: Companhia das Letras, 2019); Heloisa Murgel Starling, "O Passado que Não Passou," in *Democracia em Risco? 22 Ensaios sobre o Brasil Hoje* (São Paulo: Companhia das Letras, 2019); Guilherme Boulos, "A Onda Conservadora", in *A Onda Conservadora: Ensaios sobre os Atuais Tempos Sombrios no Brasil*, orgs. Felipe Demier and Rejane Hoeveler (Rio de Janeiro: Mauad, 2016); and Felipe Demier, "A Revolta a Favor da Ordem: A Ofensiva da Oposição de Direita," in *A Onda Conservadora: Ensaios sobre os Atuais Tempos Sombrios no Brasil*, orgs. Felipe Demier and Rejane Hoeveler (Rio de Janeiro: Mauad, 2016).
- 20 • César Romero Jacob et al., "Território, Cidade e Religião no Brasil," *Religião e Sociedade* 24, no. 2 (2004): 126-151; Christina Vital da Cunha, "Pentecostal Cultures in Urban Peripheries: A Socio-anthropological Analysis of Pentecostalism in Arts, Grammars, Crime and Morality," *Vibrant* 15, no.1 (2018); Amanda Lacerda, André Brandão and Christina Vital da Cunha, "Mapeando Religião na Cidade: Reflexões sobre a Criação de Templos Religiosos na Cidade do Rio de Janeiro entre 2006 e 2016," *Revista Debates do NER* (forthcoming); and Ronaldo Almeida, "Os Deuses do Parlamento," *Novos Estudos CEBRAP* 36, fasc. 107 (June 2017): 71-79.
- 21 • "Censo 2010," IBGE, 2010, accessed July 23, 2019, <https://censo2010.ibge.gov.br/>.
- 22 • The full version of her article on the Baixada Fluminense region and the evangelicals, produced as part of the research project on which this article is based, is available at Marcelle Decothé, "Candidaturas Evangélicas na Baixada Fluminense nas Eleições 2018." Relatório "Candidaturas Evangélicas nas Eleições 2018: Mapeamento de Postulantes ao Poder Legislativo no Rio de Janeiro, São Paulo, Bahia e Minas Gerais," 2019, accessed July 23, 2019, [www.iser.org.br](http://www.iser.org.br).
- 23 • Brenda Carranza and Christina Vital da Cunha, "Conservative Religious Activism in the Brazilian Congress: Sexual Agendas in Focus," *Social Compass* 65, no. 4 (2018): 486-502; Ricardo Mariano, "Expansão e Ativismo Político de Grupos Evangélicos Conservadores, Secularização e Pluralismo em Debate," *Civitas: Revista de Ciências Sociais* 16 (2016): 710-728; Maria das Dores Campos Machado, "Aborto e Ativismo Religioso nas Eleições de 2010," *Revista Brasileira de Ciência Política* (Print) (2012): 25-54; and Almeida, "Deus Acima de Todos", 2019.
- 24 • Cunha was elected federal deputy in 2002 with 101,495 votes and re-elected in 2006 and 2010. In 2014, there was a significant increase in the number of people who voted for him: having obtained 232,708 votes, he ranked fifth in the list of federal deputies who won the most votes. Eduardo Cunha stood out as the leader of the opposition to president Dilma Rousseff, as he was one of the main authors of the impeachment process against her in the Chamber of Deputies. In early September 2016, Cunha's term of office was revoked for breach of parliamentary decorum after being accused of lying to the Parliamentary Committee of Inquiry on Petrobras (CPI da Petrobras). He is currently serving a prison term as a result of the investigations of Operation Car Wash (Lava-Jato).



25 • “Atlas da Violência 2018,” Ipea and Fórum Brasileiro de Segurança Pública (FBSP), June 2018, accessed April 12, 2019, [http://www.ipea.gov.br/portal/images/stories/PDFs/relatorio\\_institucional/180604\\_atlas\\_da\\_violencia\\_2018.pdf](http://www.ipea.gov.br/portal/images/stories/PDFs/relatorio_institucional/180604_atlas_da_violencia_2018.pdf).

26 • Decothé, “Candidaturas Evangélicas na Baixada Fluminense...”, 2019, p. 5.

27 • Federal Deputy Benedita da Silva (PT).

28 • State Deputy Mônica Francisco (PSOL).

29 • Alessandra Monteiro (REDE) and Caio

Cunha (PV), who was already a city councillor in Mogi das Cruzes (SP).

30 • Carlos Bezerra (PSDB), former state deputy, minister of the Igreja Comunidade da Graça and former president of Comissão de Direitos Humanos na ALESP (Legislative Assembly of the State of São Paulo). Patrícia Bezerra (PSDB), São Paulo city councillor and former Secretary of Human Rights in the City of São Paulo during the João Dória administration.



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# ARMS DECREE AND THE EVANGELICAL BLOC

**Silvia Virginia Silva de Souza**

- *Challenges for advocacy in human rights* •

## ABSTRACT

*Based on the author's experience as an Advocacy Consultant at the Brazilian National Congress, representing Conectas Human Rights, an international civil society organisation in Brazil, that has been working for the past 18 years on implementing and maintaining human rights, this article presents a case study to analyse the position of the current evangelical bloc (Bancada Evangélica) in relation to decrees to ease gun control in Brazil (numbers 9.785/2019 and 9.797/2019). To this end, the current political context, that is the backdrop of these regulations, will be considered, as well as the constructive discourse surrounding the imposition of Christian values as moral and social values and possible contradictions in this discourse. Attention will be drawn to the escalation of penal norms for citizens' 'self-protection'. It also aims to analyse the discourse of some of the members of congress who make up this bloc and the influence they have in the formulation of public security policy, as well as the implications of these positions on advocacy as a form of working alongside civil society, on possible dialogue to maintain and defend fundamental rights.*

## KEYWORDS

Arms | Decrees | Evangelicals | Evangelical bloc

## 1 • The influence of evangelicals on current political and social conditions

The 2018 elections in Brazil, that raised the then-federal congressman Jair Messias Bolsonaro to the level of President of the Republic with significant support from the evangelical community, brought to a head conflicting positions in the shape of projects supported by evangelical politicians and their grassroots supporters.

During the campaign, the president elect, who believes in conservative ideas for habits and liberal ones for the economy, who is an open admirer of Donald Trump<sup>1</sup> and who is in favour of arms policies, never concealed his intention to approve laws that would culminate in increased sentencing and easing of the Statute for Disarmament,<sup>2</sup> making way for armed citizens as part of his public security policy. However, a contradiction lies in the fact that great leaders in Christian circles, principally evangelical ones, support a government project the principle of which is “eye for an eye, tooth for a tooth” on the basis of the idea that theoretically, armed citizens will be able to prevent the criminal actions of perpetrators who are also armed.

This principle is at the heart of the law of talion, created in ancient Mesopotamia,<sup>3</sup> to be found in the Code of Hammurabi (1750-1730 BCE) and in the text of the Old Testament, according to which the criteria for justice was reciprocity between the crime and the punishment. An offender should be punished to the same degree as the suffering they have caused. According to the Bible (Old Testament):

*When a man causes disfigurement in his neighbour, as he has done it shall be done to him, fracture for fracture, eye for eye, tooth for tooth, as he has disfigured so he shall be disfigured.<sup>4</sup>*

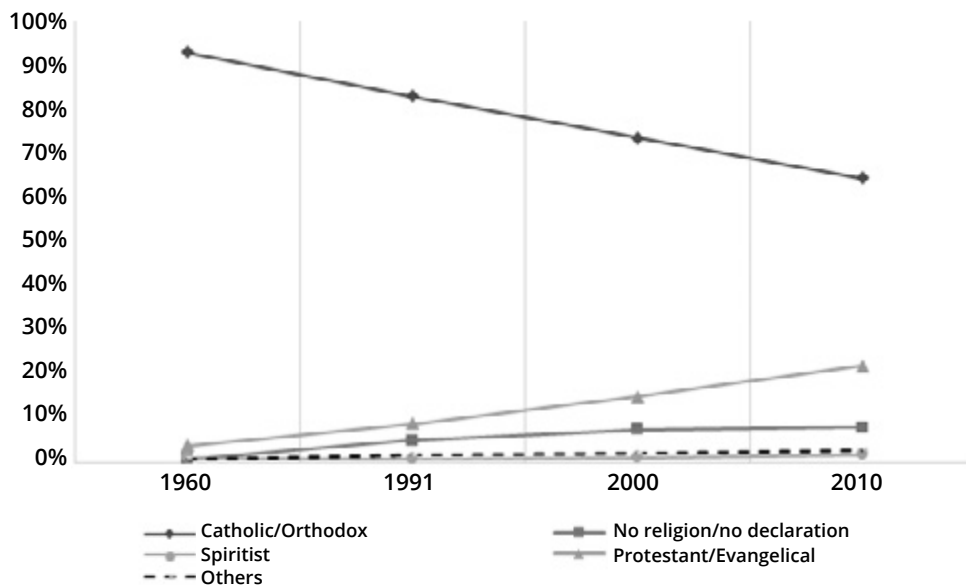
Centuries later, Jesus Christ revoked the law of talion at the Sermon on the Mount (New Testament) giving his followers guidance, the principle of which is forgiveness and the practice of non-violence.

*You have heard that it was said, an eye for an eye and a tooth for a tooth. But, I tell you do not resist an evildoer. If someone slaps you on your left cheek, turn your other to him also. (...) You have heard that it was said, love your neighbour and hate your enemy. But I tell you, love your enemies and pray for those who persecute you, so that you may be sons of your Father in heaven. ...<sup>5</sup>*

That said, some elements need to be taken into consideration in order to provide wider understanding of the position of the evangelicals in the currently political scenario in Brazil. An important factor is the exponential increase in the evangelical community. In the 2010 census, the Brazilian Institute of Geography and Statistics (IBGE) noted

that the percentage of evangelicals in Brazil had risen from 15.4% in 2000 to 22.2% in 2010, while the number of Catholics had suffered a decline, falling from 73.6% in 2000 to 64.6% in 2010.<sup>6</sup> It is estimated that in 2030 the evangelical community will be the largest in the country, where religion persuasion is known.

Population distribution, by declared religion – Brazil – 1960 - 2010



Source: IBGE. Demographic Census 1960 - 2010.

According to Ronaldo Almeida, at an FHC Foundation conference,<sup>7</sup> it had been envisaged that the increase in the evangelical community would reach a ceiling in the 2000s. However, the increase has remained constant and in several layers of society around the country, mainly among the poorest, less educated, non-white people. In other words, the majority of evangelicals are poor, black and live in underprivileged areas of the cities.

In the 80s and 90s the number of people living in the favelas suffered an acute increase due to internal migration and the rural exodus. The evangelical churches accompanied this movement and expanded into the underprivileged areas,<sup>8</sup> particularly the *Assembleia de Deus*, that opened a number of temples in underprivileged areas and is currently the church with the largest congregation. According to the census,<sup>9</sup> the *Assembleia de Deus* had 12 million members at that time.

Another element is the fact that most of the evangelical community live in underprivileged areas on the outskirts of cities, where high rates of inequality and vulnerability with regards to organised crime and local militia can be seen to be a trigger for supporting Jair Bolsonaro, who appears to offer an immediate solution to these people who lack public security and who have been abandoned by the state for some time now.<sup>10</sup>

In addition, evangelicals have their own language, including symbols and metaphors stemming from a particular understanding of the world. An example of this is the image of fighting the enemy, that is prevalent in evangelical culture and illustrated by the figure of God as the “Lord of the Armies”<sup>11</sup> who is at the forefront on the battlefield. It is also worth remembering that during his electoral campaign, messages were being sent to WhatsApp groups stating that Bolsonaro was the new ‘Messiah’ sent by God to govern Brazil. His middle name is ‘Messias’ and this was portrayed as a divine sign.

Therefore, the way evangelicals relate to the world is key to understanding the way many of them perceived “Captain Bolsonaro”, as he was called in the campaigns, as the leader chosen by God to save Brazil from alleged chaos, attributed to the Workers’ Party (PT)<sup>12</sup> and corruption.<sup>13</sup>

### 1.1 - Evangelicals and their project for power

Although Brazil is still a predominantly catholic/Christian country, the gradual shift in religious orientation – from catholic to evangelical – shown by the IBGE – is also reflected in politics and the Brazilian parliament. This situation appears to be a response to a project for power, led by the Pentecostal and neo-Pentecostal churches, principally the *Igreja Universal do Reino de Deus* (IURD), founded by bishop Edir Macedo in the 1980s and the *Assembleia de Deus*, founded in 1911 by immigrant missionaries. Both churches are founders of political parties: the *Partido Republicano Brasileiro* (PRB) and the *Partido Social Cristão* (PSC), respectively. They put forward a number of candidates at every municipal, state and federal election.

Edir Macedo was one of the first evangelical leaders to publically support a presidential candidate. In 1989, he supported Fernando Collor de Mello, who was eventually elected president in those elections. In his book *Plano de Poder: Deus, os Cristãos e a Política* (Plan for Power: God, Christians and Politics) Macedo discusses “God’s plan” to transform Brazil into a great evangelical nation and calls on evangelicals to take part in this plan: “Through reading we shall deepen our understanding of a great nation designed and intended by our God and discover what our responsibility is in this process.”<sup>14</sup>

In his book, he also states that God’s intention is the formation of a great nation and calls evangelicals to party political mobilisation. According to Macedo, there is a divine plan to turn Brazil into a nation governed by evangelicals: “From the beginning of time He has made clear his intention as statesman and for the formation of a great nation.”<sup>15</sup> Based on this narrative, that relies on biblical phrases and stories, transported to the present day, Macedo constructs an apparatus of arguments that justify and call for the transformation of Brazil into an “evangelical nation” ruled by Christian values and principles.

This turning point in the behaviour of leaders of the Pentecostal evangelical churches happened in the mid 1980s. In 1986, many leaders abandoned the discourse that politics was a sinful environment that it was not suitable for Christians to become involved in and started to support candidates for the Constituent Assembly with the slogan “brothers vote

for their brothers” in order to elect representatives from their churches who would defend their religious values in the Federal Constitution that was to be drawn up.

The beginnings of the evangelical bloc were formed after these elections, with 33 members in the National Congress.<sup>16</sup> Since then, evangelical representation has grown more and more and the relationship between evangelical leaders and central representatives of the Executive Power have been getting closer. In 2009, the then president Luiz Inácio Lula da Silva gave in to pressure from the evangelical bloc and promoted changes in the National Plan for Human Rights (PNDH). Passages that allowed for support to bills for the decriminalisation of abortion and the creation of a mechanism to prohibit religious symbols in public places were removed.<sup>17</sup>

In 2011, Edir Macedo participated in Dilma Rousseff’s inauguration ceremony.<sup>18</sup> In 2014 she was present at the inauguration of the Templo de Salomão,<sup>19</sup> now the headquarters of the IURD in the city of São Paulo. This temple is an imposing piece of architecture, with 74 thousand m<sup>2</sup> of built on area. It takes up an entire block and is the equivalent to 18 stories high. It also contains a memorial with the history of the original Solomon’s temple, destroyed in 586 BCE. Moreover, the construction is an important physical representation of the economic and media power behind this Church.

Bolsonaro, in turn, communicates with this public and wins votes by incorporating Christian values into his discourse, in favour of family, morality and common decency and through the support of evangelical leaders like Edir Macedo, Silas Malafaia and others. He uses Christian rhetoric and quotes verses from the bible in his speeches. During his campaign he spread the slogan “Brasil above everything and God above everyone.”

## 2 • The arms decree: a government project for public (in)security

The Brazilian political system is composed of two chambers, the Chamber of Deputies, with 513 members and the Federal Senate with 81 senators. It is common for these two to form groups of parliamentary fronts and themed blocs who bring together politicians from different parties who share ideas, beliefs and objectives.

The Evangelical Parliamentary Front of the Brazilian National Congress<sup>20</sup> officially has 195 members of congress and 8 senators as signatories,<sup>21</sup> a reasonably significant number given that the total number of parliamentarians is 594. This bloc, presided over by the federal congressman Silas Câmara (PRB/AM), an evangelical pastor at the *Assembleia de Deus*, is strongly aligned with Jair Bolsonaro’s government projects and is part of his ‘allied base’ in the National Congress.

On 7 May 2019, the president issued decree number 9.785/2019,<sup>22</sup> easing control on the possession and carrying of guns in Brazil. In addition to being an unconstitutional act, inasmuch as it encroached on the legislative authority of the National Congress, previously, on 15 January 2019, decree, number 9.685,<sup>23</sup> had already been issued to modify the regulatory

decree of the Statute of Disarmament (decree number 5.123 of 21/07/2004). By means of this decree, Bolsonaro's government transferred the onus for ensuring personal safety to common citizens, the duty of which is the legal responsibility of the state, according to the Federal Constitution.<sup>24</sup> They did this on the grounds of giving citizens the right to defend themselves.

According to the *Instituto Sou da Paz*,<sup>25</sup> the most serious alteration presented in the decree is the broadening of the professional categories for which it is deemed 'necessary' to carry a gun. Categories that stand out are those of elected politicians, people living in rural areas, lorry drivers, journalists, marksmen or people who collect guns, lawyers and guardianship councillors, among others. According to estimates this measure means the number of people who could potentially carry a gun on the streets, at work and in public spaces has increased substantially:<sup>26</sup> There are 492,498 self-employed lorry drivers;<sup>27</sup> around 18.6 million people living in rural areas;<sup>28</sup> and 30 thousand guardianship councillors throughout the country.<sup>29</sup>

## 2.1 - Incongruently fighting death with guns

In a country like Brazil where there are high rates of violence and inequality, the aforementioned decree could lead to more fatal murders, intensifying a crisis by contributing to an increase in conflicts over land disputes involving rural workers, *quilombola* and indigenous communities, farmers and representatives of agribusiness. According to the *Comissão Pastoral da Terra*, in 2017 higher death rates have been reported in conflicts in the countryside since 2003:<sup>30</sup> Seventy one people died, the highest numbers being in the north of the country in the states of: Pará (21) and Amazonas (17).

The 2019 *Atlas da Violência*,<sup>31</sup> published by the *Instituto de Pesquisa Econômica Aplicada* (Ipea), revealed that in 2017 Brazil reached the highest level of lethal violence in its history. There were 65,602 murders, an increase of almost 48% in just one decade (2007-2017). Of this number, 35,783 were young people aged between 15 and 29 years old, an alarming piece of data that points to the premature death of a "lost youth".<sup>32</sup> There was also a significant increase of 30.7% in the number of women murdered during the decade under analysis. According to the research this corresponded to 13 murders a day in 2017, most of which were committed in the domestic environment in the 'safety' of the home.

Finally, in the year analysed it was also seen that 75.5% of the murder victims were black people, indicating an increase in the inequality of race-related deaths in Brazil. According to Ipea, in the period from 2007 to 2017 the death rate among black people grew 33.1% while that of non-black people showed a small increase of 3.3%. An analysis of the variation in the past year alone shows that while the death rate among non-black people was relatively stable, with a reduction of 0.3%, that of black people grew by 7.2%. This means that the fatality rate of the black population has been gradually increasing each year according to the data analysed, while the death rate among non-blacks remains stable. In short, the data reveals a policy of death that targets principally the black community. In a cross-reference of this data with the aforementioned evangelical community, who are mostly poor, black

and live in underprivileged areas, we see a paradox in that increased oppression is arising in precisely those classes who are most oppressed.

According to the study *World Health Statistics 2018*,<sup>33</sup> published by the World Health Organisation (WHO) in May of the same year, Brazil has the seventh highest murder rate in the Americas, with an indicator of 31.3 deaths for every 100 thousand inhabitants.

Based on this data, it seems to us that it is contradictory to promote almost unrestricted access to guns as a public security policy. In addition, by opening up the possibility of millions of people being in possession of guns, the decrees in question (numbers 9.785/2019 and 9.797/2019) also mean: an increase in the number of guns per citizen from 1 to 5; an increase from 5 to 10 years of duration of validity for gun licenses and even an increase in gun potency from 400 to 1,620 joules of kinetic energy<sup>34</sup> allowed for the general public which means people can have and carry guns that were previously prohibited, such as the 9mm, .44 Magnums, semi-automatic 12 gauge sawn-off shotguns and single-shot T4 rifles.

In this context, it was publicised that<sup>35</sup> the gun manufacturer Taurus had communicated to the financial market<sup>36</sup> on 8 May 2019 that it was ready to sell type T4 rifles to the general public and that it had received over two thousand orders that could be met in up to three days. The ensuing national commotion alerted a number of sectors of society and resulted in a reaction from the National Congress that culminated in the proposal of legal action for unconstitutionality, on the part of political parties that opposed the decrees, see table below:

Action	Author	Rapporteur	Decree in question
ADI 6119	PSB	Min. Edson Fachin	Decree n°. 9.685, on 15.01.2019
ADI 6134	PSOL	Min. Rosa Weber	Decree n°. 9.785, on 07.05.2019
ADI 6139	PSB	Min. Edson Fachin	Decree n°. 9.785, on 07.05.2019
ADPF 581	REDE	Min. Rosa Weber	Decree n°. 9.785, on 07.05.2019

Source: Author's elaboration.

Under pressure, the government spoke in a note via the Ministry for Defence, denying the possibility of ordinary citizens being able to acquire rifles.

Arguing that he was correcting these inconsistencies, the President of the Republic issued decree number 9.797 on 21 May 2019, changing some points contained in decree number 9.785 of 7 May. According to specialists,<sup>37</sup> this new decree does not resolve the previous unconstitutionality, but further increases the list of professional categories and retains the permitted kinetic potency of 1,620 joules per gun.

Therefore, the issue raised is how to conciliate, in the light of Christian principles, the use of guns and loving one's neighbour or, furthermore, that all human beings are made in God's image, an idea that is cherished in Christianity.



We observe, however, the construction of a new discourse. This is personified in the figure of “captain Bolsonaro” with theological elements of a spiritual war becoming more concrete.<sup>38</sup> These had previously been restricted to the field of spirituality. This new discourse justifies public security policies, with the aim of arming the “good citizen” in the fight against “evildoers”.

### 3 • The evangelical bloc and human rights: “A good criminal is a dead one”?

The evangelical bloc has emerged as the principal focus of the government in its search for support for the arms decree in the Chamber. With 195 signed up parliamentarians, the votes of this bloc will be decisive in the approval or total rejection of the decree. The leader of the government in the Congress, congresswoman Joice Hasselmann, announced in an interview that she would be trying to obtain the support of part of the evangelical bloc for the decree and that if any specific point was causing discomfort this would be debated in order to come to a consensus and approve it.<sup>39</sup> It is worth mentioning that the congresswoman is also a member of the Evangelical Parliamentary Front.

While this article was being written, the arms decree was being inspected by the National Congress<sup>40</sup> and on 18 June 2019 it was considered and suspended by the Federal Senate. By 47 votes to 28<sup>41</sup> the senators decided to annul the act. This was a huge defeat for the government. However, as the Brazilian political system has two chambers, the decree will now also go to the Chamber of Deputies, where the plenary of 513 representatives will vote for maintaining or annulling this instrument for good.

Congressman Silas Câmara (PRB-AM), the president of the bloc, communicated in a note that as yet the Parliamentary Front “does not have an official position on the presidential decree in question and the matter has never been debated by members of the Front.” Regardless, he stressed that “the ultimate defence of life and private property is a protestant tradition. These are intrinsic values in a truly democratic society.” In addition, he added that “Therefore, this means the creation of mechanisms to allow good citizens to efficiently protect their goods, their lives and their families’ lives.”<sup>42</sup>

It is important to stress that the current Brazilian government, self-proclaimed as right-wing, got into power by strategically introducing a public narrative on what they conceive to be human rights. Adages like “human rights for righteous humans” and “a good criminal is a dead one” became the buzzwords of some members of congress, representatives of the Executive Power and for many military staff allied with the president. Once the logic of this narrative was linked to the argument that citizens must have the right to protect their own lives by carrying guns, it became more palatable and justifiable for some evangelical parliamentarians to stand up for the decree.

This fact holds up under analysis of those who voted in favour in the Federal Senate. Of the eight senators who are in the Evangelical Front,<sup>43</sup> seven voted in favour of maintaining

the arms decree,<sup>44</sup> they are: Arolde de Oliveira (PSD-RJ), Izalci Lucas (PSDB-DF), Juíza Selma (PSL-MT), Luiz do Carmos (MDB-GO), Marcos Rogério (DEM-RO), Vanderlan Cardoso (PP-GO) and Zequinha Marinho (PSC-PA).

In discussions that took place in the plenary, Senator Luiz do Carmo caused a commotion when he talked about the murder of his daughter Michele in a robbery.<sup>45</sup> The senator has been a member of the *Assembleia de Deus* evangelical church for over 30 years,<sup>46</sup> and holds the view that his daughter could have escaped with her life if she had reacted to the robbery with a firearm.

Another evangelical pastor who is very influential and who has come out in favour of the arms degree is the federal congressman Pastor Marcos Feliciano (PODE/SP). On 13 June, Feliciano participated in a live online broadcast, at president Bolsonaro's side in which he stood up for the validity of the presidential decrees. In his opinion, "houses in America do not have [boundary] walls. People ask 'why don't they have walls?' Because nobody is brave enough to break into an American's house because they know that every American has a gun."<sup>47</sup> Feliciano is a federal congressman, in his third term of office. He is a pastor of the *Assembleia de Deus* in Belem and is a respected preacher in Brazilian Christian circles.

However, there are divergent opinions among parliamentarians in the evangelical bloc. One example is Pastor Sargento Isidoro (AVANTE/BA), the most voted federal congressman in the state of Bahia and a member of the evangelical bloc. The congressman campaigned ardently against approval of the decree and wielded banners with statements like "Jesus said: love each other do not arm each other", "guns no, education yes" and "fewer guns, more books", which he paraded at committee meetings in the chamber and in the senate.<sup>48</sup> See following image:



Photo: Moreira Mariz/Agência Senado.

Congressman Sóstenes Cavalcante (DEM/RJ) is another dissenting voice in the bloc. In opposition to the decree the parliamentarian said that “I am talking to a number of members of congress and there are several who are going to support the Legislative Decree, as long as it is not presented by left-wing parties. We do not support the PT. If it is comes from the PT it will not have our support”.<sup>49, 50</sup> Sóstenes is an evangelical pastor connected to the *Assembleia de Deus* in Vitória em Cristo, with its headquarters in the state of Rio de Janeiro and headed by Pastor Silas Malafaia, considered to be one of the most influential evangelical church members in the country.

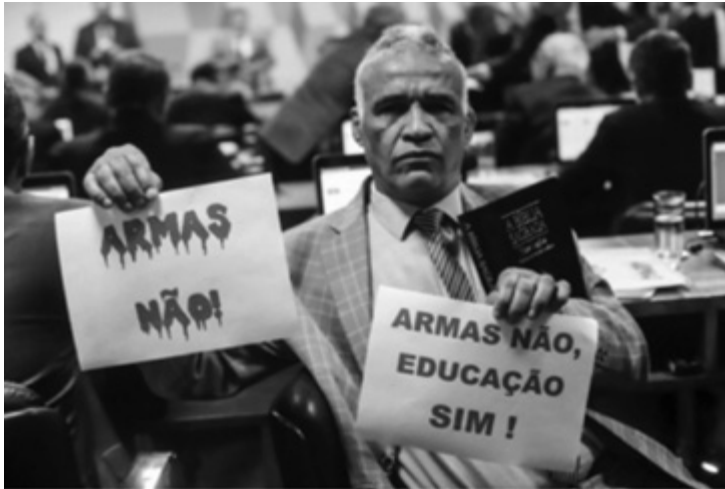


Photo: Mídia Ninja

Conversely, in an article written by the federal congresswoman Benedita da Silva (PT/RJ), who has been a member of the *Assembleia de Deus* evangelical church since 1968, she argues that: “Arming good citizens to combat violence is a simple and direct but delusional idea that survives by feeding off government incompetence and political demagogy.”<sup>51</sup> Benedita, who is ardently opposed to the decrees, has been in politics since 1982 and has always been affiliated to the Workers Party (PT). She arrived at the National Congress in the role of federal congresswoman in 1987, having helped to found the evangelical bloc and she participated in the 1988 Constitution. Unlike the typical conservative profile of this bloc, Benedita is a feminist, an activist in the black movement and defends minorities and progressive agendas.

Traditionally, the evangelical bloc acts on agendas that touch on the field of ‘morality and common decency’, and generally stand up for conservative points of view. They are against the legalisation of abortion under any circumstance and same sex marriage. They are also hostile to the gender debate and human rights agendas, principally those linked to social and political minorities’ rights to freedom.

However, it is in public security policies that this bloc has adopted the most punitive positions, as seen in previous legislative period (2015-2018) with the formation of the “BBB” bloc (bible, bullet and beef), made up of parliamentarians from the evangelical,

arms and ruralist wings. This alliance involved adopting a system of exchanging votes on agendas that were relevant to any one of these groups and reinstated such matters as reducing the age of criminal responsibility, abortion as a serious crime and revocation of the Statute for Disarmament.

In the initial months of the new legislative period in Brazil it is noticeable that part of the evangelical bloc has identified the arms decree as a chance to stand up for a punitive approach to public security policies. However, the possession and carrying guns as an indiscriminate measure of protection rather flies in the face of the principles of loving one's neighbour, forgiveness and valuing life as divine creation.

#### 4 • New arms decrees

While this article was being written and in parallel with research on parliamentarians' viewpoints, the decrees presented in the introduction as the focus of this analysis were revoked by another four new decrees, published on 25 June 2019.

The new presidential act took place one day before the Supreme Federal Court (STF) was to judge the constitutionality of the regulatory acts through Direct Actions of Unconstitutionality (ADI) and the Action of Non-Fulfilment of Fundamental Precepts (ADPF) lodged by the following political parties: REDE; PSB and PSOL.

Drawing on a legal strategy, president Bolsonaro issued new decrees (numbers 9.844,<sup>52</sup> 9845,<sup>53</sup> 9846<sup>54</sup> and 9847<sup>55</sup>) revoking the previous ones, although the actual contents remained almost unchanged. In this way, the president made it unviable for the STF to judge the actions of unconstitutionality and so they were removed from the agenda, having been rendered meaningless. This move did not represent a change in the government's arms policy. It was merely the use of a legal manoeuvre to circumvent controls on constitutionality set out in the Brazilian legal framework.

The following table is a summary of all the president's regulatory acts in the first six months of his government in terms of formulating public security policies through arming the general public:

Decree nº	Date	Revoked by
9.685	15.01.2019	9.785
9.785	07.05.2019	9.844
9.797	21.05.2019	9.847
9.844	25.06.2019	9.847
9.845	25.06.2019	
9.846	25.06.2019	
9.847	25.06.2019	

Source: Author's elaboration.

Besides the issues analysed here, the successive issue of decrees in such a short space of time by the Executive Power on a matter that is constitutionally the responsibility of the Legislative Power, signals the fragility of Brazilian democracy and indicates the future possibility of ruptures and strained relations between the three Brazilian powers – Executive, Legislative and Judicial.

In only 200 days of government, the President of the Republic issued 237 decrees,<sup>56</sup> many of which were the target of Draft Legislative Decrees (PDLs) issued by parliament with the aim of blocking them. In a government system with a presidential coalition, as is the case in Brazil, the issue of successive decrees, particularly on matters pertaining to Legislative responsibility which subsequently demand action by the Justice Department to decide whether they are constitutional, is taking a toll on the relationship between the powers and is rendering democracy more vulnerable.

## 5 • Human rights advocacy and the challenges

Civil society organisations, like Conectas, that do advocacy at the Brazilian National Congress and stand up for human rights and the construction of public policies, particularly those concerning matters of public security, are faced with the challenging task of talking with the evangelical bloc and thinking of ways to build action strategies in parliament in the face of the specific and significant representation of this group. However, the political movements cited and the discourse presented show that this bloc is not entirely unanimous in terms of points of view on the area of public security.

Once we understand the complexity of the religious field, due to both the diversity of its players and to its discourse and interpretations, we can identify the cracks and even the contradictions that open up the possibility of dialogue. While this bloc is seen as representing a conservative and punitive stance, there are, in fact, evangelical parliamentarians who are breaking away from this discourse.

Party plurality within the bloc also points to opportunities for dialogue, given that these parties do not originate from one single political spectrum. Although there are more politicians from right-wing, centre-right and centre parties, there are also people representing parties that identify as belonging to the left-wing and centre left. This tells us that evangelical church members cannot all be placed in the same box. In the same way that we see different kinds of people among the evangelical church members in parliament, this is also clear in the thousands of evangelical churches, of many different denominations, all over Brazil.

The majority of evangelical church members in Congress are connected to *the Universal do Reino de Deus* and *Assembleia de Deus* churches. There are, however, oscillations in participation that could be employed in the strategies of civil society. Organisations and individuals working to defend human rights cannot ignore or underestimate the evangelical community. It is proving to be organised, diverse, consistent and able to decide an elective plea and thus define future policies to be adopted and influence their implementation.

In the case of the arms decrees it is important to note that although parliament opposes these instruments, by means of the Federal Senate, the central argument of the discourse has been centred around the formal unconstitutionality of the acts and not the inconsistency and inefficiency of this policy in terms of public security.

On 25 June a draft bill was presented (number 3.715/2019)<sup>57</sup> that broadens the scope for carrying a gun on rural property. The following day, this was approved in the plenary of the Federal Senate. Another draft bill (PLS n.º. 224/2017)<sup>58</sup> was approved in the same session lowering the minimum age from 25 to 21 for purchase of firearms for people living in rural areas. Subsequently both bills were passed to the Chamber of Deputies. The speed with which these bills are approved suggests a punitive stance in the Federal Senate, the majority of which is ideologically aligned with the President of the Republic with regards to public security.

Finally, the judicial strategy employed by Bolsonaro, of issuing seven decrees on arms in such a short space of time places human rights defenders in a rather vulnerable position when carrying out advocacy work in the national Parliament, because the president's manoeuvres undermine the principle of legal security, making it difficult to know which act we are opposing. This has been one of the greatest challenges for advocacy in the current legislative period, because in an atmosphere of unstable democracy, big setbacks tend to happen.

As a civil society organisation that has been working on defending human rights for 18 years, Conectas is seeking to make the international community aware of the vulnerabilities being instilled in Brazilian democracy by the Bolsonaro government, who rely on the support of the evangelical bloc. Consequently, the way in which the president does politics and governs is restricting civil society's ability to work because he is disregarding the legislative process, in a number of different ways and is hindering strategies of resistance and the defence of rights.

Despite the current situation, that is not at all in favour of advocacy, Brazilian civil society will continue resisting and developing new strategies of work, as well as denouncing human rights violations.

## NOTES

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1 • In a meeting with the United States president at the White House, Bolsonaro declared that he had always admired the USA, and even more so now Trump has become president of the country; Patrícia Campos Mello and Marina Dias, "Após Bolsonaro Abrir Mão de Benefício na OMC, Trump Apoia Entrada do Brasil na OCDE." *Folha de S.Paulo*, March 19, 2019, accessed July 18, 2019, <https://www1.folha.uol.com.br/mundo/2019/03/apos-elogios-e-concessoes-de-bolsonaro-trump-apoia-entrada-do-brasil-na-ocde.shtml>.

2 • The Statute for Disarmament is a federal law in Brazil (nº. 10.826). It was sanctioned on 23 December 2003 by the the president at the time Luiz Inácio Lula da Silva, and established a public policy of disarmament of the general public. It was regulated by decree no. 5.123 on 1 July 2004 and this was then revoked by decree no. 9.785 on 7 May 2019. The most recent alteration was decree nº. 9.797 on 21 May 2019.

3 • Mauro Fernando Meister, "Olho por Olho: A lei do Talião no Contexto Bíblico," *Revista Fides Reformata* XII, no. 1 (2007): 58.

4 • Lv 24:19-20.

5 • Mt 5: 38-39; 43-44.

6 • "Censo 2010: Número de Católicos Cai e Aumenta o de Evangélicos, Espíritas e sem Religião," IBGE, June 29, 2012, accessed July 30, 2019, <https://censo2010.ibge.gov.br/noticias-censo.html?view=noticia&id=3&idnoticia=2170&busca=1&t=censo-2010-numero-catolicos-cai-aumenta-evangelicos-espíritas-sem-religiao>.

7 • Otávio Dias, "Os Evangélicos na Sociedade e na Política: Efeitos e Significados de uma Influência Crescente." Fundação FHC, May 9, 2019, accessed June 29, 2019, <https://fundacaoofhc.org.br/iniciativas/debates/os-evangelicos-na-sociedade-e-na-politica-efeitos-e-significados-de-uma-influencia-crescente>.

8 • Reinaldo Azevedo, "O IBGE e a Religião – Cristãos são 86,8% do Brasil; Católicos Caem para 64,6%; Evangélicos já são 22,2%." *Veja*, February 18, 2017, accessed July 20, 2019, <https://veja.abril.com.br/blog/reinaldo/o-ibge-e-a-religiao-cristaos-sao-86-8-do-brasil-catolicos-caem-para-64-6-evangelicos-ja-sao-22-2/>.

9 • "Censo 2010," IBGE, 2012.

10 • Magali do Nascimento Cunha, "Religião e Política no Brasil: Um Olhar sobre o Lugar dos Evangélicos nas Eleições 2018," *Ciber Teologia – Revista de Teologia e Cultura* 58, ano XIV (May/December 2018), accessed June 8, 2019, <https://ciberteologia.com.br/post/artigo/religiao-e-politica-no-brasil-um-olhar-sobre-o-lugar-dos-evangelicos-nas-eleicoes-2018>.

11 • *Ibid.*

12 • Following the corruption scandals of Brazilian state-owned companies during the period when the Workers Party (PT) ruled Brazil, brought about by Operation Car Wash, an "antipetist" sentiment settled in the population, which was largely cultivated by the party oponents in the campaigns for the 2018 presidential election.

13 • Cunha, "Religião e Política no Brasil," 2018.



- 14 • Edir Macedo and Carlos Oliveira, *Plano de Poder – Deus, os Cristãos e a Política* (Rio de Janeiro: Thomas Nelson Brasil, 2008).
- 15 • *Ibid.*
- 16 • Ari Pedro Oro and Marcelo Tadvald, “Consideraciones sobre el Campo Evangélico Braliseño,” *Revista Nueva Sociedad* 280 (2019): 64.
- 17 • Nathalia Passarinho, “Presidente Altera Trechos Polêmicos do Plano de Direitos Humanos.” G1, May 13, 2010, accessed July 19, 2019, <http://g1.globo.com/politica/noticia/2010/05/presidente-altera-trechos-polemicos-do-plano-de-direitos-humanos.html>.
- 18 • “Bispo Edir Macedo Participa da Posse de Dilma Rousseff com Hillary Clinton e Hugo Chaves. Assista,” *Gospel +*, January 2, 2011, accessed July 19, 2019, <https://noticias.gospelmais.com.br/bispo-edir-macedo-participa-da-posse-de-dilma-rousseff-com-hillary-clinton-e-hugo-chaves-assista.html>.
- 19 • Gustavo Uribe and José Marques, “Inauguração de Templo da Igreja Universal Reuniu Petistas e Tucanos.” *Folha de S.Paulo*, August 1, 2014, accessed July 19, 2019, <https://www1.folha.uol.com.br/poder/2014/07/1494128-inauguracao-de-tempo-da-igreja-universal-reuniu-petistas-e-tucanos.shtml>.
- 20 • The Joint Parliamentary Front is the way in which thematic bloc were institutionalized and their regulation is foreseen in the “Ato da Mesa nº 69 de 10/11/2005,” *Câmara dos Deputados*, November, 10, 2005, accessed June 15, 2019, <https://www2.camara.leg.br/legin/int/atomes/2005/atodamesa-69-10-novembro-2005-539350-publicacaooriginal-37793-cd-mesa.html>. For its creation, 198 signatures of signatory parliamentarians are required. However, this does not mean that everyone necessarily needs to be active on this front. According to post-election polls, the evangelical bloc now has approximately 100 active parliamentarians: Luisa Marini and Ana Luiza de Carvalho, “Renovada, Bancada Evangélica Chega com Mais Força no Próximo Congresso.” *Congresso em Foco*, October 19, 2019, accessed June 15, 2019, <https://congressoemfoco.uol.com.br/legislativo/renovada-bancada-evangelica-chega-com-mais-forca-no-proximo-congresso/>.
- 21 • “Frente Parlamentar Evangélica do Congresso Nacional,” *Câmara dos Deputados*, April 17, 2019, accessed June 15, 2019, <https://www.camara.leg.br/internet/deputado/frenteDetalle.asp?id=54010>.
- 22 • “Decreto nº 9.785, de 7 de Maio de 2019,” *Presidência da República*, Casa Civil, Subchefia para Assuntos Jurídicos, May 7, 2019, accessed June 15, 2019, [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/decreto/D9785.htm](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9785.htm).
- 23 • “Decreto nº 9.685, de 15 de Janeiro de 2019,” *Presidência da República*, Casa Civil, Subchefia para Assuntos Jurídicos, January 15, 2019, accessed June 15, 2019, [http://www.planalto.gov.br/ccivil\\_03/\\_Ato2019-2022/2019/Decreto/D9685.htm](http://www.planalto.gov.br/ccivil_03/_Ato2019-2022/2019/Decreto/D9685.htm).
- 24 • The Federal Constitution in Articles 6 and 144 gives the State an indelible obligation to guarantee public safety.
- 25 • “Nota Pública: Decreto nº 9.797, de 21 de Maio de 2019,” *Instituto Sou da Paz*, May 2, 2019, accessed June 15, 2019, <http://www.soudapaz.org/noticia/nota-publica-decreto-no-9-797-de-21-de-maio-de-2019>.
- 26 • Data provided by the Instituto Sou da Paz, published on the portal G1: Tahiane Stochero, “Decreto que Facilitou Porte Permite Compra de Armas Antes Restritas a Polícia e Exército; Veja Quais.” G1, May 10, 2019, accessed June 15, 2019, <https://g1.globo.com/sp/sao-paulo/noticia/2019/05/10/decreto-que-facilitou-porte-permite-compra-de-armas-antes-restritas-a-policia-e-exercito-veja-quais.ghtml>.
- 27 • “1.2.3.Autônomos,” *Anuário CNT do Transporte*, 2018, June 15, 2019, <http://anuariodotransporte.cnt.org.br/2018/Rodoviario/1-2-3-/Aut%C3%B4nomos>.
- 28 • “Pesquisa Nacional por Amostra de Domicílios – PNAD,” *IBGE*, 2015, June 15, 2019, <https://www.ibge.gov.br/estatisticas/sociais/populacao/9127-pesquisa-nacional-por-amostra-de-domicilios.html?=&t=resultados>.
- 29 • “Conselhos Tutelares Têm Importância Central



na Defesa de Crianças e Adolescentes,” Ministério da Mulher, da Família e dos Direitos Humanos, May 30, 2018, accessed June 15, 2019, <https://www.mdh.gov.br/todas-as-noticias/2018/maio/conselhos-tutelares-tem-importancia-central-na-defesa-de-criancas-e-adolescentes>.

30 • Cristiane Passos, “Assassinatos no Campo Batem Novo Recorde e Atingem Maior Número Desde 2003.” Comissão Pastoral da Terra, April 16, 2018, accessed June 15, 2019, <https://www.cptnacional.org.br/publicacoes-2/destaque/4319-assassinatos-no-campo-batem-novo-recorde-e-atingem-maior-numero-desde-2003>.

31 • “Atlas da Violência 2019,” Instituto de Pesquisa Econômica Aplicada e Fórum Brasileiro de Segurança Pública, 2019, accessed June 15, 2019, [http://www.ipea.gov.br/portal/images/stories/PDFs/relatorio\\_institucional/190605\\_atlas\\_da\\_violencia\\_2019.pdf](http://www.ipea.gov.br/portal/images/stories/PDFs/relatorio_institucional/190605_atlas_da_violencia_2019.pdf).

32 • *Ibid.*, 25.

33 • “World Health Statistics 2018: Monitoring Health for the SDGs, Sustainable Development Goals,” World Health Organization, 2018, accessed June 15, 2019, <https://apps.who.int/iris/bitstream/handle/10665/272596/9789241565585-eng.pdf?ua=1>.

34 • Kinetic energy is calculated using the weight of the bullet and its speed on leaving the barrel. This varies depending on the length of the gun barrel and other factors, such as the type of ammunition used.

35 • “Decreto das Armas Permite que Cidadãos Tenham Fuzil em Casa,” GloboPlay, May 20, 2019, accessed June 17, 2019, <https://globoplay.globo.com/v/7630198/>.

36 • “Taurus Armas S/A – Comunicado ao Mercado,” Companhias Abertas Bovespa, May 8, 2019, accessed June 15, 2019, <http://bit.ly/2XmNhty>.

37 • “Nota Pública: Decreto nº 9.797, de 21 de Maio de 2019,” Instituto Sou da Paz, 2019.

38 • Oro and Tadvald, “Consideraciones sobre el Campo Evangélico Braliseño,” 57. According to the authors, Spiritual War Theology holds that the world is a battlefield between the forces of good against

evil, with the belief that the forces of evil dominate believers and cause havoc and all sorts of problems requiring acts of exorcism and prayers of liberation by religious leaders in order to expel demons.

39 • Augusto Fernandes, “Governo quer Apoio da Bancada Evangélica na Votação do Decreto das Armas.” *Correio Braziliense*, June 20, 2019, accessed June 21, 2019, [https://www.correiobraziliense.com.br/app/noticia/politica/2019/06/20/interna\\_politica,764370/governo-quer-apoio-da-bancada-evangelica-na-votacao-do-decreto-de-arma.shtml](https://www.correiobraziliense.com.br/app/noticia/politica/2019/06/20/interna_politica,764370/governo-quer-apoio-da-bancada-evangelica-na-votacao-do-decreto-de-arma.shtml).

40 • Following the issue of decree number 9.867/2019 a group of senators presented seven projects for legislative decrees aimed at annulling the decree and revoking its effects. “Projeto de Decreto Legislativo nº 233, de 2019,” Senado Federal, June 18, 2019, accessed June 21, 2019, <https://www25.senado.leg.br/web/atividade/materias/-/materia/136635>.

41 • Olavo Soares and Giorgio Dal Molin, “Senado Derruba Decreto do Porte de Armas de Jair Bolsonaro.” *Gazeta do Povo*, June 18, 2019, accessed June 21, 2019, <https://www.gazetadopovo.com.br/republica/decreto-porte-armas-derrubada-senado/>.

42 • Fernandes, “Governo quer Apoio da Bancada Evangélica...” 2019.

43 • “Frente Parlamentar Evangélica...” Câmara dos Deputados, 2019.

44 • “Saiba Como Votaram os Senadores no Veto ao Decreto de Armas de Bolsonaro,” *Veja*, June 18, 2019, accessed June 21, 2019, <https://veja.abril.com.br/politica/saiba-como-votaram-os-senadores-no-veto-ao-decreto-de-armas-de-bolsonaro/>.

45 • “Plenário - Sessão Deliberativa - TV Senado ao vivo - 18/06/2019,” YouTube video, TV Senado, broadcast live on June 18, 2019, accessed June 21, 2019, <https://www.youtube.com/watch?v=8bqW7Y5CcRs&t=3935s>.

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leg.br/deputado/perfil/deputado/1240.

47 • “Não Há Muros nos EUA Porque Todo Americano Tem uma Arma”, diz Feliciano,” Último Segundo, June 14, 2019, accessed June 30, 2019, <https://ultimosegundo.ig.com.br/politica/2019-06-14/nao-ha-muros-nos-eua-porque-todo-americano-tem-uma-arma-diz-feliciano.html>.

48 • “Pastor Isidório Faz Intervenção na Câmara Contra Liberação de Porte de Armas,” Mídia Ninja, May 9, 2019, accessed July 5, 2019, <http://midianinja.org/news/pastor-isidorio-faz-intervencao-na-camara-contra-liberacao-de-porte-de-armas/>.

49 • A Legislative Decree is a constitutionally recognised instrument to suspend the impact of regulatory acts by the President of the Republic, that exceed his authority. This can be found in Art. 49, V of the Federal Constitution.

50 • Bruno Góes and Natália Portinari, “Evangélicos da Câmara Articulam para Derrubar Decreto de Armas de Bolsonaro.” O Globo, May 9, 2019, accessed July 5, 2019, <https://oglobo.globo.com/brasil/evangelicos-da-camara-articulam-para-derrubar-decreto-de-armas-de-bolsonaro-23651511>.

51 • Benedita da Silva, “Armas Matam!” Brasil 247, January 16, 2019, accessed July 5, 2019, <https://www.brasil247.com/blog/armas-matam>.

52 • “Decreto nº 9.844, de 25 de Junho de 2019,” Presidência da República, Casa Civil, Subchefia para Assuntos Jurídicos, June 25, 2019, accessed July 7, 2019, [http://www.planalto.gov.br/ccivil\\_03/\\_](http://www.planalto.gov.br/ccivil_03/_)

<ato2019-2022/2019/decreto/D9844.htm>.

53 • “Decreto nº 9.845, de 25 de Junho de 2019,” Presidência da República, Casa Civil, Subchefia para Assuntos Jurídicos, June 25, 2019, accessed July 7, 2019, [http://www.planalto.gov.br/ccivil\\_03/\\_ato2019-2022/2019/decreto/D9845.htm](http://www.planalto.gov.br/ccivil_03/_ato2019-2022/2019/decreto/D9845.htm).

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57 • The progress of the bill “Projeto de Lei no. 3715, de 2019,” Senado Federal, June 20, 2019, accessed July 20, 2019, <https://www25.senado.leg.br/web/atividade/materias/-/materia/137430>.

58 • The progress of the bill “Projeto de Lei no Senado no. 224, de 2017,” Senado Federal, June 26, 2019, accessed July 20, 2019, <https://www25.senado.leg.br/web/atividade/materias/-/materia/130029>.



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# “GENDER IDEOLOGY” INCURSIONS IN EDUCATION

**Isabela Oliveira Kalil**

- *Constitutional principles and the secular state* •

## ABSTRACT

*In 2015, several municipalities in Brazil sanctioned laws that prohibit teaching about gender diversity and sexual orientation in schools and the use of the word “gender” in classrooms and school materials. In response, in 2017, the Public Prosecutor’s Office (PGR) filed a series of claims at Brazil’s Supreme Federal Court questioning the constitutionality of these laws opposing “gender ideology.” This article analyzes these cases, revealing that the topic of gender and sexuality in schools has sparked disputes around individual rights, the plurality of ideas and Brazil’s status as a secular state, as the Catholic Church and evangelical groups have organized campaigns to alter laws related to the issue at the federal, state, and municipal levels.*

## KEYWORDS

“Gender ideology” | Secularism | Education | Religion | Constitutionality

## 1 • "Gender ideology" and anti-gender education policies

In his inaugural address, on January 1st, 2019, President Jair Bolsonaro declared in National Congress his aim to "rebuild the country" and free it from "ideological submission." In his words, his political project would "unite the people, rescue the family, *respect religions and our Judeo-Christian tradition*, combat *gender ideology*, conserving our values."<sup>1</sup> This inaugural address attacking gender ideology and defending religious values found resonance with the base that elected Bolsonaro, whose slogan was "Brazil above everything, God above everyone." During the electoral campaign, Bolsonaro even argued for ending Brazil's secular state.<sup>2</sup> Politically aligned with the far-right, Bolsonaro's electoral platform included the defense of conservative Christian values.

While "gender ideology" gained notoriety during Bolsonaro's inaugural address, this controversy has been on the radar of religious groups since the 2000s. The term "gender ideology" – which has been strongly contested by the academic and scientific community – was coined as part of the dogmatic thinking of the Catholic Church in the 1990s. Later, evangelical groups adopted the term as an accusation category related to the teaching of gender and sexuality, especially in public schools. Anti-gender positions have advanced in European and Latin American countries.<sup>3</sup> In Latin America, the configuration of this phenomenon has unique contours, intertwining with "anti-left" and "anti-communist" positions. In this context, the anti-gender struggles have joined forces with an ideological and political party struggle against "leftist" thinking or, worse, totalitarian positions inherited from "communism."<sup>4</sup>

In the Brazilian case, many lawmakers have adopted the fight against what both Catholics and Protestant Evangelicals have called "gender ideology" as their political platform. In the specific case of education policy, the topics of gender and sexuality are at the core of recent controversies, including the so-called "gay kit," which had significant protagonism in the 2018 elections.<sup>5</sup> In addition to the combination of "gender ideology" and fake news manipulation in the lead-up to the election, anti-gender positions also include questions around requirements regarding teaching religion in public schools and the impartiality of the Brazilian State *vis-à-vis* religion.<sup>6</sup>

The debates, disputes, and controversies around "gender ideology" also include related topics, the most prominent being Escola Sem Partido (School Without Party), which prohibits any discussion considered "political," "ideological," or "indoctrinating" in schools and proposes legal protections "against the abuse of the freedom to teach." In this realm, political and religious groups use the concept of "gender ideology" to attack policies that protect gender diversity and extend rights. The constitutionality cases explored here, taken to the Supreme Court in response to municipal anti-gender laws within Brazilian education, are examples of this phenomenon.

## 2 • The conflict between municipal anti-gender laws and the Federal Constitution

In 2015, at least seven municipalities in six different Brazilian states sanctioned anti-

gender education laws. Known instances occurred in Novo Gama/GO, Cascavel/PR, Paranaguá/PR, Blumenau/SC, Palmas/TO, Tubarão/SC e Ipatinga/MG. Several unconstitutionality claims (ADPFs) moving through Brazil's Supreme Court today are targeting these laws.<sup>7</sup> An analysis of ADPFs 457, 460, 461, 462, 465, 466 e 467 reveals how religious demands and anti-gender policies seeking to alter education laws are advancing in Brazil.

The Federal Public Prosecutor's office took the ADPFs (Claims of Non-Compliance with a Fundamental Precept) mentioned above to the Supreme Court through the work of Federal Prosecutor for Citizens' Rights (PFDC). These legal claims call for the anti-gender laws passed in Novo Gama/GO (ADPF 457), Cascavel/PR (ADPF 460), Paranaguá/PR (ADPF 461), Blumenau/SC (ADPF 462), Palmas/TO (ADPF 465), Tubarão/SC (ADPF 466) e Ipatinga/MG (ADPF 467) to be declared unconstitutional.

The relevance of these legal claims goes beyond the impacts of anti-gender policies and also raises questions about the role of the Brazilian Supreme Court in disputes among religious and other civil society groups around issues of gender and sexuality. The proposal and defense of anti-gender policies can be understood, in part, as a response to the Supreme Court's engagement with the "moral issues" of gender and sexuality.<sup>8</sup>

To analyze this recent Supreme Court action, one must understand the changes in legislation around "constitutionality control" and the Supreme Court mechanisms for ruling whether or Brazilian state actions are constitutional. The mechanism of the ADPF itself raises questions around the attributions and activities of the Judicial Branch and the separation of the three powers.

One of the themes that arises in this debate is "judicial activism." This term refers to the action of the United States' Judicial Branch in the 1950s and 1960s, in which significant changes in political practices and fundamental rights took place without passing through the Executive and Judicial branches. In the Brazilian case, some suggest that STF decisions in the 2000s and 2010s were unconstitutional, as the Court was exercising responsibilities that fall under the purview of the other powers of the tripartite system. This debate considers the legality *versus* legitimacy of the actions, expressed, above all, in the forms of constitutionality control that the Supreme Court exercises.

Constitutional amendment number 3 of 1993 established the ADPF mechanism for exercising constitutional control, adding the first paragraph of article 102 of the 1988 Federal Constitution. It wasn't until 1999 that law 9.882 detailed the action of this institution, establishing how the process and judgment of ADPFs would happen in the Supreme Court. In other words, this approach to constitutionality control is new in Brazil. The Supreme Court could only work to "avoid or repair injuries to the fundamental precepts of government action (in the Federal, State, Federal District, and Municipal realms)" beginning in the year 2000.<sup>9</sup>

In summary, ADPFs have served as a mechanism for protecting the Constitution and, consequently, Democratic Rule of Law since the 2000s. They have become essential aspects of the system of judicial protection and fundamental rights. What is at stake from the legal perspective in the cases on municipal anti-gender policies is not just the policies themselves. The cases also regard the defense of *fundamental principles* of the Brazilian State. These are implicitly or explicitly present in the Federal Constitution and include fundamental rights, liberty, and the separation of church and state.

### 3 • Anti-gender laws: ADPFs 457, 460, 461, 462, 465, 466 and 467

Former Federal Prosecutor Rodrigo Janot wrote the ADPFs that are analyzed here. He understood "gender ideology" as a "debatable concept, which has improprieties and unreasonable aspects that make it an unacceptable basis for action of a federal entity that interferes in educational processes and blocks sexual diversity." This passage is from the text of ADPF 461, which challenges an anti-gender law in the municipality of Paranaguá/PR that prohibits the use of teaching policies that apply "gender ideology," or the terms "gender" or "sexual orientation."<sup>10</sup>

The rest of the municipal laws to which the ADPFs refer have a similar tone. The sections of the anti-gender laws that the Federal Prosecutor declared unconstitutional are highlighted below:

#### **ADPF 457 (Novo Gama-GO)**

Article 1 The distribution of material making reference to gender ideology is prohibited in the municipal schools of Novo Gama-GO.

Article 2 All teaching materials must be analyzed before being distributed in the municipal schools of Novo Gama-GO.

Article 3 Materials that mention or influence students about gender ideology cannot be included in the teaching materials used in the municipal schools of Novo Gama-GO.

Article 5 Donated materials that make reference to gender ideology must be substituted with materials without references to gender ideology.

Article 6 This law takes effect on its publication date.

Article 7 The contrary dispositions are revoked.

**ADPF 462 (Blumenau/SC)**

§ 5º The inclusion or maintenance of expressions of ‘gender identity,’ ‘gender ideology’ and ‘gender orientation’ is prohibited in any supporting documents to the Municipal Education Plan, as well as in curricular guidelines.

**ADPF 465 (Palmas/TO)**

The discussion and utilization of teaching materials about gender ideology or theory are prohibited, including its promotion and behaviors, the granting of permission for activities that induce the theme, and all topics connected to sexuality and erotization.

In the case of ADPFs 466 and 467, the arguments in question regard the exclusion of subjects that include “gender ideology,” the terms “gender” and “sexual orientation” and their synonyms from municipal teaching policies. In the case of ADPF 466 (Tubarão/SC), the claim reveals non-compliance with a fundamental precept found in the following text:

Article 9 The municipal teaching policies of Tubarão will not include gender ideology or the terms “gender” or sexual orientation or their synonyms in the school curricula, mandatory or elective subjects, play spaces or teaching materials.

ADPF 467 (Ipatinga/MG) regards the exclusion of any reference to gender diversity and sexual orientation from municipal teaching policy:

Article 2 The Municipal Executive Power will adopt, in addition to the guidelines defined in Article 214 of the Federal Constitution and Article 2 of Federal Law 13.005 (2014) – carrying out what is called gender diversity – the specific guidelines of the Municipal Education Plan: [...]

Article 3 The Municipal Executive Power will be responsible for the adoption of necessary governmental measures for the implementation of strategies to reach the goals laid out in the Municipal Education Plan. It cannot adopt, not even within its guidelines, any educational strategy or action that promotes gender diversity. It cannot implement or develop any teaching strategy or approach that refers to gender ideology or sexual orientation. The inclusion of any theme related to gender diversity in teaching practices or daily life in the school is prohibited.



The Federal Prosecutor’s position is that these municipal laws contradict the Constitution of the Republic in its aim “to construct a free and just society, with solidarity (Article 3), the right to equality (Article 5), the prohibition of censorship in cultural activities (Article 5) and the maintenance of a secular state (Article 19).” The Federal Prosecutor points to the unconstitutionality of these municipal laws in their *material aspects*, arguing that they are incompatible with the fundamental precepts of liberty, pluralism of ideas, and a secular state. In addition to discussing the content of the laws, the Prosecutor discusses the unconstitutionality of their *formal aspects*, pointing to the violation of the constitutional precept that determines that only the Federal Government can make legislation about educational guidelines in Brazil.

Different Ministers of the Supreme Court ruled on the ADPFs, and Luís Roberto Barroso wrote the first decision regarding ADPF 461. In a final decision, Justice Barroso suspended the impacts of the Paranaguá (PR) municipal law that prohibited teaching about gender and sexual orientation. The full Supreme Court must give final approval for the decision. The remaining cases are either still moving through the Supreme Court or have been forwarded to the Superior Court of Justice.<sup>11</sup>

#### 4 • Final considerations

The controversies around the ADPFs regarding anti-gender laws within education described here inaugurate a new moment of rights disputes around gender and sexuality in Brazil. Constitutionality control through ADPFs is a new practice in the Brazilian justice system. These actions make possible Supreme Court disputes with high media visibility that include the participation of both religious groups and groups from other sectors of civil society, including feminist and LGBT movements. This raises some questions, specifically about *amicus curiae* (a Latin term that means “friend of the court”), which allows a person, entity or organ with demonstrated interest in the question to provide information to the Court. This happened in ADPF 467. Justice Gilmar Medes allowed for the participation of Grupo Dignidade – Pela Cidadania de Gays, Lésbicas e Transgêneros (Dignity Group – For the Citizenship of Gays, Lesbians and Transgender people) and of the Aliança Nacional LGBTI (LGBTI National Alliance) to present memoranda and oral arguments to Court regarding the anti-gender law of the municipality of Ipatinga/MG.<sup>12</sup> The understanding is that, even though these associations are not themselves making a claim, they have demonstrated interest in the question and can contribute to amplify the Court’s understanding of the topic.

The ADPFs raise further questions about the attribution of the three powers and the role of the Brazilian Supreme Court in positioning itself on questions deemed moral and religious, specifically those regarding reproductive health and broader questions about gender and sexuality. Some have raised critiques that the Court is going beyond the responsibilities of the judicial branch and blocking legislative action. The members of the Supreme Court have been the targets of accusations that they are benefitting certain political and ideological positions through a type of “judicial activism” around

controversial subjects that conflict with morality and religious dogmas.<sup>13</sup>

If the legislature received privileges in the past, since the previous decade, the courts have become a significant arena for disputes between representatives of the legislative and judicial branches. In the legislative realm, even though superior courts previously blocked laws based on their unconstitutionality, they have advanced, especially in the municipal sphere. In the political field, the mobilization of these moral and religious positions has become an essential and strategic platform, especially for political party disputes within Brazil's far-right.

Finally, it is necessary to emphasize that although some municipal anti-gender laws have been the targets of ADPF claims, this does not mean that the regulations do not have social impacts. Even though they are considered not to have legal implications because of their unconstitutional character, these laws and measures have been in place in municipal education plans in Brazil since 2015. Their grave and negative impacts on freedom of expression in the educational field and their contribution to the criminalization of discussions on gender and sexuality in schools still cannot be measured. Since a legal claim regarding these laws can only be initiated through a complaint, the number of municipalities that approved or are moving these types of measures through their legislatures is not known. It is known, however, that municipal legislative houses have become a significant arena for disputes around fundamental rights and religion.

## NOTES

1 • A transcript of the address can be found at: "Discurso do Presidente da República, Jair Bolsonaro, Durante Cerimônia de Posse no Congresso Nacional," Planalto, Presidência da República do Brasil, January 1st, 2019, accessed on July 31, 2019, <http://www2.planalto.gov.br/acompanhe-o-planalto/discursos/2019/discursodo-presidente-da-republica-jair-bolsonaro-durante-cerimonia-de-posse-no-congresso-nacional> (italics added).

2 • The excerpt of a recording of a Bolsonaro rally was shared on Twitter by the Partido Socialismo e Liberdade (Socialism and Liberty Party - PSOL) as an event that took place in 2017. In it, the then candidate affirms: "Since we are a Christian country, God is above everyone. We don't have this little story about a secular state, it is a Christian

state. And if anyone disagrees, they can change their opinion." See PSOL 50. Twitter post. October 16, 2018, 10:26. <https://twitter.com/psol50/status/1052249493788389378>.

3 • There are a number of recent works that trace the genealogy of the category "gender ideology" in the field of religion and its propagation through Brazil. Regarding this, see the article by Maximiliano Campana and Richard Miskolci, "Ideologia de Gênero: Notas para a Genealogia de um Pânico Moral Contemporâneo," *Revista Sociedade e Estado* 32, no. 3 (september/december 2017), accessed July 31, 2019, <http://www.scielo.br/pdf/se/v32n3/0102-6992-se-32-03-725.pdf>; and the article by Sonia Corrêa, "A 'Política do Gênero': Um Comentário Genealógico," *Cadernos Pagu* no. 53 (2018), accessed July 31, 2019,

[http://www.scielo.br/scielo.php?pid=S0104-83332018000200401&script=sci\\_arttext](http://www.scielo.br/scielo.php?pid=S0104-83332018000200401&script=sci_arttext).

4 • Regarding anti-gender policies in Latin America, the international panels on *Gender and Politics in Latin America*, coordinated by the *Sexuality Policy Watch* forum has produced about the spread of "gender ideology" in the region. Regarding the Brazilian case, the works of Sonia Correa and Isabela Kalil discuss the influence of the Vatican's intellectual and political production and the trajectory of anti-gender crusades in the field of education. Specifically on the relationship between anti-gender and anti-communist positions, see Isabela Kalil, "Quem São e O Que Pensam os Eleitores de Jair Bolsonaro." Fundação Escola de Sociologia e Política de São Paulo, October 2018, <https://www.fespsp.org.br/upload/usersfiles/2018/Relat%C3%B3rio%20para%20Site%20FESPSP.pdf>.

5 • The circulation and dissemination of a series of false news articles marked the presidential campaign of 2018. One of the widest shared pieces of *fake news* suggested that when Fernando Haddad (Worker's Party) was Education Minister, he had distributed educational material that would teach students to "become gays." News articles also circulated suggesting that when Haddad was Mayor of São Paulo, he had distributed penis-shaped baby bottles in order to stimulate sexual practices in children.

6 • "It is prohibited for the Union, the States, the Federal District and Municipalities to: I - establish religious communities or churches, subsidize them, become involved in their functioning or develop relationships of dependence or alliance with them, save in cases of collaboration with the public interest." "Artigo 19," Constituição Federal de 1988, 2019, accessed July 31, 2019, [https://www.senado.leg.br/atividade/const/con1988/con1988\\_03.07.2019/art\\_19\\_.asp](https://www.senado.leg.br/atividade/const/con1988/con1988_03.07.2019/art_19_.asp).

7 • Constitutional control seeks to impede the passage of laws or norms that violate the Federal Constitution. In Brazil, the claims include: Ação Direta de Inconstitucionalidade (ADI - Direct

Unconstitutionality Action); Ação Declaratória de Constitucionalidade (ADC - Declaratory Action for Constitutionality); Arguição de Descumprimento de Preceito Fundamental (ADPF - Claim of Non-Compliance with a Fundamental Precept); ou Ação Direta de Inconstitucionalidade por Omissão (ADO - Direct Unconstitutionality Action by Omission).

8 • These are the cases in which the STF ruled in favor of the right to gender identity in all of its dimensions without biomedical requirements (Ação Direta de Inconstitucionalidade 4.275/2009); the recognition of civil unions for same-sex couples (ADPF 132/2011); granting women of the right to abort a fetus with encephalitis (ADPF 54/2012); and, most recently, the criminalization of homophobia through ADO 26. In the case of ADPF 54/2012 involving abortion, Minister Marco Aurélio, the author of the action, affirmed that the matter in question was one of the most important ever brought in the history of the court and defended the need to treat abortion in cases of fetal encephalitis separate from "any dogma or moral or religious paradigm." See "ADPF 54 / DF - Arguição de Descumprimento de Preceito Fundamental 54 Distrito Federal," STF, 2012, accessed July 31, 2019, <http://www.stf.jus.br/arquivo/cms/noticiarnoticiastf/anexo/adpf54.pdf>.

9 • Gilmar Mendes and Celso Bastos wrote the first draft of the project regulating ADPFs and forwarded it to a commission of jurists (Celso Bastos, Arnaldo Wald, Ives Gandra Martins, Oscar Dias Corrêa, and Gilmar Mendes). At the same time, a bill with the same objective written by congresswoman Sandra Starling (Worker's Party) moved through National Congress. The authors of the project merged it with the congresswoman's bill. Regarding this, see Gilmar Mendes and Paulo Branco, "Origens da Lei sobre a Arguição de Descumprimento de Preceito Fundamental," in *Curso de Direito Constitucional* (São Paulo: Saraiva, 2008).

10 • See "ADPF 461," Ministério Público Federal, Procuradoria-Geral da República, June 6, 2017, accessed on July 31, 2019, <http://www.mpf.mp.br/>

pgr/documentos/adpf-461.pdf/view.

11 • This is the case of another claim that was not addressed here (ADPF 479, sent by Minister Alexandre de Moraes to the STJ). This ADPF addresses law 4.576, February 15, 2016, municipality of Nova Iguaçu/RJ, that prohibits the utilization of any type of material that contains orientations about sexual diversity in municipal public schools.

12 • See petition report nº 4.479/2018 signed by

Gilmar Mendes.

13 • This tension between the members of the legislature from the religious lobby and the Court's decisions is visible. An example is the case of congressman Marcos Feliciano (PODE), who presented a project that criminalized homophobia in response to a Supreme Court decision. With this, representatives from the religious sectors sought to go around the STF and vote on a decision that left religious discourse out of the crime of homophobia.



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# RELIGION AS POLITICS?

**Sandra Mazo**

• *Secularism, gender* •  
*and the peace process in Colombia*

## ABSTRACT

*The gender approach was an important element in the dialogue between the Colombian government and the FARC-EP, as was reflected in the peace accords. However, it was also an issue that religious fundamentalists and some churches, especially the Evangelical Christian churches, refused to accept. Disguising the issue as the so-called “gender ideology”, these groups launched a “crusade” against the inclusion of gender equality in the peace agreements, which was evident in the nefarious and deceitful NO campaign in the 2016 referendum on the agreement. This article prompts a reflection on the interference of churches in politics, policy and state decisions. There is nothing more dangerous for social, democratic, pluri-ethnic, multicultural rule of law than the confusion between politics and religion and the violation of secularism of the state.*

## KEYWORDS

Secular state | Secularism | Gender approach | Separation of church and state | Peace agreements

Reflecting on women's human rights in a democratic society and a secular state is a fundamental part of the work we do at *Católicas por el Derecho a Decidir* – Colombia (Catholic women for the right to decide – Colombia, or CDD), a lay organisation created in the year 2000 by Catholic feminist women committed to social justice and to changing cultural and religious paradigms in society. In recent years, this issue has occupied an important place on the national agenda, especially during the peace-building process, as it became a decisive topic in the campaign and debates before and after the referendum held in 2016. In the plebiscite for peace, the question put to the people was: *Do you support the final agreement to end the conflict and construct stable and lasting peace?* The 'No' campaign ended up winning the referendum by a small margin. The lies around the supposed "gender ideology", which the final text was accused of promoting, played a decisive role in the results, as churches and religious leaders acted like politicians on a heated campaign.<sup>1</sup>

The debates in the post-referendum period in Colombia are undoubtedly creating challenges for our efforts to continue strengthening a just and collective commitment to the defence of democracy, building stable and enduring peace and the construction of a society that recognizes women as political actors.

For years, we have been expressing the hope that a peace agreement would be reached – one that would put an end to so many years of barbarism and ensure the transition to economic, political and social democracy, without, however, denying women and LGBTI people their rights. During the peace-building process, we did not expect these rights to be used as an excuse to regress or to demonise what we women and citizens have fought so hard to achieve.

## 1 • The peace process and the tensions with conservative religious groups

The process of dialogue between the FARC-EP and the government, which ended with the signing of the final agreement,<sup>2</sup> as well as the results of the 2016 referendum and the anti-corruption referendum held shortly after,<sup>3</sup> among other developments in Colombia's political and legal life, have triggered an endless array of reactions. These reactions reveal just how polarized Colombian society has become, as well as the numerous uncertainties that Colombian women and men are facing.

In view of the major tensions generated by this process, as *Católicas por el Derecho a Decidir*, we focused our analysis on the events in the lead up to and after the 2016 referendum, especially on the role played by the churches, namely the Catholic and Evangelical Christian churches, as political and social actors. These churches influenced and intervened in their followers' opinions and decisions on how to vote, which led to the victory of the NO campaign, albeit with only a slight majority. The plebiscitarian process required at least one third of the electorate to participate in the vote (12 million people), which it did: 50.2% chose to vote NO, while 49.7% voted YES. The difference

between the two was 50 ballots. Even with this tiny difference, the result appeared to indicate that Colombia had opted for war. Even though reality indicates that this is not true, post-truth politics had already fulfilled its mission.<sup>4</sup>

The role that the hierarchy of the Catholic Church assumed during the campaign for the referendum on peace is questionable.<sup>5</sup> One of the principles of the Catholic Church's social doctrine is to strive for peace and a just order in society, which includes promoting social policies aimed at achieving equality, social justice and respect for people. It was obvious that contrary to this doctrine and in response to the tensions generated by the political position leading the NO campaign, the hierarchy of the Catholic Church assumed a "neutral" position, backing away from its commitment to build peace in Colombia. It decided to "sit on the fence" and invited its parishioners to exercise their freedom of conscience when deciding how to vote. This raises the question: why did the hierarchy of the Catholic Church assume this position at such a decisive moment for the country? And finally, who helped it choose such a position?

Various churches, especially Christian ones, and social actors known for driving campaigns against the rights of women and the LGBTI community went on a crusade full of lies, nonsense and slander to influence the opinion of believers and followers. They used a mix of homophobia, misogyny and discrimination to attack what they saw as the demonized "gender ideology"<sup>6</sup> in the peace agreement. This behaviour is cause for indignation. Yet, as the final agreement clearly states, it was actually based on a cross-cutting human rights approach whose purpose is "to contribute to the protection and guarantee of the effective enjoyment of the rights of all women and men". In essence, then, what the agreement seeks to do is to *eliminate the conditions of inequity and inequality to which women and groups considered minorities have been subjected* throughout the country's history. This is why for each of the agreement's points, actions aimed at generating conditions of real equality were included.

Using false and spurious arguments, some religious fundamentalists sowed total confusion among their followers in relation to the real reasons and content of the agreement. This type of manipulation contributed to the emergence of a conservative view from social sectors that somehow appeared to have been kept hidden.

However, days after the defeat of the referendum, there was a collective awakening in defence of the agreement. Mass demonstrations were held to urge the government to take steps to endorse the agreement by way of legislation. Many people who voted "no" in the referendum recognised that their vote had been influenced by pastors, religious leaders and spiritual guides who used arguments related to sexual morality and the family, when the only thing that the agreement sought to do was end the conflict that has been inflicting violence on millions of victims in our country for over 50 years.<sup>8</sup>

We, at CDD-Colombia, are concerned with the churches' interference in politics, policy and state decisions, as there is nothing more threatening to pluri-ethnic, multicultural, social and



democratic rule of law than this organised confusion between politics and religion. We feel that the churches are being incoherent and inconsistent when they use their spiritual power to lie to people and to impose hate and discrimination against sectors of the population who have historically been excluded and strongly victimized through acts of violence. There is no justification for presenting lies as the truth and personal and institutional interests as universal moral values.

## 2 • The Colombian constitution and secularism

The interference of religion in the state, politics and citizens' decisions makes the defence of the secular state in Colombia all the more valid and important.

Article 19 of the Constitution of Colombia guarantees freedom of religion and equality among different religious faiths and churches. Even though its preamble invokes the protection of God, this is a general reference; it does not refer to one church in particular. It is our understanding that the text refers to an abstract or general divinity, which is not a supreme source of sovereignty or authority; it does not establish the primacy of one religion over others.

The constitution establishes that the social rule of law in Colombia is pluralist in nature and religious pluralism is one of its most important components. The constitution also excludes all forms of confessionalism and guarantees full religious freedom and equal treatment for all religious faiths. This means, then, that in Colombia's constitutional system, there is a separation between the state and the church because the state is secular. In fact, this strict neutrality of the state in the area of religion is the only way to ensure that public authorities guarantee pluralism, egalitarian coexistence and the autonomy of the different religious denominations.

Therefore, defending secularism is fundamental if we want to advance as a society in the recognition and full enjoyment of rights and ensure that the decisions of the majority do not result in violations of minorities' rights and that our guiding principles are diversity, multiculturalism and pluri-ethnicity. These principles are the pillars of the social and democratic rule of law. They are the ones that are put at risk when one religion or certain religions seek to impose themselves on the rest of society.

## 3 • From the separation of church and state to the autonomy of religion in politics

Given the cultural presence of religion in the personal, political, social and economic sphere, the secular state has become a key issue in the current political debate. The presence of religion in public space is a reality that cannot be ignored, nor hidden. At the same time, it is necessary to ensure the coexistence of different cultural, symbolic, religious, philosophical, ethical and moral heritages in plural, diverse and democratic societies. Therefore, secularism

is a “process in constant motion, which faces new challenges daily and has to find responses that are adequate for everyone and in the public interest”.<sup>9</sup>

Secularism is, beyond a doubt, a concept under constant revision, which raises challenges for the defence of rights and freedoms. In secularism, politics is autonomous from religion, all individuals are equal and no discrimination is allowed. While a secular state has autonomy from religious denominations, secularism calls for full autonomy for the political sphere vis-à-vis religion. Therefore, secularism represents an important advance over the secular state, as it aims to prevent religious groups from interfering in politics, whereas the secular state looks only at the separation of state and church and does not concern itself with the actual interference of religious groups in politics.

Based on this, we can thus affirm that the secular state is the political expression of secularism; it is a legal-political instrument that serves to protect freedoms in a plural and diverse society. It is a state that is not at the service of a particular religious or philosophical doctrine; instead, it serves the public interest, guarantees the common good and fully respects and fulfils human rights.

When talking about the secular state, it is also important to affirm that we are not talking about indifference to religion, opposition to religions or spirituality, nor the absence of religious beliefs. Secularism is not constructed by negating religions. It is not a struggle against a church or churches. It opposes theocratic ideas on politics (a government acting in the name of God) and the authoritarianism of dogmas that try to impose themselves as the truth for all.

#### 4 • The secular state: between need and utopia

In light of the troubling role that some churches and conservative sectors have been playing in the public sphere, it has become extremely important for us to safeguard secular states in our region.

It is paradoxical that the people who attack secularism and the secular state based on their personal religious convictions end up compromising the very legal and political conditions that make it possible for them to practice their religious beliefs. As a result, religious political activism represents a real threat to democracy, the secular state and fundamental freedoms, including the freedoms that the churches themselves, their followers and their leaders enjoy. What they are proposing is a return to fundamentalism and the most heinous forms of exclusion, which is nothing but a return to obscurantism.

In the specific case of Colombia, using equivocal arguments, conservative sectors influenced the opinion of many people of faith, who ended up voting “no” to the final agreement between the Colombian government and the FARC-EP. The reactions of fundamentalist and conservative sectors to the issue of gender in the peace accord are the cause of major concern:

1 - The “gender approach” category of social analysis was equated to the term “gender ideology”, which was used not only in a pejorative sense, but also by the Vatican for years to dismiss and obstruct progress on women’s rights.

2 - The fight to eliminate “gender ideology” also served the purpose of preventing women and the LGBTI population from receiving historical redress as victims of the armed conflict and of imposing one single, exclusively religious vision to regulate all spheres of social order and prevent women and other groups from enjoying their rights.

3 - The demand for broader recognition and guarantees of religious freedom, one of modern societies’ dearest achievements explicitly written into the Political Constitution of Colombia,<sup>10</sup> was not used to reaffirm the rule of law, but rather to obstruct the rights of women and LGBTI social sectors and the sexual and reproductive rights of the entire population.

## 5 • Conclusion

The guarantee of both freedom of belief and the autonomy of the state vis-à-vis religions has been threatened by the role that some churches and ideological movements have played in recent years to block the peace-building process in Colombia. Today, peace is also defended as a fundamental right.

There is a need to protect the freedom of conscience and the freedom of religion as fundamental rights. However, practices that violate these rights by attempting to impose beliefs that are only binding for the people who belong to certain religious organisations on all of society are unacceptable. Churches and religious movements must be aware that they too are called on to change elements within them that help to perpetuate patriarchy, violence against women, enormous social disparities, sexual abuse against children, discrimination against sectors of the population and fanaticism that gives rise to multiple forms of violate.

Women’ rights must not be turned into a bargaining chip for peace, the peace agreements and democracy. On the contrary, we should insist on obtaining respect and the implementation of the agreement, with its gender approach, as an act of justice that enables women, the LGBTI population and other sectors who are victims of the armed conflict to regain their dignity and guarantees the reestablishment of their rights on equal terms.

Women’s organising, unity, mobilisations and struggle for their rights show the path to follow to build inclusive, diverse societies focused on achieving harmony and balance with others and our natural surroundings.

Finally, it is important to reaffirm our total rejection of the distortion of the “gender approach” by certain churches and conservative sectors, which demonised it by associating

it to the malevolent “gender ideology” term. We also denounce the stigmatisation of the historical victories won by women that guarantee their rights as citizens in the exercise of true democracy. The recognition of this differential approach, especially the gender approach, is urgent, non-negotiable and the minimum that the Colombia government and the FARC-EP must do. It is also part of the long-standing debt that these two actors must take into account when compensating the victims of the historical violence in Colombia.

CCD-Colombia welcomes the debate on the gender approach used in the peace agreement. We are ready to offer arguments from a rights-based approach and based on the secular spirit of the constitution. Society must participate in this discussion using well-founded arguments and free from any kind of fanaticism or fundamentalism. We must remember that the opportunity to build sustainable and lasting peace lies in respect for plurality and diversity.

## NOTES

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1 • See, for example: Camilo Gonzalez Posso, “Los Problemas del Si en el Plebiscito,” Indepaz, October 19, 2016, accessed July 31, 2019, [www.indepaz.org.co/los-problemas-del-plebiscito/](http://www.indepaz.org.co/los-problemas-del-plebiscito/); “Ideología de Género: ¿Un Motín Político en las Elecciones de Latinoamérica?,” *El Espectador*, December 13, 2018, accessed July 31, 2019, <https://www.elespectador.com/noticias/nacional/ideologia-de-genero-un-motin-politico-en-las-elecciones-de-latinoamerica-articulo-828914>; Olga L. González, “La Otra Subversión: La Emergencia del ‘Género’ en el Proceso de Paz en Colombia,” *TraHs Números especiales* n°1 (2017), accessed July 31, 2019, <https://www.unilim.fr/trahs/index.php?id=415>; and “Obispo Desmiente ‘Ideología de Género’ en Acuerdos de Paz,” *teleSUR*, October 17, 2016, accessed July 31, 2019, <https://www.telesurtv.net/news/Obispo-desmiente-ideologia-de-genero-en-acuerdos-de-paz-en-Colombia-20161017-0039.html>.

2 • “Texto Completo del Acuerdo Final para la Terminación del Conflicto y la Construcción de una Paz Estable y Duradera,” OACP, 2017, accessed July 31, 2019, [http://www.altocomisionadopalapaz.gov.co/procesos-y-conversaciones/Paginas/Texto-completo-del-Acuerdo-Final-para-la-Terminacion-](http://www.altocomisionadopalapaz.gov.co/procesos-y-conversaciones/Paginas/Texto-completo-del-Acuerdo-Final-para-la-Terminacion-del-conflicto.aspx)

[del-conflicto.aspx](http://www.altocomisionadopalapaz.gov.co/procesos-y-conversaciones/Paginas/Texto-completo-del-Acuerdo-Final-para-la-Terminacion-del-conflicto.aspx).

3 • A popular referendum is a mechanism of participatory democracy recognized by the Constitution for consulting the people on an issue of national interest. In this case, on August 26, 2018, seven issues related to the fight against corruption were submitted to public scrutiny with the goal of forcing the legislature to adopt laws to impose harsher sanctions and conditions for serving sentences, ban substitutes for incarceration and adjust the procedures for recuperating stolen public resources. A total of 11,645,000 votes were cast during the referendum, which meant that it did not obtain the minimum of votes required – 33% of voters – in order for the results to be binding: it fell short by only 450 votes. However, given the strong popular support for these changes, all political parties and even the government itself adopted this issue as a cause and promised to push it through Congress. One year later, no initiative has been approved on this issue. On the contrary, it has been met with stiff opposition from the party in government and the executive branch, which says in public that it supports this cause, when in practice, it opposes it.

4 • María Fernanda González, "La «Posverdad» en el Plebiscito por la Paz en Colombia," *Nueva Sociedad* no. 269 (mayo-junio de 2017), accessed July 31, 2019, <https://nuso.org/articulo/la-posverdad-en-el-plebiscito-por-la-paz-en-colombia/>.

5 • Hermann Rodríguez, "La Iglesia Católica Frente al Plebiscito." Jesuitas Colombia, September 9, 2016, accessed July 31, 2019, <https://jesuitas.co/la-iglesia-catolica-frente-al-plebiscito-20848>; and "Iglesia no Induce por el Sí o No en el Plebiscito: Conferencia Episcopal," *El País*, August 18, 2016, accessed July 31, 2019, <https://www.elpais.com.co/proceso-de-paz/iglesia-no-induce-por-el-si-o-no-en-el-plebiscito-conferencia-episcopal.html>.

6 • Sonia Corrêa, "A 'Política do Gênero': Um Comentário Genealógico," *Cadernos Pagu* no. 53 (2018), accessed July 31, 2019, [http://www.scielo.br/scielo.php?pid=S0104-83332018000200401&script=sci\\_arttext](http://www.scielo.br/scielo.php?pid=S0104-83332018000200401&script=sci_arttext).

7 • The agreement recognised that "*human rights are equally inherent to all human beings, which means that they have these rights because they are human and therefore, their recognition is not a concession. They are universal, indivisible and interrelated*

*and shall be treated in a fair and equal manner*". Documento final del Acuerdo, p. 193.

8 • "Las Polémicas Revelaciones de Promotor del No sobre Estrategia en el Plebiscito," *El País*, October 6, 2016, accessed July 31, 2019, <https://www.elpais.com.co/proceso-de-paz/las-polemicas-revelaciones-de-promotor-del-no-sobre-estrategia-en-el-plebiscito.html>; and Juan Manuel López, "La Política en Colombia es la Capacidad de Manipular Emocionalmente a las Masas." *Las 2 Orillas*, September 12, 2018, accessed July 31, 2019, <https://www.las2orillas.co/la-politica-en-colombia-es-la-capacidad-de-manipular-emocionalmente-las-masas/>.

9 • Roberto J. Blancarte, *El Estado Laico* (colección Para Entender) (Mexico City: Nostra Ediciones, 2008).

10 • "*Freedom of religion is guaranteed. Every individual has the right to freely profess their religion and to disseminate it individually or collectively. All religious faiths and churches are equally free before the law.*" ("Artículo 19," Constitución Política de Colombia, 2016, accessed July 31, 2019, <http://www.corteconstitucional.gov.co/inicio/Constitucion%20politica%20de%20Colombia.pdf>, italics added).



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# THE SYNOD FOR THE AMAZON

**Marcelo Barros**

- *The divine revelation that arrives late*<sup>1</sup> •

## ABSTRACT

*It is good news that the Synod of Catholic Bishops from around the world, convened by Pope Francis and which will take place in October in Rome, has been prepared with extensive consultation with Amazonian communities and civil organizations working with them. The novelty of this Synod is the call for the Church, instead of acting as a teacher, to listen and hear the voice of the Amazon. In doing so, the Church will discover how to confront the challenges and new possibilities for its mission; a new vision and in opposition to the colonization in which it was complicit.*

## KEYWORDS

Spiritual listening | Catholic Church | Earth cry | Amazon peoples | Walk together

There is no doubt that for the peoples of the Amazon, the news that Pope Francis convoked a Synod of Roman-Catholic Bishops from around the world to reflect about the appeals that the Amazon is making to the Universal Church (the body of Christian churches worldwide) was well-received. As Dom Roque Paloschi, president of the Indigenist Missionary Council in Brazil (Conselho Indigenista Missionário - CIMI), affirmed, “the Synod for the Amazon practically began in January of 2018, in Puerto Maldonado (Peru), during the Pope’s meeting with Amazonian people.”<sup>2</sup>

The Synod of Bishops is an institution that continues an old church custom and enacts the Church’s vocation as a sign and instrument of unity for all of humanity. The term *synod* comes from the Greek and means “to walk together.” Within the Catholic Church, after the Second Vatican Council in 1967, Pope Paul VI recreated and updated the institution of the Synod, which are meetings of Bishops from around the world meet from time to time to reflect with the Pope on topics that concern the universal Church or the problems of people and pastors of a specific region (canon 342 of the Code of Canon Law). The Pope called the Special Assembly of the Synod of Bishops for the Amazon for October of 2019 according to canon 345. This topic of this Synod is “the Amazon: new paths for the church and for integral ecology.”

On June 17, 2019, the Synod of Bishops published the document that will serve as the basis for the dialogue and work at the Synod for the Amazon (*Instrumentum laboris*). Elaborated using the Latin American methodology of Liberation Theology, the document has three parts: seeing, discernment (judgment), and action. In Part I, the document describes the reality of the territory and its peoples based on reports and accounts from the communities. The proposal is to *listen to the voice of the Amazon in the light of faith*. Part II seeks to respond to the cry of the Amazon people and territory for an integral ecology. Finally, in the third part, *A prophetic church in the Amazon: Challenges and Hope*, the document tries to discern new pathways for the prophetic mission of the Church in the Amazon.

It is consoling to know that this document and the topics that the Synod will cover were formulated based on a consultation that involved the Amazon communities, Catholic and non-Catholic groups and that it received opinions from scholars and people that accompany the reality of the Amazon in the diverse countries that make up the region.

Unfortunately, there is still a significant number of bishops, priests, and Catholic groups that do not recognize integral ecology, the social situation of the peoples, and politics as topics that are directly related to the mission of the Church. It seems as if they have forgotten or ignored that Jesus defined his mission as curing the sick, freeing the prisoners and announcing the good news of liberation to the poor.

## 1 • Long-standing challenges

Over 50 years ago, Pope John XXIII and the Second Vatican Council taught us to read the “sign(s) of the times” as elements from which we learn to discern the word of God

and what he asks of us. In Latin America, the topic of the Second General Conference of Latin American and Caribbean Bishops in Medellín (1968) was to look at the social and political reality in order to discover in it the challenges for the Church's mission, which then became the theological and spiritual proposal of Christian communities inserted in poor communities. In recent decades, Liberation Theology has taken on diverse and new forms, including African, Indigenous, Feminist, and Gay theologies as well as other autonomous reflections from the same liberatory line of thinking. Nevertheless, for the Roman magisterium and the Bishops gathered in a Synod in Rome, it is the first time that, after the Second Vatican Council (1962-1965) and, for Latin America, after Medellín (1968), the social and political reality is understood as a "theologic category."

Because of this, we affirm that listening to the reality of and recognizing the theologic place of the diverse spiritual traditions of indigenous peoples is like a divine revelation that arrived late. Even though these traditions have been around for a very long time, it is only now that the Catholic hierarchy is truly recognizing that there is in them a divine revelation that it is open to receiving.

In the Apostolic Exhortation *Episcopalian Communio* (2018), Pope Francis insisted that "the Synod should be a privileged instrument for listening to the people of God" (EC 6). The fact that the Synod has taken this orientation so seriously is important news. Although questionnaires for bishops and dioceses have always preceded Synods, no previous Synod took such care to listen to local voices and to the missionaries and scholars that work with the Churches' bases. The preparatory document describes the *Church as a listener* and reveals the importance of the pre-Synod listening process that is already bringing about results in the region. These results include an articulation of different countries to serve the Amazon region, and attention to ecological disasters, the harmful action of mining companies, and deforestation. The document makes it clear that this *listening process* should continue even after the event of the Synod in Rome (n. 3).

We all know of the contrarian reaction that Pope Francis often receives in the Vatican. Some people, even cardinals, are contesting the very fact of an upcoming Synod dedicated to the Amazon.<sup>3</sup> Beyond this, the Synod is a consultative organ, without any deliberative power. It is coordinated by cardinals and bishops, many of whom do not know the region well. For many missionary brothers and sisters, as well as for people working with the bases, the *listening process* made official in the working document guarantees that the Synod goes beyond its limitations. They see that it has the potential to bring about an *Amazonization* of the Church, as the Synod inserts itself into the reality of the territory and its peoples in an alliance of humanity for life.

In this way, it seems like the Synod has already achieved, through dialogue, the construction of a necessary consensus within part of the Church that supports indigenous, river-dwelling communities and other sectors of the Amazon in their peaceful struggle against the timber and mining companies, as well as the search for an ecclesiastical mission based on listening,



dialogue and respect for cultures and spiritualities of diverse peoples and communities. The Synod working document even recognizes that the Amazon is “full of life and wisdom” (n. 5).

## 2 • Between the lines, a new “mission”

Some bishops and clergy in the Amazon region reject and maintain distance from this process, almost as if ignoring it. Even in these places where clergy are not participating in preparations for the Synod, the process has taken root among the bases.

Building consensus and the preparation of the Final Document to be delivered to the Pope at the end of the Synod demands “we walk together.” People must cede a bit here and there to concentrate efforts in critical areas.

One victory of this process and document is that it expresses a more systematic reading of the reality and the denouncement of a system that threatens life in the Amazon. It is also an achievement to see in a document sent from the Vatican the clear recognition that today, the Amazon is resisting the invasion of “new potential colonizers” (n. 7), the confession that “the Church was (or has been) an accomplice of the colonizers, suffocating the prophetic voice of the Gospel” (n. 38). Earlier, Popes, including John Paul II, asked for forgiveness for the errors of “some children of the Church,” but never recognized the Church itself had sinned.

This document also reveals new missiology. Beyond the mission of spreading the gospel to non-believers, it declares a mission related to securing justice and peace. The working document expresses that the mission can only be carried out through “dialogue with the ancestral wisdom of the Amazonian peoples” (n. 29) and that it “should be a dialogue in service of life and the future of the planet” (n. 35). Dialogue is not as a mere pedagogical strategy to better fundament the doctrinarian or religious conversion of the faithful.

These times reveal another conception of the mission. Even when the language seems to aim at the Church, it understands a *grassroots Church*, whose mission includes *Integral ecology* and the defense of life on the planet.

It is also essential to perceive that the document valorizes the autochthon spiritualities of the original peoples and the popular religion of even the Catholic communities in the Amazon. This view goes beyond basic respect for the rights of the peoples to their own religious culture, and tactical and pedagogical dialogues, to include the recognition that these spiritualities are “paths that seek to reveal the unfathomable mystery of God” (n. 39). They are expressions of Divine Spirit, present and acting in the peoples (n. 28) and, just like the territory and the social and political reality, the traditional spiritualities of the peoples are for us a theological space upon which they can rebuild, recuperate their health (n. 87), and serve as elements to transform reality and the mission (n. 93-94).

### 3 • Some provisional conclusions

In times of celebrating social forums and the multitudes protesting in plazas, the rituals of the Church need to return to a place of being expressive and prophetic. In the 1990s in São Félix do Araguaia, a theater group did a piece with a very suggestive title: *Hold on to the pan, the fire is coming up from below*. We must be clear on this: a Synod in Rome will not transform the reality in the Amazon.

We sincerely hope that the Synod for the Amazon accepts the proposal to decentralize the structures of our Church and does not uphold the classical structure of rural dioceses, parishes, and chapels. We must support a community Church and eliminate the division between clergy and laypeople. This change requires profound spiritual transformation and a new understanding of the Church's mission. We can propose this. It is a process.

We thank God for having a Pope, pastors and pastoral agents that “hold on to the pan,” that is, that give strength to and support the journey of the bases. The most decisive part will always be the local reality and the insertion into local Churches.

The Synod is the first step in a process that will be carried out through dialogue and partnership with the cultures, spirit, and peoples of the Amazon. It is a slow and dialectic process in which, like God, as each one of us, our celebrations are included and reveal which side they are on. We will realize what Salomon sings: “Through the praise of children and infants, you have established a stronghold against your enemies, to silence the foe and the avenger.” (Psalm 8: 2).

## NOTES

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1 • This is an edited version of a longer text that the author generously granted to Sur.

2 • Roque Paloschi, “O Sínodo da Amazônia: Grito à Consciência, Memória da Missão, Opção pela Vida,” *Vida Pastoral* ano 60, no. 327 (May-June 2019): 17.

3 • Sandro Magister, “Herético y Apóstata. El

Cardenal Brandmuller Excomulga al Sínodo para la Amazonia.” *Revista IHU*, June 27, 2019, accessed August 12, 2019, <http://www.ihu.unisinos.br/78-noticias/590382-heretico-y-apostata-el-cardenal-brandmueller-excomulg-al-sinodo-para-la-amazonia>.



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# Migration, religion, and human rights

## PROFILES



**“I CANNOT FIND THE WORDS TO EXPRESS HOW HAPPY I AM  
TO BE ABLE TO SAY THAT I AM A BAHÁ’Í”**

Hasti Khoshnammanesh

**“EVERYTHING THAT VALUES LIFE BRINGS US CLOSER”**

Father Paolo Parise

**“UNITY IN DIVERSITY”**

Pastor Romi Bencke

**WHEN ANY HUMAN BEING SUFFERS,  
WE HAVE AN OBLIGATION TO HELP”**

Sheikh Mohamad Al Bukai

**“A SOCIETY OF LISTENING AND DIALOGUE BRINGS US CLOSER  
TO THE DEFENSE OF HUMAN RIGHTS”**

Rabbi Michel Schlesinger



# “I CANNOT FIND THE WORDS TO EXPRESS HOW HAPPY I AM TO BE ABLE TO SAY THAT I AM A BAHÁ’Í”

## Hasti Khoshnammanesh

• *By Sara Baptista* •

Almost 16 years after leaving Iran to come to Brazil, Hasti Khoshnammanesh can breathe freely and says: “I cannot find words to express how happy I am to be able to say that I am a bahá’í”. In her home country, where the bahá’ís have been persecuted for over a hundred years, talking about her faith was frightening.

Hasti Khoshnammanesh was born in Tehran in 1980, just one year after the Islamic Revolution and in the same year that the war with Iraq began. When she was little it was quite common to hear bombing and they often had to run to underground shelters when attacks started. “I lived almost all my childhood in the war,” she says.

However, even when the conflict ended after eight years, her life did not get any easier, because Hasti was born into a family that has a religion that is not accepted. This religion was passed down to her father by his family and was chosen by her mother.

Despite denials by the government, who when confronted at international forums claim to respect the rights of all minorities, it is forbidden to be a bahá’í in Iran. The Muslim majority that rules the country have been arresting, torturing and even killing bahá’ís since the religion was created. The Bahá’í faith is the newest independent religion in the world, and since 1863 when its founder, Bahá’u’lláh, began spreading the principles of the belief it has been seen as a threat to prevailing interests. At that time, both Bahá’u’lláh himself and his followers were already being persecuted.

The central theme of the Bahá'í faith is unity. They believe in one god, one humanity and in unity in diversity. However, the followers of this religion still fall victim of prejudiced ideas in the name of other faiths.

When she was a child Hasti was called to the school principal who gave her a blank sheet of paper and asked her to make a list of all the bahá'ís she knew. The objective was to report the names and contacts of the bahá'ís to the government. These people would later be repressed. Hasti could not hold back the tears as she talked about this.

At the same time, she laughs happily when she remembers how daring she was when she signed up for the university entrance exam some years later. In Iran, the bahá'ís are not permitted to go to university, to work in government offices or to speak about their faith, as well as other restrictions. All the same she decided to sign up for the exam and when she was filling in the application form, she came across a field in which she had to state her religion. The options were Islam, Christian, Jewish and Zoroastrian. When she saw that there was no option that pertained to her, Hasti added an extra field, in which she wrote "Bahá'í".

When she received a letter confirming her registration, she realised that her religion was stated to be Muslim. Unhappy with this mistake she went to the department where corrections were carried out and told them she was not a Muslim, that she was a bahá'í. However, the result was not what she expected and Hasti was not allowed to take the exam or to follow her dream of becoming a doctor.

"This was harsh for a young woman of 17. I remember that that day I went home and cried all day, saying why? Why is this happening to us?," she recalls. In order to allow for people like her to continue their studies, bahá'í teachers who had been thrown out of the schools



and universities where they had been teaching, secretly created the Bahá'í Institute for Higher Education (BIHE), a university for young people who have been prevented from entering other institutions on the grounds of their faith.

Hasti entered the BIHE in 1997 and the time she studied there was marked by huge tension. Classes were held in Tehran, in houses on loan from members of the community. She lived in Karaj at this time, a town on the outskirts of the capital and went into Tehran every day. When she arrived at the place where the classes took place she had to be extremely careful that the

neighbours did not suspect something and hand them over to the authorities. “You were always scared, you know, that at any minute someone could raid the classroom,” she says. Her class was never found out, but many others were discovered and in these cases, teachers could be sentenced to up to five years in prison. Currently, most of the BIHE classes are online which minimises the risk of repression.

While BIHE is recognised by most other countries and its diploma is accepted in large universities in places like, for example, the USA, England and Australia, it is secretly run in Iran.

Education is an important topic for the bahá’ís. One of the principal international campaigns promoted by those who live outside Iran is called “Education is not a Crime” which uses videos and advertising to draw attention to the violations that members of the bahá’í suffer in Iran and to defend the right to access to education.

Education is also very important for Hasti, personally. For seven years she has been a teacher at the Escola das Nações, in Brasília, where children and teenagers of different nationalities and religions study. She started there as an English teacher, but nowadays she works in the department of Moral Education and is in charge of teaching the students about values and virtues. Students are taught the Brazilian and international curriculums at this bahá’í-inspired international school, as well as learning to be of service “because we believe that merely having faith is not enough. You have to put faith into action and this is called service,” Hasti explains.

The story she has built in Brazil, where her two daughters were born - one is 15 and the other is 6 – started in 2002 when Hasti moved to São José dos Campos, in São Paulo, with her husband at that time. They had met and married in Iran, but he was already living in Brazil where he had sought refuge after fleeing Iran in order to avoid serving in the army.

After Hasti left Iran, she lived in Australia for two years, but she put down her roots in Brazil. When talking about life here she says “When I came to Brazil, this freedom of expression was very valuable in my life, extraordinary. In Iran I could never have taught about my faith, nor openly said that I was a bahá’í, because I could have ended up in prison or dead.”

Her parents and siblings do not run any risk either as they live outside Iran, in the United States. Her relatives who have stayed in their home country, however, continue to be in danger. Recently, her cousin, who has a print shop was arrested and although he got out of prison by paying bail he is awaiting trial with trepidation. His crime? Being a bahá’í.

So, what is behind all this? “How can someone be arrested on the grounds of their religion?,” she asks. Hasti believes the persecution of the bahá’ís is driven by personal interests and not by any particular faith. “In the Bahá’í faith we believe that all religions are here to establish peace, love and mutual respect. All this that happens, that the Islamic government does, is in fact a distortion of the message brought by Mohammed. They do this for their own benefit,” she explains. “They do it in the name of religion,



"I CANNOT FIND THE WORDS TO EXPRESS HOW HAPPY I AM TO BE ABLE TO SAY THAT I AM A BAHÁ'Í"

but I have read the entire Quran and nowhere does it tell people to do this to the bahá'ís or to any human being. This is all about ego and people's ignorance."

Even in the face of this history and the current systematic persecution, the bahá'ís are not involved in party politics and do not stand up to the government, because they follow the precepts of their sacred law. The bahá'í community resist in silence. They carry on their lives and their activities and always respond to legal proceedings they are called for. But even if it means more suffering they will never deny their faith.

*Translated by Jane do Carmo*

## NOTE

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1 • In practice, prohibition includes both *being* a bahá'í, and *expressing* this faith publicly. As the Islam-based Constitution of Iran recognises only the Muslim, Zoroastrian, Christian and Jewish religions, a number of civil rights of those who follow the Bahá'í faith are denied. This happens on the one hand because the religion is not recognised and on the other because its declaration is obligatory, therefore preventing the bahá'ís from being seen as Iranian citizens.



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# “EVERYTHING THAT VALUES LIFE BRINGS US CLOSER”

## Father Paolo Parise

• *By Sara Baptista* •

Father Paolo Parise sees Christianity as being much more than faith, it is a practice. Since he was a child in the small village of Marostica in the north east of Italy, where he was born, Paolo has taken Catholicism beyond church services and has lived it on an everyday basis, in its purest form – helping others.

The way he lives his religious mission is simply a continuation of the way he was brought up to see others as equals. His generosity, attention and dedication are the direct result of this. When he was a child he would go with his mother to offer comfort to ill people who lived alone. With his father he learned to value and fight for justice.

The sensitivity he developed from these experiences is evident in his work as a spiritual leader which is extremely practical and focussed on society. He has won awards for human rights.

Paolo Parise possesses keen sensitivity and spirituality, along with intense religious training. When he was still very young he decided to go to seminary. He explains that both his upbringing and his sense of religion, led him to a path of faith and to dedication to social causes. Once he ceased to perceive his relationship with God as an obligation or as merely tradition and started to understand it as a non-linear relationship, full of doubts and sometimes even conflicting he came to embrace his mission to help others even more.

The Catholic Church is divided into congregations and each one of these has its own charisma, a theme to which its members are dedicated. Straight after he finished his training, when he was 19 years old, Paolo chose to work with migrants and refugees with the Scalabrinian Missionaries.

Paolo makes a connection between this choice and his childhood experiences: “I would say that [my upbringing] gave me a degree of sensitivity that led me to decide to live my religious life in a congregation that chooses to work with migrants.”

One of the first times he had contact with these communities was with Turkish people living in Germany. In his words, they were “profoundly exploited”. Another of these early experiences was with people who came largely from north Africa to work on the harvests in Italy. They too worked under slave-like conditions.

After some time working with migrants in his home country, he had the opportunity, through his studies, to become a migrant himself, in order to get a slightly better understanding of what it is to live as an expatriate. Although he was familiar with the subject Paolo’s immediate reaction was rejection. “I had never thought of leaving Italy, I was very comfortable,” he recounts. After a period of reflection, however he decided to accept and came to Brazil.

That which had been unthinkable turned into a long-term reality. Apart from a brief period when he returned to his homeland to be ordained as a priest, he has been living in Brazil for 23 years. “I think that if I had said ‘no, no I don’t want to’ I would not be the same Paolo I am today. I would be a much poorer person in terms of experience and my ability to relate to others,” he says.

In 2010 he arrived in São Paulo at the parish Nossa Senhora da Paz, in Baixada do Glicério, also the location of the headquarters of Missão Paz, a non-profit making organisation, linked to the Catholic Church that works with migrants and refugees in the capital of the state of São Paulo.

Nowadays, the institution and Paolo’s stories are inseparable, so intense has his dedication to this cause been. Missão Paz, however, dates back to 1930 and as Father Paolo puts it, its path has been based on constant dialogue with reality and its challenges.

When talking about his work at Missão Paz, Father Paolo stresses that receiving a migrant is an on-going process not a single moment. He also says that it is not enough to provide food and lodgings. People who are migrants need help becoming truly integrated into society. On this basis, the organisation currently receives migrants and refugees from all over the world and gives them a bed, food, psychological support, language classes and help getting a job, the latter being apparently the most difficult phase.

In addition, over the years, Missão Paz realised that this humanitarian work was no longer enough and they decided to engage in pressurising authorities and in advocacy, to bring about legislation and public policies for the well-being of migrants in Brazil. The institution



Photo by João Brito | Conectas Human Rights

participated, along with other organisations, in putting together and getting approval for the New Migration Law, for example.

“This is a place where there is constant dialogue. Although there is a clear identity here in that we are Catholic Christians, there is profound respect for others and their religious traditions,” says the priest, who rejects fundamentalism and preaches unity between different beliefs.

He believes it is necessary to find common ground between religions. “When we strive for life and human dignity, I believe there is great convergence in the ecumenical, inter-religious field,” he explains.

However, conflicts between different beliefs do hinder the defence of human rights. Father Paolo draws on his experience with migrants in giving an example of this kind of dispute. He believes that those who claim to follow Jesus Christ yet behave in a xenophobic prejudiced way are going “against Jesus’s message.”

In this sense, he extrapolates the issue and does not make it a personal problem. He believes a combination of factors leads to migrants being seen mistakenly and ungenerously. The politicisation of migration with xenophobic discourses professed by populist politicians and the media’s carelessness in handling the subject are some of the relevant factors. Another point to be discussed is the anthropological element of relating to the unknown. “When faced with the unknown, human beings are always wary and suspicious. This is natural, but it turns into prejudice,” he says.

In his view, this type of dispute and imposition between people goes against the ideas of Jesus Christ. “When it is said that God made human beings in his image and likeness,

we are referring not only to that which I like, those who think the same as me, people who are in my little group. This means all human beings.”

In short, “everything to do with human rights also leads me to the sacred, because life is sacred,” he says. Father Paolo, like many religious leaders from different faiths, believes that religions must put human life first. “Everything that values life, brings us closer. That which values death has nothing to do with God,” he says. And he urges “let’s come together to write a page in history that values human beings.”

*Translated by Jane do Carmo*



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# “UNITY IN DIVERSITY”

## Pastor Romi Bencke

• *By Sara Baptista* •

Romi Márcia Bencke was born with a vocation. As a young girl of German descent in the southern state of Rio Grande do Sul, she knew that religion would eventually play a greater role in her life than attending services at the Evangelical Church of Lutheran Confession of Brazil. This Church, like Romi’s own family, found its way to Brazil through German migration and settled in the south of the country.

As a child, Romi once asked the pastor if women could also be pastors. Upon hearing an affirmative answer, she decided: “So that’s what I am going to be.” At 14, Romi went to study at a church boarding school in Ivoti, Rio Grande do Sul, to pursue the dream that was no longer just her own, but also one of the whole community that supported her. There she studied translation, interpreting and pre-theology in a preparatory course for a university degree in theology. When she completed the course, however, she changed her plans and decided to return home. “I realized that I wasn’t mature enough, I didn’t feel prepared to study theology, so I went home, disappointing my family and also my faith community,” she says.

After a little more than two years working as a high school teacher, her vocation called her again and she finally decided to study theology. At the Higher School of Theology in São Leopoldo, Rio Grande do Sul, Romi not only studied the different religions, but also the social role played by them and by churches.

It was from her contact with liberation theology that she started getting involved with social actions and used her vocation for an even greater purpose: the defense of human rights. The motto “unity in diversity”, repeated whenever possible, is more than just a catchphrase; it is a guide for her work in an environment that, perhaps paradoxically, is often marked by conflict.

At university, in the early 1990s, Romi and her colleagues put the concept of social action into practice and set up a support group for HIV-positive people in the city of São Leopoldo. Information on HIV and AIDS in Brazil at the time was very limited and, because of this, she recalls, “people in the church were mad because there was obviously a lot of prejudice. When they found out that theology students were doing this type of intervention, there were lots of complaints, but we stood our ground.” It was a life-changing experience that also introduced her to other realities, such as sex work and the discussion on sexuality, which at that time was still very incipient.



After she graduated, Romi studied and worked with ecumenism, trying to find ways to unite the different religions for the common good. Unity in diversity. For seven years, she worked on ecumenical issues directly with the community as a Lutheran church pastor in a parish in inland Rio Grande do Sul, until she was appointed the first woman to be Secretary General of the National Council of Christian Churches of Brazil (CONIC).

She might not have known it at the time, but the question she asked her pastor when she was a girl demonstrated that she had another vocation: fighting for women’s rights. Romi did not let being a woman stop her from becoming a pastor or get in the way of her work promoting more tolerance in religion.

Her feminist background prompted her to criticize the patriarchal values present in the power relations in Brazilian society and to advocate for gender discussions in both schools and churches. “Women have dignity and they have rights, and no religious group, whatever it may be, can deny the dignity, autonomy and rights of women,” she says.

CONIC currently works on two fronts: promoting the experience of communion and of ecumenical and interreligious spirituality; and having a public presence in dialogue on values that underpin the perspective of equity.

Romi explains that the first point is essential because there is too much religious fundamentalism nowadays and the ecumenical viewpoint is necessary to disseminate the idea that “religion should not be used to promote hate or to divide”. “Religion can strengthen values that prioritize building a culture of peace, tolerance, less hatred, more mutual acceptance, and so on.”

But the second pillar has been gaining prominence and it was primarily on account of this other front that CONIC started working with migration. With the mass inflow of Haitian refugees to Brazil starting in 2010, the Council decided that it was time to get involved with the issue, given that it is a topic so dear to Christian churches and because of the similarities with the story of Jesus.

In 2015, a pilot project was set up called “Immigrants and Refugees: Challenges of the Ordinary House”, in which it was necessary, once again, to look inward, at religion itself. Instead of offering assistance to the people who were coming to Brazil – since CONIC was not considered to have the necessary know-how – the Council chose to work on the acceptance and accommodation of migrants with religious communities to combat prejudice.

“As a result, we addressed other issues related to the topic of migration and asylum. For example, interculturalism, xenophobia and interfaith dialogue, because each migrant arrives with or without their own religious experience, so we need to work on this diversity,” says Romi. However, the project faced difficulties when it encountered cases of xenophobia within its own community. “Our first experiment lasted one year and this experience helped confirm our suspicions about how hard it would be to for the topic of migration and asylum to be accepted by churches.” “Why so difficult?” she asked. She has the answer: “because churches are very self-centered, so when they have to open up and work on a project outside the church, unlike what they are used to doing, they encounter resistance.”

Opening churches to diversity is Romi’s mission. There are numerous partners to be found in this arduous task of fighting for a more diverse yet even more united country, ranging from churches themselves to the Rural Landless Workers Movement (MST) and several other initiatives. “And so we go, leaving a path as we walk,” summarizes Romi.

*Translated by Barney Whiteoak*



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# “WHEN ANY HUMAN BEING SUFFERS, WE HAVE AN OBLIGATION TO HELP”

## Sheikh Mohamad Al Bukai

• *By Sara Baptista* •

Sheikh Mohamad Al Bukai left his country in peace, but from a distance he saw his homeland be destroyed by war. When he left Syria in 2007 to answer the call of the Islamic community of Sao Paulo and become Sheikh of the Mosque of Pari in the capital of Sao Paulo state, he had no idea that his country would be disputed by different forces and intensely bombarded.

Mohamad Al Bukai is a theologian and his trajectory is marked by migration. In addition to his native Syria, he has studied in Egypt and Malaysia, and now he lives in Brazil, where he is an imam of the Brazil Mosque, founded by the Muslim Beneficent Society of Sao Paulo (Sociedade Beneficente Muçulmana, SBM), in Cambuci, south of the city, and the Director of Islamic Affairs of the National Union of Islamic Entities of Brazil (União Nacional das Entidades Islâmicas do Brasil, UNI).

As a religious leader, the sheikh uses his faith to fight for human rights. He explains that one of the Islamic principles is to consider that a human being is a worthy creature, regardless of his or her race or religion. “So when any human being suffers, we have an obligation to help,” he says.

His words are translated into deeds and his struggle takes place mainly in favor of migrants and refugees. In Brazil, the sheikh did his best to help the Syrians who fled the Syrian War and arrived there. Since 2011, millions of his countrymen have also had to leave their



homes, but unlike Mohamad Al Bukai, they have done so for lack of choices. With the violent repression of the uprising of the population against the dictatorial government of Bashar Al Assad, at the same time that the Islamic State was trying to dominate the region, Syria was seized by a great war that lasts up to these days.

In 2013, when Brazil began granting humanitarian visas to Syrians, a large wave of these migrants began to head for the Latin American country. Those who disembarked at Cumbica Airport in Greater Sao Paulo, however, could not find a proper welcome. Unable to speak Portuguese, the immigrants did not know where to go, so they sought the Mosque of Guarulhos, where they were finally able to communicate in Arabic with Sheikh Mohamad Al Bukai, who was serving there at the time.

Following his belief, the sheikh opened the temple doors to receive these refugees. He says that he housed even around 300 people at the same time inside the mosque. There, besides a roof, he offered food, clothes and help with documentation and Portuguese. With the increasing number of refugees, this aid provided by the mosque had to be formalized in order to facilitate intermediation between the Syrians and the Brazilian government. From this need came the NGO Oasis Solidario, which acts in the reception and integration of refugees in Sao Paulo.

“I remember I chose this name because ‘oasis’ is a word that means ‘the place where the passengers, the migrants, take a break to rest for a while, then they go and get on with their lives,’” says the sheikh. The organization created by demand of Syrian refugees has extended to serve immigrants from various parts of the world, and today also serves people from India, Bangladesh, Pakistan and many other places on the African continent, for example. After all, limiting the NGO’s practice would contradict the philosophy advocated by the

sheikh, who has difficulty seeing a world divided by geographical boundaries. For him, “peace has to be everywhere in the world. We cannot have peace in one place and accept war in another one.” “We do not accept borders, human rights have no borders,” he adds.

The sheikh, who lives closely with the pain of those forced to leave and feels daily what it is to be a foreigner, likes to remember that “anyone can become a refugee at any time.” He also calls for appropriate reception: “If you choose to host, you must treat well.”

Mohamad Al Bukai has chosen to call Brazil as his home for over ten years, but despite considering the country receptive, he has some caveats. “Brazil is a very receptive country, very generous. I have never had a problem with the Brazilian people, the nature of these people is to help. However, when this story began to be politicized, some people began publishing that refugees are terrorists, especially Muslims, that they wanted to Islamize Brazil, so the refugees’ image was tarnished,” he says.

However, this theme, that is so dear to a religion of which calendar begins with the migration of the prophet Mohammed, is not the only one that Mohamad Al Bukai is dedicated to. The sheikh also works to demystify prejudices against practitioners of Islam who have been suffering from the spread of fear of their religion since 9/11.

Throughout the western world, the association between Islam and terrorism is still common. As the sheikh says in his lectures and interviews, however, Islam’s values are consistent with democracy, peace and human rights, as they defend justice and equality. In this scenario, the sheikh believes that meetings and dialogue need to be valued for a more effective fight against intolerance.

It was precisely through the conversation that he chose to fight against the image that the Muslims are linked to violence and religious repression. In addition to helping the production of soap operas on the subject, such as “Salve Jorge” and “Órfãos da Terra” (both from TV Globo), Mohamad Al Bukai has been organizing, together with other leaders, interfaith meetings to promote tolerance, even though, as he says, religions coexist well in Brazil in general.

In the midst of advances and setbacks, the sheikh believes the world is currently experiencing a crisis of values. “Today the world has seas of poor people and islands of rich people. There has to be a cultural change, we need to help people,” he claims.

*Translated by Claudia Sander*



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# “A SOCIETY OF LISTENING AND DIALOGUE BRINGS US CLOSER TO THE DEFENSE OF HUMAN RIGHTS”

**Rabbi Michel Schlesinger**

• *By Renato Barreto* •

Michel Schlesinger, born in Sao Paulo, has been involved in projects addressed to the Jewish community since he was very young. After graduating in Law from the University of Sao Paulo (USP), he chose to devote himself to rabbinic studies, pursuing his rabbinic studies and a master's degree at the Schechter Institute in Jerusalem. In 2005, he completed his training in Israel, receiving the rabbinical ordination and earning a master's degree in Talmud and Jewish Law.

At the age of 28, he returned to Brazil and became a rabbi of the Israelite Paulista Congregation (CIP), where he later occupied the position of Rabbi Henry Sobel.<sup>1</sup> CIP is a community that, at challenging times in the country's history, especially during the period of military dictatorship, raised its voice against torture and the curtailment of individual freedoms. With the same intent, Schlesinger follows this legacy of advocating for human rights, especially as a representative of the Jewish Confederation of Brazil (Conib) for interreligious dialogue, a function that he has been performing intensively.

In his practice, one of the most frequent themes is peace, which, according to him, results from an education that sees the contact with the other as a privilege, an opportunity for learning. “When we meet each other, we have two possibilities: one is to be afraid of the unknown, of what is different from me, and this fear often ends in violence. Another possibility is reverence, recognition of the beauty that exists in this diversity,” he says. Even in the face of disagreement, the practice of listening and dialogue should direct people to the defense of human rights and the consolidation of a peaceful society.

It is in this context of valuing otherness that the Jewish principle of *tzedaká* (social justice) intends to articulate faith with social practice. Thus, it is notorious how Rabbi Schlesinger has advocated in favor of inclusion and on issues such as the challenge of sustainability, care for the environment, religious freedom and equalitarian treatment for everyone, regardless of gender or sexual orientation, for example.

At every stage of the development of Judaism, Jewish sources address the importance of Jewish people becoming responsible for society, liberty, and human rights. Thus, CIP is a congregation that in its early years began the task of welcoming immigrants, people who came to Brazil without speaking Portuguese, without housing or work, neither knowledge of Brazilian culture.

As an extension of this historic mission, currently, the Troca Urbana project of CIP Youth, in partnership with Missão Paz of Nossa Senhora da Paz Parish, promotes activities to integrate refugees with the city of Sao Paulo, aiming to develop the autonomy of the participants and offering them greater contact with the culture of the new land.

Beyond mere empathy, in a practical sense, the Torah itself, the holy book of Judaism, expresses the responsibility of caring for and loving the foreigner, a position historically occupied by the Jews themselves. "We must take care of the foreigner because we ourselves were foreigners in the land of Egypt," he recalls.

In this perspective, even the construction model of the synagogues carries within it an element of communion. According to these precepts, although there are architectural variations, all synagogues must have a common element: a window that represents the connection between rituals celebrated inside it and the outside world. From this point of view, Jews, according to the rabbi, have an obligation to truly commit themselves to what happens on the streets and in society at large. For this reason, the history of CIP has in its genesis a very close relationship with the defense of individual freedoms.

Founded by Jews who fled the persecution of a Nazifascist Europe, the congregation was made up of people who found security in Brazil so that they could live and freely exercise their right to religious cult. And it is precisely the appreciation of this freedom, whether for Jews, Muslims, Christians or followers of Afro-Brazilian traditions, that ensures that each one can be authentically what he or she is and live in a society where human rights are safeguarded, defended and guaranteed.

Specifically on the subject of human rights, the rabbi speaks of the relationship between the Jewish history and the fight against all forms of discrimination and persecution of minorities. In the 2018 electoral context, he warned about the link between religious values and the defense of the agenda of human rights, secular state and democracy. This demonstrates, to some extent, his efforts to build bridges with people who disagree with these and other topics that have been polarizing the Brazilian people.



The secular state, according to the rabbi, does not mean a state that prohibits religion, but one that guarantees all religions equal possibilities to develop freely. This implies that none of them can be prohibited or privileged by the Brazilian state and all of them have the right to participate politically and to express their opinion about what happens in the country. According to Schlesinger, it is up to each one of us to continue working to ensure that the Brazilian state remains loyal to these principles. “The secular state is an achievement, but its accomplishment, the practice, is complex. We have not reached the fullness of a secular state yet, but we are on this path.”

Thus, Rabbi Schlesinger assiduously emphasizes the value of dialogue. For him, there are two fundamental conditions for establishing it: on the one hand, believing in oneself; on the other hand, pluralism. That is, one must accept that his or her truth must not necessarily be the truth for the other, thus respecting the diversity of beliefs.

*Translated by Claudia Sander*

## NOTE

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1 • Besides being Rabbi Michel Schlesinger’s mentor, Sobel was an important human rights defender in Brazil, and he worked on the secret project that, with the participation of Dom Paulo Evaristo Arns and the Presbyterian pastor Jaime Wright and his team, exposed the torture and abuses perpetrated by the Brazilian military dictatorship. One of the results of this project was the book “Brasil: Nunca Mais” (Sao Paulo: Editora Vozes, 1985).



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# INSTITUTIONAL OUTLOOK



## **TOWARD A PLACE AT THE GLOBAL TABLE FOR RELIGION**

Dennis R. Hoover

## **ECUMENISM AND INEQUALITY**

Sheila Tanaka



# TOWARD A PLACE AT THE GLOBAL TABLE FOR RELIGION

**Dennis R. Hoover**

• *A Case Study of* •

The Review of Faith & International Affairs

## ABSTRACT

*In this case study, Dennis R. Hoover analyses the context and the role of the quarterly journal The Review of Faith & International Affairs (RFIA) in taking religion both as an analytical factor and as a potential ally in advancing human security and human rights. As Editor of RFIA since its launch in the spring of 2003, Hoover offers an inside perspective on how RFIA became the first scholarly journal to focus exclusively on the roles of religion in world affairs, positioning itself as a forum and catalyst for interdisciplinary intellectual exchange and community, collaborative research, nonpartisan commentary and policy recommendations, and curricular resources for the rising generation of leaders in global engagement. Alongside a growing number of other institutions and initiatives RFIA is working to elevate religion from a “special interest” elective to a core subject in international affairs.*

## KEYWORDS

Human rights | Religion | Academic journals | International affairs

The field of international relations has been notoriously slow to “get religion” – that is, to take religion seriously, both as an analytical factor and as a potential ally in advancing human security and human rights. A survey of 1,600 articles in four leading international relations journals over the period 1980 – 1999 found that only a handful treated religion as a significant variable.<sup>1</sup> Likewise, as Jack Snyder has observed, until recent years religion has not figured prominently in international relations theory.<sup>2</sup> In 1994 Henry Kissinger could publish an influential 912-page book titled *Diplomacy*, and not include the word “religion” in the index.

The relative lack of intellectual investment in religion in the late 20th century is especially curious when contrasted with the contemporaneous record of other social science fields. Consider for example the divergent scholarly responses to two cases of “fundamentalist” mobilization that each started in the late 1970s.<sup>3</sup>

First, in American politics there was the founding of the Moral Majority in 1979. Led by Jerry Falwell, a firebrand pastor in the fundamentalist stream of American evangelical Protestantism, the Moral Majority became the flagship organization of the religious right, focused mostly on so-called “culture war” issues such as abortion and gay rights. The social sciences were not particularly well prepared to study and understand resurgent conservative religion in American politics, but a significant sector of scholars did respond by developing new research initiatives and forums on religion. For instance, the American Political Science Association established a Religion and Politics Section in 1987.

The second case of “fundamentalist” mobilization also dates from 1979 – namely, the Islamic revolution in Iran. A development this significant might have been expected to help inspire a turn toward religious studies within mainstream international relations research and foreign policy discourse. But much of the international relations field continued to largely dismiss religious studies as “mere sociology” through the rest of the 20<sup>th</sup> century. Writing in the March 2003 *Atlantic Monthly*, David Brooks astutely surmised that

*Over the past twenty years domestic-policy analysts have thought hard about the roles that religion and character play in public life. Our foreign policy elites are at least two decades behind. They go for months ignoring the force of religion; then, when confronted with something inescapably religious, such as the Iranian revolution or the Taliban, they begin talking of religious zealotry and fanaticism, which suddenly explains everything. After a few days of shaking their heads over the fanatics, they revert to their usual secular analyses.<sup>4</sup>*

Indeed, in some respects the lag was even longer than 2 decades. It took until 2013, for example, for the International Studies Association to establish a Religion and International Relations section.

To be sure, in the 1990s some exceptions to the general pattern of ignoring religion did begin to emerge. The most famous exception, however, is one that proves the rule. This

was Samuel Huntington's 1993 *Foreign Affairs* article "The Clash of Civilizations?" and his book of that same title the following year. Huntington's bold and controversial thesis was that, with the end of the Cold War, differences between civilizations would now be the primary force shaping global conflict. Religion was implicated in the theory because Huntington defined "civilizations" almost entirely along religious lines, drawing particular attention to "Islamic civilization" and the "Christian West."<sup>5</sup>

Today, a quarter century after "The Clash of Civilizations?" was first published, its thesis is still hotly debated.<sup>6</sup> In that sense it has been helpful in catalyzing a revival of scholarship related to religion in international relations. But it also did a disservice in that it framed the relevance of religion largely in negative and reductionist terms, especially vis-à-vis the securitization of Islam, which has been a pervasive tendency since the 9/11 attacks. Moreover the "clash" theory did little to help understand how religion can be a powerfully constructive force for the common good.

Another exception to the general pattern of ignoring religion that emerged in the 1990s was in a specific area of human rights – namely, advocacy for the universal human right to freedom of religion and belief (FoRB). In the U.S., a multi-faith advocacy coalition formed to press Congress to pass legislation requiring U.S. foreign policy to focus more attention and resources on threats to FoRB around the world. The campaign led to passage in 1998 of the International Religious Freedom Act (IRFA), which created an Office of International Religious Freedom within the State Department, a bipartisan independent U.S. Commission on International Religious Freedom (USCIRF), and a new position of Ambassador-at-Large for International Religious Freedom.

The movement also helped energize private sector efforts to study and promote the conditions necessary for sustainable religious freedom. Prominent among these was the Institute for Global Engagement (IGE).<sup>7</sup> IGE was first established in 1997 as a center within the large relief and development NGO World Vision. Then in 2000 Robert A. Seiple, who had served as the first Ambassador-at-Large for International Religious Freedom from 1998 to 2000, incorporated the IGE as an independent nonpartisan think tank.

IGE quickly recognized numerous persistent gaps and biases besetting the international affairs field when it came to religion and global engagement. Among scholars and policy elites there remained stubbornly durable secularist blinders, widespread religious illiteracy, and a tendency to see religion as salient only in respect to security threats, not to broader social wellbeing and human security. And among religious leaders and other faith-based actors IGE frequently encountered a corresponding lack of understanding of the realities of geopolitics, the roles and limits of the state, security dilemmas, and so on. There were also recurring controversies regarding international religious freedom advocacy. Critics of often charged that a large portion of the activists in this field were biased toward the interests of evangelical Christianity and prone to culturally insensitive methodologies.

To help address these issues, in 2003 IGE established an interdisciplinary, multi-faith scholarly arm, the Center on Faith & International Affairs (CFIA). CFIA's mission is to equip scholars, policymakers, journalists, and religious leaders with a balanced understanding of the role of religion in public life worldwide. It sponsors numerous events and publishes a unique quarterly journal, *The Review of Faith & International Affairs* (RFIA). I have served as Editor of RFIA since its launch in the spring of 2003.

RFIA is the first scholarly journal to focus exclusively on the roles of religion in world affairs. From the start the journal has aimed to be not just another strictly academic outlet helping to sustain a narrow sub-field intelligible only to specialists. Instead the journal has positioned itself as a forum and catalyst for interdisciplinary intellectual exchange and community, collaborative research, nonpartisan commentary and policy recommendations, and curricular resources for the rising generation of leaders in global engagement.

The journal has helped meet a need that was waiting to be filled. By the mid 2000s the international affairs sector had at last begun to wake up to the need to, as David Brooks implored, “kick the secularist habit” and make new investments in religious understanding. The journal's launch in 2003 was on the early end of a broader trend that has grown and matured over the last decade and a half.<sup>8</sup> From its modest beginnings RFIA is now published and distributed by the global scholarly press Routledge, and Scopus regularly ranks it in the top tier of journals dealing with religion.

Beyond the “regular” business of the journal – publishing rigorous works by widely respected scholars and practitioners – RFIA has used a variety of methodologies to help build bridges and produce resources of practical relevance to contemporary challenges in global human rights and human security. In what follows I give a brief overview of five such methodologies.

First, RFIA frequently sponsors conferences and symposia designed to yield timely articles. For example, in the spring of this year [2019] RFIA co-sponsored multiple panels at the Henry Symposium on Religion and Politics. The panels examined the competing tendencies with evangelical Protestantism between right-wing populism and humanitarian internationalism, and the papers will be published in the September 2019 issue of RFIA.

Second, RFIA regularly publishes theme issues on pressing contemporary issues. Often these special issues are convened in collaboration with other academic and policy institutes. For example, one of RFIA's past issues was a result of a collaboration with a symposium of the US-Islamic World Forum. The issue examined the uses and abuses of the “public order and public morality” exceptions to human rights protections in international human rights law. Another example was a theme issue examining child marriage and family law, produced in collaboration with World Bank researchers.

A third methodology that the journal has used to help catalyze long-term change is sponsorship of edited books. Examples of such books comprised in whole or in part of articles previously published in RFIA include:

- Mariano P. Barbato, Robert J. Joustra, and Dennis R. Hoover, eds., *Popes on the Rise: Modern Papal Diplomacy and Social Teaching in World Affairs* (Oxford: Routledge, 2019).
- Dennis R. Hoover, ed. *Religion and American Exceptionalism* (Oxford: Routledge, 2014).
- Dennis R. Hoover and Douglas Johnston, eds., *Religion and Foreign Affairs: Essential Readings* (Waco: Baylor University Press, 2012).

A fourth methodology, closely related to the third, is foreign language translation of compendia of RFIA articles. For example, a past RFIA theme issue on religion, law, and society in Myanmar was translated into Burmese and included in the syllabus of a certificate training program in Myanmar co-sponsored by IGE. Similar translation packages will be produced in the coming years for IGE-sponsored educational programs in Vietnam and Uzbekistan.<sup>9</sup>

Finally, a fifth example of RFIA methodology is sponsorship of essay contests. For instance, together with the Leimena Institute (Indonesia), in 2015–2016 RFIA sponsored an international essay contest (with both student and professional divisions) on freedom of religion and belief in Southeast Asia and the West. Winning essays were later published in RFIA.

In conclusion, alongside a growing number of other institutions and initiatives<sup>10</sup> RFIA is working to elevate religion from a “special interest” elective to a core subject in international affairs. To be sure, “religion” remains a highly complex and delicate subject, with attendant risks in analysis and engagement. As Bryan Hehir of the Harvard Kennedy School once quipped, bringing religion into international affairs is like brain surgery – necessary, but also risky if not done well. RFIA is a prominent example of the burgeoning trend in scholarship and education aiming to generate more leaders – secular and religious alike – who are prepared to act as deft and knowledgeable “brain surgeons” at the critical intersection of religion, human rights, and human security around the world.

## NOTES

1 • Daniel Philpott, *Revolutions in Sovereignty: How Ideas Shaped Modern International Relations* (Princeton, NJ: Princeton University Press, 2001):

9. The journals are *International Organization*, *International Studies Quarterly*, *World Politics*, and *International Security*.

2 • See Jack Snyder, ed., *Religion and International Relations Theory* (New York: Columbia University Press, 2011).

3 • Portions of this article are adapted from the introductory chapter of Dennis R. Hoover and Douglas

Johnston, eds., *Religion and Foreign Affairs: Essential Readings* (Waco: Baylor University Press, 2012).

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5 • Samuel Huntington, “The Clash of Civilizations?,” *Foreign Affairs* 72, no. 3 (Summer 1993): 22–49.

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in 2006; Berkley Center for Religion, Peace, and World Affairs, Georgetown University, founded in 2006; Religion and Foreign Policy Initiative, Council on Foreign Relations, started in 2006; Center for the Study of Democracy, Toleration, and Religion, Columbia University, founded in 2006; the Certificate Program in Cross-Cultural Religious Literacy at the Jackson School of International Studies, University of Washington, launched in 2019.

9 • The Myanmar project was supported by the John Templeton Foundation, and the Vietnam and Uzbekistan projects are supported by the Templeton Religion Trust.

10 • Including some religious institutions that have long operated affiliated NGOs and commissions focused on international advocacy for social justice, peace, and human rights (see for example the Commission of the Churches on International Affairs, which is part of the World Council of Churches).



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# ECUMENISM AND INEQUALITY

**Sheila Tanaka**

- *The role of faith-based organizations* •  
*for water advocacy in Brazil*

## ABSTRACT

*In the current context of intensifying the dichotomies related to the presence of religion in Brazilian politics, it is urgent to highlight the work of faith-based organizations for social justice. This article contributes to this debate based on the experience of Christian Aid, a global ecumenical organization that has been present in Brazil for 40 years, tackling structural causes of inequality. Taking ecumenical articulation on the water theme as an example, the text spells out innovative ways of forming alliances and developing joint actions among national, regional and global faith organizations.*

## KEYWORDS

Ecumenism | Inequality | Faith-based organizations | Water

## 1 • Introduction - Ecumenism and tackling inequality

Faith-based organizations (FBOs) are prominent in promoting human rights and tackling mechanisms of global inequality. The ecumenical concerted action of churches and FBOs has its historical milestone in the post-World War II context. The news that Christian churches would have contributed to fascist regimes in Italy and Germany led to a deep questioning of the social role of churches and their relation to political power. In response, churches in Europe and the United Kingdom joined forces to coordinate aid to war victims and refugees in the first ecumenical concerted action registered.<sup>1</sup> In this context, ecumenical organizations of international cooperation raised, such as Christian Aid in the United Kingdom in 1945 and Heks in Switzerland in 1946. In 1948, a broad alliance of churches formed the World Council of Churches (WCC), expanding ecumenical cooperation in shaping a global network.

The agency of churches in international Jewish support networks in this context also raises a broad debate on the importance of cooperation between different faith traditions to combat forms of exclusion such as anti-Semitism and racism. International ecumenical organizations began to work in countries in poverty and social conflict, strengthening their commitment to the transformation of unjust structures of power around the world. This movement is accompanied by links with theological elaborations that support the political agency of organizations for equality and justice. For these organizations, questioning and challenging the structuring mechanisms of inequality is part of the commitment to faith and Christian witness.

Christian Aid is the official agency of 41 Protestant churches in the UK and Ireland and has been present in Brazil since the 1970s. In its global strategy for the period from 2019 to 2026, it affirms its mission for “a world where everyone has fullness of life; a life lived in dignity, free from poverty and need; where global resources are equitably shared and sustainably used; and where the voice and agency of poor and marginalized are fully realized.”<sup>2</sup> Its work is structured in three pillars: i. actions to mitigate the effects of poverty; ii. long-term advocacy work to identify and challenge the structural causes of inequality; iii. strengthening of faith communities, social organizations and other local actors as spaces of articulation and denunciation, to enhance prophetic voices for justice. These three pillars are interdependent and must be present in all areas of work of the organization. Thus, its theological production, its work of international political influence, its global campaigns and its programs in the 37 countries where it operates have a multidimensional character.

In this way, Christian Aid works in Brazil in partnership with social movements, civil society organizations, churches and ecumenical organizations. The work is oriented to the promotion of community rights to access to land, goods, services and spaces of social and political participation. The recent dynamics of poverty increase in the country, with cuts in public policies and increased private control of natural resources, require faith-based organizations to update their analysis and way of working, strengthening networks and creating innovative tools for dialogue with their foundations. Next will be presented a recent example of a collective initiative of faith-based actors on the water theme.

## 2 • Water as a sacred element and engine of inequalities in Brazil

Unequal access to water is one of the most perverse forms of inequality in Brazil. Although the country holds 20% of aquifers and drinking water sources in the world, more than 34 million people do not have access to drinking water in the country.<sup>3</sup> The lack of conscious management of water resources means that even communities neighboring water sources cannot access them, either because of private control or contamination of rivers and springs.

Contamination and water scarcity in some regions is aggravated by the predilection of official bodies for the private interests of large corporations over the rights of poor populations and communities in urban peripheries and rural areas. The increasing commodification of natural resources is aggravated by the concentration of land ownership where water sources are found and by the lack of environmental control in preservation areas. The exclusion of affected communities from decision-making processes on water resources shows that access to water is related to the unequal structures of political power in the country.

The lack of water in rural communities is also a direct consequence of the development model in the rural areas. Extractive activities of mining and agribusiness generate contamination of rivers and springs and periods of drought in regions that depend on irrigation. In Oriximiná, in Pará, *quilombola* communities and riverside communities face numerous consequences of the contamination of the river in their health and subsistence since mining of bauxite began in the region.<sup>4</sup> In Vale do Ribeira, São Paulo, tomato monoculture has been causing the contamination of the springs, with immeasurable consequences to the health of the population, especially of women.<sup>5</sup> As one of the faces of gender inequality, women are the most impacted as they have to walk long distances to get the water they need to take care of their home and family and as they have more contact with contaminated water in washing clothes and preparing food.

All those issues contrast with the fact that water is a sacred element for all religions, as the source of life and a fruit of the divine Creation with a purifying and unifying nature. The call to care for the planet and its natural resources, or, in other words, the Creation, is present in many sacred texts. In Christianity, water is the symbolic element that concretizes membership in baptism, and the protection of water sources is a commitment to the divine love itself. In African and indigenous religions, water is also present in rituals of initiation and purification as an element that interweaves material and spiritual.

Given this situation, in 2006 the World Council of Churches approved a declaration calling on its member churches to monitor water conflicts in their regions and to take a stand against privatization initiatives and in favor of community access to water. In addition, it also calls on churches to join in the articulation of the Ecumenical Water Network.<sup>6</sup> The purpose of this network is to support the exchange of information between churches and communities on the water crisis and local solutions encountered, as well as to promote and coordinate actions of international concern for the recognition and fulfillment of the human right to water.

In response to this convocation, the National Council of Christian Churches of Brazil (CONIC) launched, in cooperation with churches in Switzerland, the “Ecumenical Declaration on Water as a Human Right and a Public Good”, a first convocation to churches and faith organizations to stand for the advocacy of the country’s natural resources by the occasion of the beginning of the International Decade for Action “Water for Life” (2005-2015). In 2016, the Ecumenical Campaign “Common House, our responsibility” also called for ecumenical agency for sanitation and treatment of solid waste.

These initiatives were fundamental to increase the attention of faith-based actors and ecumenical spaces on the importance of acting in the defense of water resources. To deepen these initiatives and take the next step in articulating these actors, Christian Aid and its partners are developing joint initiatives to strengthen ecumenical networks and the agency ability of faith communities for water advocacy.

### 3 • Ecumenical training, advocacy and communication for water

In 2018, a broad articulation of civil society organizations convened the Alternative World Water Forum (FAMA). This articulation took place in response to the World Water Forum, a meeting promoted by large economic groups to proceed private control of natural sources and public water services. The call for FAMA denounced these attacks of private interests and called for the unification of resistance initiatives to discuss the defense of democratic access to water and the defense of communities affected by water conflicts.

A wide ecumenical articulation involving the Ecumenical Forum ACT Brazil (FEACT),<sup>7</sup> Heks, WCC, among other organizations, also called an interreligious space during the event. The Interreligious Tent of FAMA hosted events to strengthen the spiritual dimension of water advocacy and the affirmation of water as a common good, strengthen national and international ecumenical articulations in defense of water and increase advocacy processes. This dialogue culminated in the ratification of an interreligious declaration, in which guidelines of agency for churches and FBOs to deepen their work have been defined. These guidelines are:

- **Spiritual and theological training**, technical and political, to promote communities as subjects of fair relations with nature, specifically water and its territories;
- **Articulation, alliance and advocacy actions** that link local agendas with regional and global processes of sustainable development, climate justice and tackling of sociocultural inequalities;
- **Common communication strategies** that promote exchanges of experience and knowledge, actions of public denunciation

and dissemination of the alternatives that involve the people in the processes of justice for water and the whole Creation.<sup>8</sup>

From this definition, ecumenical organizations and churches have been working together to develop water advocacy initiatives. An initial mapping of Christian Aid identified 22 ecumenical organizations working on this theme in different training, advocacy and communication activities. The FEACTION is one of the spaces where organizations have developed concerted actions and in which the agenda contributes to strengthen the ecumenical movement.

In collaboration with international networks, Christian Aid is mapping theological productions on the theme of water, with support from WCC's Ecumenical Water Network, and developing training courses for faith leaders. In November 2018, a regional course for youth from Latin American churches was offered in El Salvador, with the theme "Water, food and climate justice." The young people selected participated in sessions with WCC experts, the World Student Christian Federation, Christian Aid and the ACT Alliance, and knew the projects against water privatization in El Salvador. The learning acquired on the regional course also fostered materials for training in Brazil, multiplying the impacts of the activity.

A partnership between CONIC, Christian Aid, CREAS<sup>9</sup> and Faculdade Unida de Vitória made possible the development of an online training course for members of faith communities in the country.<sup>10</sup> For a period of three months, approximately 90 participants have access to weekly sessions with audiovisual and text resources, and participate in a virtual discussion forum. The enrolled participants represent 31 churches and faith communities from 21 states, most of them from the North and Northeast, where conflicts over water are latent. The modules were designed to deepen the understanding on multiple aspects implied in the inequality of access to water, understanding its relationship with private control, climate change, gender and violence. Participants will also be provided with tools to develop an advocacy and communication plan for local action. All the modules are also endowed with biblical studies that explain the relation of the themes with the commitment of faith.

During the process of preparing this course, a mapping of organizations identified the main references in each theme. The result of this work is the direct participation of 15 organizations in the production of content, among ecumenical organizations, social movements and specialized associations. Highlighting the participation of Latin American organizations such as the ALC, an ecumenical agency of regional communication based in Argentina, which contributed to the elaboration of communication and gender content, and the Andean Ecumenical Higher Institute of Theology (ISEAT), responsible for the elaboration of theological content, besides CREAS itself as a regional organization that articulates the course. The Ecumenical Water Network also contributed sending materials and indicating specialists.

This process, in addition to strengthening relations between organizations and networks, also guides training for a practical application of advocacy in local communities. Course

participants reported in the first few weeks the problems they face or observe in access to water, and one of the main demands is for methods of identifying institutions and decision-making spaces in which they can exert some influence or present their agenda. With the support of experts, they can develop campaigns and advocacy actions in their churches and faith communities. The mobilizing potential of the initiative is thus observed, virtually linking resources developed by national and regional organizations with communities with little or no support of the government, where churches have a strong political role.

In addition to the training process, Christian Aid and its partners have also developed case studies to identify and give visibility to the perspective of communities suffering from lack of water or contamination. These studies, developed in partnership with the Movement of People Affected by Dams (MAB), *Sempreviva* Feminist Organization (SOF) and Pro-Indigenous Commission of São Paulo (CPI-SP), identify undocumented problems in official surveys and record local voices in the Amazon and in the region of Vale do Ribeira, SP. The cases will be published in a document to encourage prophetic agency<sup>11</sup> for water justice. The local advocacy process, developed by the communities, is thus strengthened by the links between communities, social movements and FBOs.

It is still not possible to evidence the impact of these actions quantitatively, due to their recent character. However, even if their results are not visible for the moment, the initiatives have an intrinsic value as a process. The broadening of organizations' abilities to tackle social justice issues with solid technical and theological bases enables them to build alliances in a variety of agendas. In the effort to foster prophetic voices in caring for Creation and to defend communities facing challenges in access to water, ecumenical articulation is strengthened.

#### 4 • Final considerations

Since its inception, international ecumenical organizations have played an important role in denouncing injustice and linking faith with the advocacy of equality. Christian Aid's work in Brazil reinforces local ecumenical agency in dismantling the structural causes of inequality, reflecting the organization's strategy for the period. One of the organization's focal points in the country is the work with faith communities for the defense of natural resources.

From actions in defense of water, ecumenical action has been strengthened and found renewed ways of doing politics. The activities achieved greater coherence and articulation between initiatives of different organizations. Ecumenical networks, such as FEACT and the National Council of Christian Churches of Brazil, embraced the agenda and included the activities in their long-term planning, influencing the action of churches, member organizations and other networks. The initiatives also strengthened collaboration between faith and secular organizations such as social movements working on water issues. The approach to experiences of other Latin American countries with great learning regarding the challenges of water privatization (Bolivia and El Salvador) and with global networks

(World Council of Churches - Ecumenical Water Network and ACT Alliance) evidences not only the global relevance of the theme, but also a great ability for articulation.

In the current context, it is urgent to strengthen ties and alliances between faith-based organizations that advocate for human rights. International ecumenical cooperation is an instrument of this front and plays a fundamental role in promoting faith as an engine of solidarity, equality and justice.

## NOTES

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- 9 • CREAS is an ecumenical Latin American organization that works with training for human rights promotion in the region.
- 10 • Protestant, Catholic, Pentecostal and Neo-Pentecostal churches and parishes, as well as representatives of *terreiros*, pastorals and ecumenical organizations.
- 11 • For Christian Aid, the term "prophetic" refers to local and collective agency to denounce poverty, inequality and injustice, and to announce a new reality, built on daily fights.





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# VOICES



## **WHEN HUMAN RIGHTS, NATIONAL IDENTITY, ETHNICITY, AND RELIGIOUS PERSECUTION COLLIDE**

Salih Hudayar

## **PALESTINIAN CHRISTIANS AND THE DEFENCE OF EQUAL HUMAN RIGHTS**

Yusef Daher



# WHEN HUMAN RIGHTS, NATIONAL IDENTITY, ETHNICITY, AND RELIGIOUS PERSECUTION COLLIDE

**Salih Hudayar**

## ABSTRACT

*As it is difficult to ascertain who might be guilty of the thought crime of harboring feelings of East Turkistani national identity, Uyghurs and other ethnically-Turkic people in the region have been targeted on the basis of their religion and ethnicity. The Chinese government sees the idea that Uyghurs and other ethnically-Turkic people in the region might retain their separate national identity, viewing themselves as separate from the Chinese super-state, as a crucial national security threat. It is important to note that East Turkistan (what China calls “Xinjiang”) sits at the corner of stone of China’s Belt and Road Initiative for global economic supremacy and is a vast resource rich-strategic region serving as a gateway to Central Asia and the West. As democratic nations attempt to grapple with this urgent human rights crisis, it is vital that human rights advocates and policy makers frame this issue in its most accurate terms by understanding the geopolitical factors and history of this oppression.*

## KEYWORDS

East Turkistan | Uyghur | Muslims | Human rights | Religious freedom | China | Xinjiang | BRI | Global Security

Few international observers have ever heard of “East Turkistan”. If they have heard of it, they have probably only heard it called Xinjiang, China. And therein lies the issue at the heart of this crisis.

East Turkistan is the name Turkic peoples traditionally use to refer to their homeland. Since 1949, East Turkistan’s inhabitants have viewed our homeland as being under a de facto state of military occupation by Chinese Communist forces. Before that time, we had a sovereign, independent nation. In fact, over the past century, we have had two separate East Turkistan Republics. Our homeland has a separate ethnic identity as well. Its native inhabitants are Turkic peoples who are culturally and ethnically distinct from China’s ethnic Han majority. Because of our separate ethnicity, and because of our long history of having a distinct culture, we have harbored a separate identity, dating back to ancient times.

Since May of 2014, in the aftermath of an attack at Urumchi’s south railway station which left three dead, China’s Communist Party authorities have accelerated an unprecedented, official campaign to deprive our people of our human rights.<sup>1</sup> After the attacks, Chinese President Xi Jinping said, “The battle to combat violence and terrorism will not allow even a moment of slackness, and decisive actions must be taken to resolutely suppress the terrorists’ rampant momentum.”<sup>2</sup>

This campaign is characterised by totalitarian levels of surveillance, forced brainwashing in “re-education and vocation training centers,” involuntary work in labour camps, long sentences in traditional prisons, the destruction of mosques, the erasure of the Uyghur language, and numerous other violations of human rights. There are even reports of forced marriages of Uyghur women to ethnically-Han Chinese men, as well as reports of torture in these modern-day concentration camps.

Some reports state that praying, wearing a hijab, going to a mosque, traveling abroad (for instance, on Hajj pilgrimage), listening to a religious lecture, having a full beard, abstaining from alcohol, and performing a traditional funeral are all grounds for being arrested.<sup>3</sup>

In fact, over one hundred members of my immediate and extended family have been arrested. Three have died in these camps, allegedly after having been beaten. My family has no way of knowing precisely what happened, and because the bodies are immediately cremated, grieving families, such as mine, are callously deprived of the opportunity to view the bodies of our loved ones or bury them according to our religious and cultural customs.

Chinese authorities characterise this campaign, which was unveiled in 2012 and which they call the “Strike Hard Campaign Against Violent Terrorism” campaign, as one targeting what the Chinese state calls the “3 evils,” namely “separatism, extremism, and terrorism.”<sup>4</sup> In international media, this is often simplified as being a campaign based on religious or ethnic persecution, and certainly there are elements of that, but for a more complete understanding of this oppression, its necessary to explore what the Chinese authorities mean when they delineate these “3 evils.”

Extremism and terrorism are concepts that are self-explanatory to most readers, but the truth is that there are very few instances of religious extremism or large-scale terrorism inside East Turkistan (or what China calls Xinjiang). Those few misguided souls who do subscribe to such ideologies have typically left East Turkistan for foreign battlefields. That leaves “separatism,” and this is the real false pretext for the persecution that is currently happening in East Turkistan. Our separate national identity, rooted in our separate ethnic identity, is the basis of the Chinese Communist Party’s allegations of separatism.

Because it is difficult to ascertain who might be guilty of the thought crime of harboring feelings of East Turkistani national identity, Uyghurs and other ethnically-Turkic people in the region (including ethnic Kazakhs, Kyrgyz, Uzbeks, and Tatars) have been targeted on the basis of our religion and ethnicity. But make no mistake, the real goal of this human-rights violating campaign is to eradicate all feelings of an East Turkistani national identity.

Why is the Chinese Communist Party so hell-bent on eradicating East Turkistani national identity? In the past, these authorities were content to let us live in relative peace. Throughout China’s Cultural Revolution, Uyghurs were placed into Maoist re-education camps, but never at the scale or with the brutality seen today. Only in the past decades have the Chinese Communist authorities begun to behave in such a ruthless fashion, and the reason for this is actually a simple matter of geopolitics.

Our homeland of East Turkistan is rich in natural resources – like oil, gold, and uranium – that China will need in coming decades. Moreover, it sits as a cornerstone in China’s Belt and Road Initiative (BRI). East Turkistan is key railway conduit into Central Asia, part of China’s ancient “Silk Road.” It also sits at the center of the China-Pakistan Economic Corridor (CPEC). In short, for Chinese Communist authorities, the idea that Uyghurs and other ethnically-Turkic people in the region might retain their separate national identity, viewing themselves as separate from the Chinese super-state, is completely untenable. To eradicate this idea of East Turkistan, the Communist authorities are willing to violate our human rights including our right to worship freely in any way they deem necessary, and they are doing precisely that.

As democratic nations attempt to grapple with this urgent human rights crisis, it is vital that human rights advocates frame this issue in its most accurate terms. In particular, we ask that nations in the Global South begin to acknowledge that we view ourselves as East Turkistanis rather than Uyghurs from Xinjiang or Chinese Uyghurs or even Chinese Muslims. We do not view ourselves as Chinese. It is also imperative that nations in the Global South, particular Muslim-majority nations, explain the history of this oppression. Without educating the world about East Turkistan, the world will never understand the basis of this crisis.

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# PALESTINIAN CHRISTIANS AND THE DEFENCE OF EQUAL HUMAN RIGHTS

**Yusef Daher**

- *Changing the discourse* •

## ABSTRACT

*The author of this op ed explains how Palestinian Christians have changed their discourse of resistance and their vision for a future political settlement in relation to the Israeli Palestinian issues of occupation and peace. After being pioneers in the Palestinian revolution, armed struggle and the first Intifada, Palestinian Christians started changing the discourse in the second Intifada and from there, they ventured another leading role in non-violence and creative resistance to end this endless de facto conflict by setting a liberation theology and logical vision that respects human rights for everyone in the region.*

## KEYWORDS

Peace | Palestine | Palestinian Christians | Speech | Resistance



## 1 • Introduction

Palestinian Christians: people of Palestine even before Jesus Christ and the early mother church are an integral part of the many peoples who have inhabited this land for centuries. They come from different and mixed ethnicities and cultures including Canaanites, Arabs, Philistines, Jews and Nabateans.

Palestine, historically part of greater Syria, lies between the Mediterranean Sea and the Jordan river from West to East. The Red Sea from the south to the Lebanese borders and the Syrian Golan heights in the north.

Palestine Christians are linked to different Christian denominations, including Eastern Orthodoxy, Oriental Orthodoxy, Catholicism (Eastern and Western rites), Anglicanism, Lutheranism and other branches of Protestantism. They number 6–7% of the 12 million Palestinians with approximately 70% living outside Palestine and Israel. Their language is both the local dialect of Palestinian Arabic and Classical Arabic or Modern Standard Arabic. In 2009, there were an estimated 50,000 Christians in the Palestinian territories, mostly in the West Bank, with about 3,000 in the Gaza Strip. The majority of Palestinian Christians (75%) live in the Palestinian diaspora.

Palestinian Christians have resisted all kinds of occupation together with their brothers and sisters of the different faiths. They resisted the oppression of the Ottomans side by side with Jews and Muslims. They also fought the British mandate of Palestine.

After the British mandate ended in 1948, Muslims, and Christians Arabs resisted the takeover of their land and the establishment of the state of Israel. Christians and Muslims sided against the Jewish Israeli project over Palestine. Since then, Palestinian Christians became pioneers in the revolution including armed resistance and later in non-violence.<sup>1</sup>

In this op ed, I present a portrait on the involvement of Palestinian Christians in the defense of human rights for their people, particularly the right to be free as equals on their land (self-determination and settlement in the land).

## 2 • First game changer: Discourse from mainstream resistance

At the beginning of the first intifada in 1987,<sup>2</sup> Palestinian Christians chose non-violent civil disobedience against Israeli policies. At that time the people of Beit Sahour (an adjacent town to Bethlehem with a Christian majority occupied in 1967 by Israeli forces) refused to keep paying the same taxes while not having the adequate rights and services. Their slogan was “No taxation without representation”.

During the second intifada, Palestinian Christians deviated from the mainstream resistance and away from violence and militarization. The imbalance in power to fight

was obvious to them. Instead, many Christian Palestinian leaders became more involved in Church related organizations, such as YMCA, YWCA, clubs and scouts, SABEEL, Wiam, Arab Educational Institute, etc., and other non-Governmental organisations thus becoming closer to their religious leadership.

By Christmas 2000, I for example, managed to gather a group of my close friends and established together what we called then the Laity committee in the Holy Land. It was a resistance initiative that offered Palestinian Christians an alternative to the unbalanced military struggle. We tried to interpret the political developments and communicate them to the local and international Church leadership and the international community. We somehow became agents of a discourse, advocating on behalf of our people. Despite these efforts, our belief in international law<sup>3</sup> and the fact that peace might still be possible, we were witnessing instead more violence and more hatred. The second intifada resulted in the death of over 6,300 Palestinians and 1,178 Israelis between 2000-2005.

### 3 • Second game changer: Recognition that current attempts are not working

Today, after negotiating peace for over 20 years,<sup>4</sup> Israelis are still building on the land that is supposed to be freed for the Palestinians. When negotiations started, there were 100,000 settlers in the West Bank. Now there are over 620,000!<sup>5</sup>

And instead of having peace for the two peoples we have a wall which took more land from the West Bank, further dividing the two peoples. The Israelis on one side living normal life, enjoying more land and water. The Palestinians on the other side, deprived of freedom of movement, access to worship and livelihood.

The Palestinians were promised peace and reconciliation but received more hatred and oppression, corruption and manipulation. The Palestinians started to realize that the peace process was a big lie, and an opportunity only for the Israelis to grab land while Palestinian life became increasingly unbearable. This is when we started favoring the word “Justice” over the word “Peace”.

Israelis also do not seem to be convinced of the two-state solution.<sup>7</sup> The majority do not see how this land can be divided. Their party leaders have talked many times about Israel annexing what is left from the West Bank.

However, it is not enough to put the blame on the other. Palestinians are also divided between a religious political leadership under Hamas in Gaza and a more secular political leadership in Ramallah that is seen as corrupt and weakened by the occupation and the unilateral nature of peace agreements.

In order to get the peoples of this land out of this cycle of violence, we are obliged to read the past differently and thus the future too.

#### 4 • Moment of revision: needing a new discourse

We understand that the dignity of a person is highly valued. We understand that religious significance is a drive behind one's dignity. We also realize that living under occupation is a humiliation. While we understand that with hope people can overcome and can endure, we also understand that without dignity one can feel desperate enough to lose hope and faith too.

During the last five years of halted negotiations – with no war but also no peace, the continued illegal settlements in the West bank and the unilateral control of every aspect of Palestinian life by the Israelis - this generation, especially the youth, have lost faith. Not only in the promise of justice and international legitimacy. But also faith in their leadership, being religious or political. And they have lost respect for their parents who have made them inherit a century of humiliation. We need a new discourse.

The idea of a new discourse can be seen in the 2006 statement by Palestinian Christian leaders who echoed the Heads of Churches position on Jerusalem, first made during the Camp David negotiations:

*Different solutions are possible. The city of Jerusalem might remain united but sovereignty in this case must be shared, exercised according to a principle of equality by both Israelis and Palestinians. However, the city might also be divided if this be the desire of the two peoples who live here, with two distinct sovereignties, the aim of which would be to reach a true unity of hearts in the two parts of the city.<sup>8</sup>*

Similarly, the idea of a new discourse was well articulated in February 2016 by the Commission for Justice and Peace of The Catholic Church of The Holy Land:

*Change the situation. Shake it out of its immobility. There is enough space in the land for us all. Let all have the same dignity and equality. No occupation and no discrimination. Two peoples living together and loving each other according to the way they choose. They are able to love each other and to make peace together.<sup>9</sup>*

The National Coalition of 32 Christian Organizations in Palestine named the current period the “Impossible moment” in their open letter to the Ecumenical family.<sup>10</sup> These organizations pleaded for a more active role by the International Churches to end this situation of suffering.

Despite these ecumenical efforts, President Donald Trump recognized Jerusalem as the capital of Israel in 2017. Palestinians were filled with anger and sadness.

This unlawful recognition gave a green light for more aggressive policies against the non-Jewish population, mainly Palestinian Christians and Muslims, on Church property and the sanctity of Al Aqsa Mosque. Giving Israel exclusive sovereignty over the city is considered as an illegal and dangerous development. The US position has also encouraged the Likud<sup>11</sup> ruling party to unanimously vote in favour of annexing the West Bank as policy.

In response, Church leaders met with Palestinian President Mahmoud Abbas and King Abdullah of Jordan and had a press conference in Bethlehem after President Trump's announcement. An official statement by the heads of Churches warned: "Exclusivity over the Holy City will lead to very dark realities".<sup>12</sup>

The role of the church in presenting a new discourse in diplomatic issues was shown recently. In 2018, the Churches of Jerusalem were concerned and resisting Israeli policies. The Greek Orthodox Patriarch Theophilos III spent several weeks warning about new proposed Israeli legislation that was being discussed in the Knesset. The legislation would permit the state to confiscate ecclesiastical lands at the end of lease periods and to provide compensation to the companies on which the residential projects were built.<sup>13</sup>

In protest in February 2018, the Heads of Churches took an unprecedented measure by closing the Holy Sepulcher Church for three days. The church is considered the most important site in Christianity. It is major site for pilgrims while visiting the Holy Land as the Church complex includes the sites of Golgotha, where Jesus was crucified and also his tomb. The protest forced Israeli Prime Minister Benjamin Netanyahu to put on hold the aggressive legislative measures until further notice.<sup>14</sup>

Palestinian Christians continue searching for a way out of this ongoing suffering. Nine years after the Kairos Palestine document was published in 2009,<sup>15</sup> the 2018 Kairos Palestine conference reaffirmed that

*True peace cannot be achieved by fear of and separation from the other; It is only achieved when both the oppressed and oppressors are healed and redeemed; and consider each other as equal in dignity and worth. God can and will make all things new, but he will use us the faithful to achieve this.*<sup>16</sup>

## 5 • In conclusion:

### A new vision, a bi-national democracy called Israel Palestine

One thing Palestinian Christians have in common is that they all feel proud of still being

here and continue to survive: it is witness to their faith. Together with their Church leadership, they call and work for an inclusive Jerusalem, shared by the two peoples living in it. It is the centre of their life and faith.

A two state solution no longer seems to be an option, with nothing left on the negotiating table, Palestinians in general and Christians in particular must go back to basics. In order not to surrender to injustice, and in order to bring up our new generations with dignity we, Palestinian Christians pledge a new vision. We express that loudly and clearly. We can only see dignity, justice and peace when everyone in this land enjoys equal rights in a single country called Israel Palestine.

The Catholic Ordinaries in the Holy Land recently set out this vision:

*We believe that equality, whatever political solutions might be adopted, is a fundamental condition for a just and lasting peace. We have lived together in this land in the past, why should we not live together in the future too? This is our vision for Jerusalem and the whole land, called Israel and Palestine, between the Jordan River and the Mediterranean Sea.<sup>17</sup>*

Since the inhabitants of this land are multi ethnic groups, Jews, Christians, Muslims, Druze, Baha'is, Armenians, Russians, Ethiopians, and others and since they come from different origins, Canaanite's, Arabs, Jews, Nabateans, Philistines, etc., we can only see a solution that is multi-national, multi-cultural, multi-religious.

Politically, a democratic state sharing borders with Lebanon, Jordan, Syria and Egypt. Full rights and citizenship would be given for everyone born there, including returning refugees and Israeli immigrant decedents and for all those who live in the territory today.

A one entity solution is the only solution where justice of heaven and the justice on earth would kiss each other, as the Bible says (Psalms 85.10). After all, we, as Christians, believe that God created us all equals in his image and we are loved equally as sons and daughters. With the inhabitants of Israel-Palestine living under one democratic state, self-determination on an equal footage would be ensured. Every human being enjoying full rights as a citizen.

The extended agony of the peoples under occupation or in refugee camps must end. Confidence in a better future should take the place of fear. Dignity must take the place of humiliation. Sharing instead of division and separation. Belonging to one human race instead of racist laws and legislations.

We lived together in the past for thousands of years, why cannot we in the future?

## NOTES

- 1 • More of Palestinian Christians in “Palestinian Christians in the Holy Land,” Institute for Middle East Understanding, December 17, 2012, accessed July 31, 2019, <https://imeu.org/article/palestinian-christians-in-the-holy-land>.
- 2 • The intifadas were two Palestinian uprisings against Israel, the first in the late 1980s and the second in the early 2000s. The intifadas had a dramatic effect on Israeli-Palestinian relations; the second, in particular, is seen as marking the end of the 1990s era negotiating process and ushering in a new, darker era in Israeli-Palestinian relations. See Nami Nasrallah, “The First and Second Palestinian Intifadas,” in *Routledge Handbook on the Israeli-Palestinian Conflict*, eds. David Newman and Joel Peters (Abingdon: Routledge, 2013): 56-68. In 2015, there was an increase of violence occurred in the Israeli-Palestinian conflict starting early September 2015 and lasting into the first half of 2016, known as the “Intifada of the Individuals” by Israelis or the “Knife Intifada” or “Stabbing Intifada”.
- 3 • The international law became a major arena of regional and international tension since the birth of Israel in 1948, resulting in several disputes between a number of Arab countries and Israel. The main points of dispute (also known as the “core issues” or “final status issues”) are: (1) Israel’s annexation of East Jerusalem (Israel has also annexed the Golan Heights, but that territory is not claimed by Palestinians), construction of Israeli settlements in the Palestinian territories and the erection of the Israeli West Bank barrier; (2) how borders should be decided between Israel and a Palestinian state; (3) the right of return of the Palestinian refugees from the 1948 and 1967 wars. See: Beth A. Simmons and Richard H. Steinberg, *International Law and International Relations* (Cambridge: Cambridge University Press, 2007).
- 4 • The Peace process period can be traced back to 1970s, but in the context of the Palestine Israel deal of exchanging land for peace, the 1993 Oslo Agreement is the date commonly referred to and which was supposed to bring about a two state solution based on the borders of 1967. See *id. ibid*.
- 5 • “Statistics on Settlements and Settler Population,” B’Tselem, January 16, 2019, accessed July 31, 2019, <https://www.btselem.org/settlements/statistics>.
- 6 • The Israeli West Bank barrier or wall is a separation barrier in the West Bank or along the Green Line. Israel considers it a security barrier against terrorism, while Palestinians call it a racial segregation or apartheid wall. With a total length of 708 kilometres (440 miles), the border traced by the barrier is more than double the length of the Green Line, with 15% running along it or in Israel, while the remaining 85% cuts at times 18 kilometres (11 mi) deep into the West Bank, isolating an estimated 25,000 Palestinians from the bulk of that territory. The barrier was built during the Second Intifada (2000) and was defended by the Israeli government as necessary to stop the wave of violence inside Israel that the uprising had brought with it. See: Dona J. Stewart, *The Middle East Today: Political, Geographical and Cultural Perspectives* (Abingdon: Routledge, 2013).
- 7 • “Two-State Solution Israeli-Palestinian History,” Encyclopedia Britannica, 2018, accessed July 31, 2019, <https://www.britannica.com/topic/two-state-solution>.
- 8 • “Status of Jerusalem, Patriarchs and Heads of the Local Christian Churches in Jerusalem, 2006,” World Council of Churches - Oikoumene, September 29, 2006, accessed July 31, 2019, <https://www.oikoumene.org/en/resources/documents/other-ecumenical-bodies/status-of->

jerusalem-patriarchs-and-heads-of-the-local-christian-churches-in-jerusalem-2006/.

9 • "Catholic Church: a New Vision for Justice and Peace!," Kairos Palestine, February 2016, accessed July 31, 2019, <http://www.kairospalestine.ps/index.php/resources/statements/133-catholic-church-a-new-vision-for-justice-and-peace>.

10 • "Open Letter from The National Coalition of Christian Organizations in Palestine to the World Council of Churches and the Ecumenical Movement," Kairos Palestine, June 12, 2017, accessed July 31, 2019, <http://www.kairospalestine.ps/index.php/kairos-palestine-blog/231-nccop-open-letter-to-the-wcc>.

11 • Likud (The Consolidation), officially the Likud-National Liberal Movement, is a centre-right to right-wing political party in Israel. A secular party, it was founded in 1973 by Menachem Begin and Ariel Sharon in an alliance with several right-wing parties.

12 • Quoted by Rev. Dr Olav Fykse Tveit General Secretary, World Council of Churches. Address at the opening session of "Al-Azhar Al-Sharif International Conference on Supporting Jerusalem," World Council of Churches - Oikoumene, January 17, 2018, accessed July 31, 2019, <https://www.oikoumene.org/en/resources/documents/general-secretary/speeches/al-azhar-al-sharif-international-conference-on-supporting-jerusalem>.

13 • "'Enough is Enough' - The Closure of the Church of the Holy Sepulchre in Jerusalem,"

Middle East & Europe - Global Ministries, February 26, 2018, accessed July 31, 2019, [https://www.globalministries.org/\\_enoug\\_is\\_enough\\_the\\_closure\\_of\\_the\\_church\\_of\\_the\\_holy\\_sepulchre\\_in\\_jerusalem](https://www.globalministries.org/_enoug_is_enough_the_closure_of_the_church_of_the_holy_sepulchre_in_jerusalem).

14 • "Holy Sepulchre Reopens After Three-Day Closure," Serbian Orthodox Church, February 28, 2018, accessed July 31, 2019, [http://www.spc.rs/eng/holy\\_sepulchre\\_reopens\\_after\\_threeday\\_closure](http://www.spc.rs/eng/holy_sepulchre_reopens_after_threeday_closure).

15 • Kairos Palestine is an organization primarily known for its issuance in Bethlehem in December 2009 of the Kairos Palestine document, a call by a number of Palestinian Christians to Christians around the world to end the Israeli occupation, available at "A Moment of Truth: A Word of Faith, Hope, and Love from the Heart of Palestinian Suffering," Kairos Palestine, 2009, accessed July 31, 2019, <https://www.kairospalestine.ps/index.php/about-us/kairos-palestine-document>.

16 • "Kairos Palestine 9th Anniversary Conference Statement," Kairos Palestine, December 2018, accessed July 31, 2019, <https://www.kairospalestine.ps/index.php/kairos-palestine-blog/267-kairos-palestine-9th-anniversary-conference-statement>.

17 • "Assembly of Catholic Ordinaries Calls on People of Holy Land to Build Bridges of Respect and Love," Latin Patriarchate of Jerusalem, May 22, 2019, accessed July 31, 2019, <https://www.lpj.org/assembly-catholic-ordinaries-invites-people-of-the-holy-land-to-build-bridges-of-respect-and-love/>.

**YUSEF DAHER** – *Palestine*

Yusef Daher was born in Jerusalem in 1966 and has a Masters Degree in Pilgrimage and Tourism from London Metropolitan University. Teacher of Outgoing Tourism at Bethlehem University, having written several articles in the fields of politics, economic development and tourism and author of many papers about Palestinian Christians and Jerusalem. Former Executive Director of the Arab Hotel Association and the Holy Land Incoming Tour Operators Association and Consultant for Paltrade EU Diagnostic study and strategy for Tourism as export service sector. One of the authors of the Kairos Palestine Document “Moment of Truth”. He is currently the Executive Secretary of the Jerusalem Inter-Church Center.

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# Spirituality, art, and religion

## ART



- photography -

### **SPIRITUALITY AND THE CREATION OF REALITY: POETRY IN COLLECTIVE RITUALS**

Vincent Moon and Priscilla Telmon

- music -

### **“OPEN THE PATHWAYS”**

Interview with MC Tha

## SPIRITUALITY AND THE CREATION OF REALITY:

### *Poetry in collective rituals*

Vincent Moon and Priscilla Telmon are two French artists and researchers who, in their own words, work as independent filmmakers and sound explorers. Together they produce experimental, ethnographic films and music recordings and creative direction and curatorship, based on material collected on numerous trips around the world.

For four years (2014-2018), they worked on the multi-media project “Híbridos”, born of their desire to delve into the different forms of rituals in Brazil, in terms of music and movement and to create a ‘digital body’ to provide better understanding of these practices.

The film “Híbridos – The spirits of Brazil”, directed and produced by both artists and co-produced by Brazilian Fernanda Abreu, is a musical journey into diverse rituals. In doing so it slowly weaves a new ritual, a cinematographic one.

It was produced entirely independently, outside the standards of the traditional circuit. This methodology allowed those participating in filming to use the material to celebrate their own cultures.

“In Brazil, we basically tried to research the extraordinary diversity of the transcendental act and show that an extraordinary amount of different approaches to reality are taking place in this land nowadays. Diversity in the way we look at reality, in the way we celebrate reality and life and, of course, nature at the core of it is essential for things to come,” says Moon.

In addition to the open, free content available online, the producers are also putting on other forms of 'cinema', such as a full-length film being shown at festivals and screenings, site specific live cinema experiments around the world, immersive multi-screen installations and a complete collection of 75 short digital albums.

The complete work brings together a collection of over 100 films on rituals in Latin American countries and other parts of the world made by the producer Petites Planètes. According to Vincent Moon, interest is centred around the collective event of spirituality which throughout history, has often fallen into the restrictive trap of particular religious views.

In the light of the various contexts around the world of intolerance towards different forms of expressions of spirituality, Moon aims to kick back against the standardisation of realities. "I do see that one of the greatest problems we are facing as humanity is the standardisation of humans in relation to reality - the standardisation of the human vision. When this happens we all end up basically looking pretty much the same. We all fit into a politically correct view of what is good and what is bad and this vision of reality is clearly deep-rooted in religious views, not spiritual ones."

He believes, therefore, that the essence of this study is the understanding that spirituality and the artist's relationship with what is real are one and the same. For this reason, it is necessary to draw artists and poets back to the creation of reality itself.

*Translate by Jane do Carmo*

## NOTE

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1 • "Híbridos – The Spirits of Brazil," 2019, accessed August 14, 2019, <https://hibridos.cc/po/>.



## ALMAS E ANGOLA

Oxosse Hunter's Spiritist Tent, Florianópolis, Santa Catarina, Brazil.



## AYAHUASCA

Municipality of Feijó, Acre, Brazil, land of the healer Antonio Pedro.



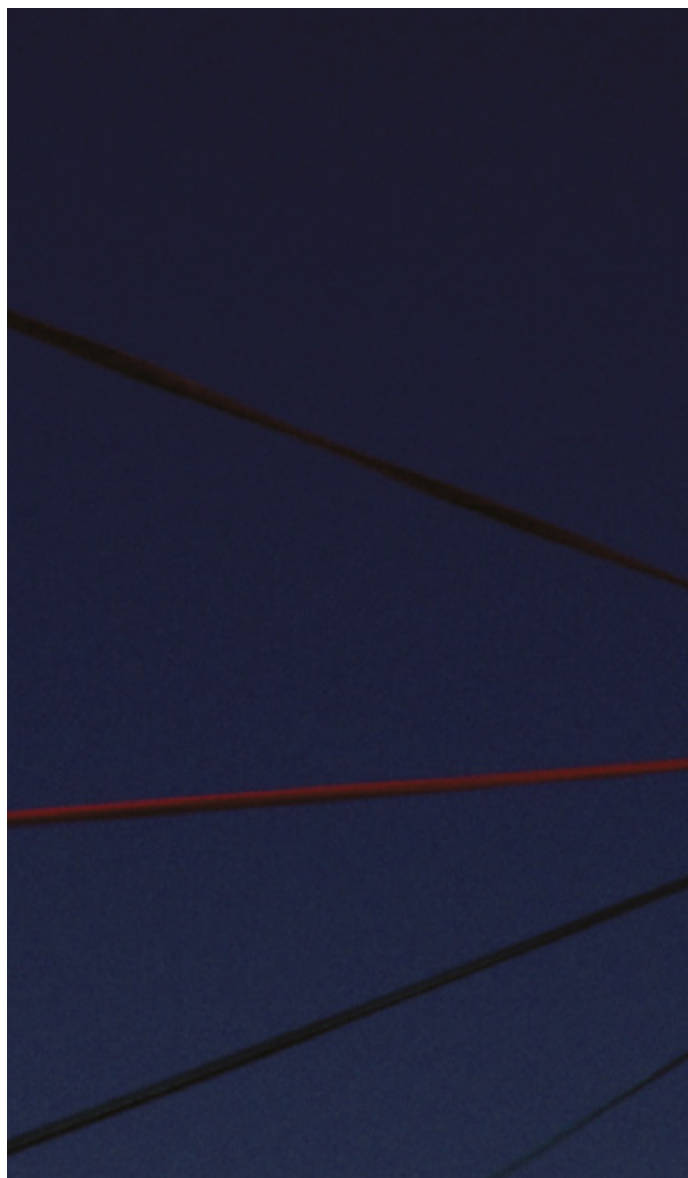


**BOM JESUS DA LAPA**  
Pilgrimage to Bom Jesus da Lapa,  
Bahia, Brazil.



## CONGADOS

Our Lady of the Rosary and Saint  
Ephigenia's Kingdom Festivities,  
Ouro Preto, Minas Gerais, Brazil.







## PADRE CÍCERO

Pilgrimage to Padre Cícero, Juazeiro do Norte, Ceará, Brazil.



## WAI'Á

The Xavante people, Canarana, Mato Grosso, Brazil.







UMBANDA DO VALE DO SOL  
E DA LUA

Temple of Vale do Sol e da Lua,  
Maricá, Rio de Janeiro, Brazil.





## YAWANAWA

The Yawanawa people, Terra Indígena do Rio Gregório, Acre, Brazil.





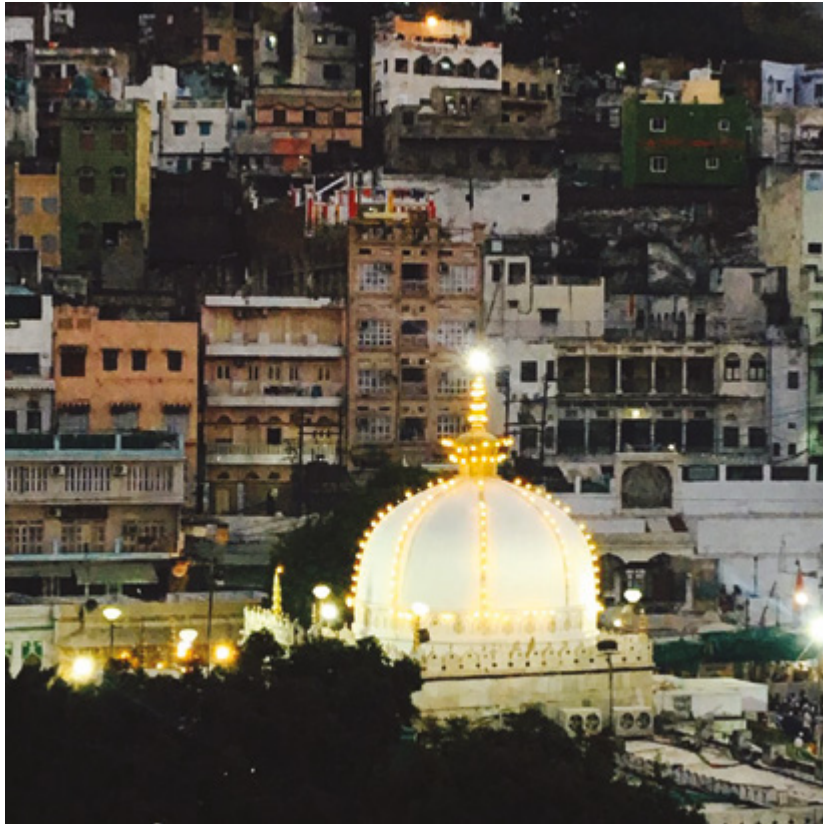
## CANDOMBLÉ

Terreiro Xambá, Olinda, Pernambuco, Brazil.



## LOS DIABLITOS DE TUCUME

Feast of the Immaculate Conception, Tucume, Peru.



AJMER SHARIF DARGAH  
Temple for Islamic prayers, Rajasthan, India.



## CANDOMBE

La Facala Herederos de Nyanza, Montevideo, Uruguay.





## DÉDALES

Sufism and experimental cinema  
at the Fes Festival of World Sacred  
Music, Morocco.











## “OPEN THE PATHWAYS”

- *Interview with MC Tha* •

*MC Tha's craft was woven from the beats of Brazilian funk and Umbanda drums. Born and raised in the outskirts of São Paulo, 26-year-old Thais Dayane da Silva started performing at the age of 15 in the first funk parties held in the district of Cidade Tiradentes, notable for being the sole female MC around. After taking a break in her career, she obtained a degree in Journalism and resumed her activities as a singer and songwriter, consolidating her artistic production with a merger of Brazilian rhythms, religious expression, female empowerment and the deconstruction of prejudice.*

*At the start of 2019, she released a video for “Rito de Passá”, the title track of her new studio album, directed by Rodrigo de Carvalho and focusing on spirituality and the bond one can develop with the Orixás. The documentary scenes in the video were shot in Nazaré Paulista – Cantinho dos Orixás, during an outdoor ritual at the Caboclo das 7 Pedreiras Umbanda worship house, located at the East Side of São Paulo.*

**Sur** • As a black woman leading a ghetto music movement and worshipping Umbanda, how would you describe the role of your art – whether in the song lyrics, in the merger of rhythms or in the images presented in the videos – in fostering dialogue between different realities?

**MC Tha** • My art attempts to reunite what has been scattered apart years ago. We have a wealth of identity: both cultural and religious. But – and this is not a current thing, it's been happening for a long time – everything has been messed up with and we have been forced to swallow all of this white behavior and way of being. So, we spend our lives hating who we are, hating our own, in an attempt to follow and comply with a standard that will never belong to us, since it isn't ours by nature. Funk appeared in the favelas as an influence from Miami Bass, but it became Brazilian through the beat patterns of our worship drums. That isn't something that Funk producers understand, there is a divide: in the ghetto, God is evangelical and that's it! The rest is devil worshipping. Black people do not recognize themselves as black. So how does one uproot certainties that are already established in communities without creating conflict, in a way that makes people understand that one thing begets the other? That this person is black, making funk music – a rhythm that was influenced by worship drums from places that worship black deities? How does one do that in order to generate understanding and respect for our own bodies and history? Through art! By going back to the start and mixing it all up, with the certainty that everything is explicit within the same melting pot.

**Sur** • Syncretism is a strong part of multiple religious rituals in Brazil – many of which have music as a central element. Taking as an example the cover art of your album, "Rito de Passá", in which you overlap religious clothing with popular visual elements (cap, sunglasses, flip flops), what are other syncretisms and mixtures that you wish to achieve with your work?

**MC Tha** • I always start with funk because that was the thing that awoke my artistic senses. As I began to follow my path, I also started paying attention to other things, such as the lack of appreciation for everything that is produced in our country – and, going even further, the despise and delegitimization towards everything that is produced directly in the ghetto, the strength of the notion of what is "standard" and Brazil's non-secular character. My mixture is an attempt to continue disobeying all of these little rules: stating religious preference, providing more opportunities to marginalized artists from the ghetto, fighting for funk to be classified as Popular Brazilian Music (MPB), and reactivating the memory of Brazil's rich and plural culture. How could we ever erase Brazilian culture, religion and colors?

**Sur** • In view of the rise in religious intolerance seen in Brazil in recent years, especially towards religions of African origin, how important to you is it to make yourself seen and profess your faith openly and without reservation as an artist?

**MC Tha** • I was raised in Cidade Tiradentes, at the far east side of São Paulo, and, ever since I was little, I saw some heavy things around me. My mother always said that there is no middle ground. I am sure that this established my character, my desire to be in control of my own life, from a very early age. We need courage to stand for who we are. To state our preferences without fear. I am now aware of how much this matters to people, because MC Tha is possibly becoming

this big network of support and safety, I guess. But before that, I only understood myself as a normal human being, living her life within her religion.

Religious intolerance is becoming stronger exactly because most of those adherent to evangelical churches are taking over everything with hate speech disguised as God's word: there are churches everywhere in the ghetto, their preachers hold services in public squares, they have screen time on televised broadcasts, to say nothing of our evangelical representatives in congress. Now, where are the people that follow Afro religions? I understand that there is some fear involved, but we need to respect ourselves in order to be respected! And that lack of self respect starts when we deny our own faith, our own people and saints!

**Sur** • The lyrics and video for “Rito de Passá” are loaded with ritualistic references. Could you tell us about the creative process behind this video and what it represents to you as the leading manifestation of your new phase?

**MC Tha** • I wrote “Rito de Passá” when I finally severed the ties that prevented me from fully dedicating myself to music. I received a very specific influence from the worship house and became much more secure from the moment I understood my nature and settled my spirit within these psychic developments. I think I've become calmer and wiser in dealing with multiple issues. In “Rito de Passá”, I took this encounter with the sacred as a means to salute and state my gratefulness. Nature explains everything and rites of passage occur every day. When I finished writing, I understood how [the song] had to be – my musical work is very much grounded on my intuitions: I understood that it was an opportunity to clarify through confusion. A funk that recalled a ritualistic chant and vice versa, precisely to bring forth and expose the similarity shared by both. I kept the lyrics to myself for a while until I suddenly had the intuition that I had to speak to Tide (DJ and producer), because he was the only one that could make that statement through musical production. When I spoke to him and explained myself, he told me that he was just in the middle of a research about the similarity between jongo and funk. After it was produced, I started to think of the music video. I wanted it to have some connection to Umbanda rituals, but without being disrespectful, fake or plastic in any way. I met Rodrigo de Carvalho and understood that he needed to watch one of our rituals, so he went and took some footage. Months later, we recorded the video and, with the permission of my pais de santo (Umbanda priests), we included ritual scenes during the editing process in a specific part of the video. These scenes strengthen the entire act that occurs before and after, in my solo scenes: the bath, the smoking, the dances, the candles. It was essential to include these images during the video so it wouldn't have a fantastic character. Umbanda is not a fantasy.

• • •

*Interview conducted in August 2019 by Renato Barreto (Conectas Human Rights). Translated by Luis Misiara*

#### NOTE

1 • A rhythm derived from electronic music and based on the Roland TR-808 drum machine, which spread throughout the world, especially in Latin America, influencing many other musical genres, such as the funk produced in the outskirts of Rio de Janeiro and São Paulo.



## RITO DE PASSÁ

Images taken from the music video directed by Rodrigo de Carvalho | 2019











# EXPERIENCES



## **THE COLOMBIAN CHURCH WITH AN AMAZONIAN FACE**

Luz Marina Quintero Cely

## **A MORAL BUDGET FROM A MORAL MOVEMENT**

Shailly Gupta Barnes



# THE COLOMBIAN CHURCH WITH AN AMAZONIAN FACE

**Luz Marina Quintero Cely**

- *REPAM Colombia and the Amazon Synod* •

## ABSTRACT

*The text is a brief account of the work of the Pan-Amazonian Ecclesial Network (REPAM) in the face of the challenges that the Amazon Synod, convened by Pope Francis for this year, brings to the Catholic Church in an Amazonian country such as Colombia.*

## KEYWORDS

Catholic Church | Amazon Synod | Territories | Dialogue | Colombia

The Pan-Amazonian Ecclesial Network (REPAM) was created in Colombia in 2017 and strengthened in 2018 with the pre-synodal listening process, which reached 14 places in the Colombian Amazon territory.

The network's organizational body is composed of: 1) The Amazon Bishops Commission, which consists of 15 bishops; 2) the coordinating committee, composed of a representative of the priests, an indigenous representation, a lay representation and Colombian Caritas, among others; and 3) the advisory team, made up of specialists in Amazonian themes.

Thus, we have a broad representation that allows us to build from the national level to the territory level. This is precisely one of our challenges: how can REPAM not be restricted to Bogotá? How can we help to build and strengthen REPAM at the local level with the support of this entire team that is often dispersed?

In order to strengthen the organizational structure, we have started to work towards the three jurisdictions of the Colombian Orinoquia: Arauca, Yopal and Trinidad, because it is necessary to see the country and the world as an integral body. Thus, if the Colombian Orinoquia is impacted by the various extractive activities that take place there, the Amazon will suffer as well.

We have been working on this for years and we can say there is an Amazonian Colombian ecclesial network that is working with all the processes of pre-synodal listening. Since last year, several ecclesiastical jurisdictions were visited in Colombia, and about 14 meetings were held. They were local spaces of analysis of the reality of the Amazonian people and the role of the Catholic Church, and identifying new ways of walking together. In this follow-up we found that, beyond the problems already identified as common to the Amazon, we have local situations, such as drug trafficking, the migration of the Venezuelan population and the issue of antipersonnel mines and the armed conflict, which are currently the greatest challenges.

Throughout the Amazon region, especially in Caquetá, Putumayo and Guaviare, we find, for example, the problem of illicit crops, from which not only strong environmental, but also social, cultural and political impacts arise. Armed conflict, in turn, generates forced displacement, confinement of communities and murders of social leaders in the region; reality that, unfortunately, we share with Brazil right now. The problems of deforestation and contamination of water sources are common to all pan-Amazonian countries, and in Colombia is a recurring theme in various ecclesiastical jurisdictions.

At this moment we are accompanying, from REPAM Colombia, Caritas Colombia and the regional office of Social Pastoral, the communities of the large indigenous reserve of Vaupés, which will be affected by the extraction of rare ores in their territory. More than 4,831 acres were concessioned. This is the largest reserve in Colombia and where the largest number of ethnic groups converge, totaling roughly 27. It is a large-scale

extraction, with all the impacts it represents and which we have witnessed in many parts of the national territory. Therefore, we are devoting ourselves to a whole follow-up process to ensure a free and informed prior consultation. This is an example of a very specific action that we are concluding in terms of protecting and defending the territory amid pre-synodal listening processes.

At this time, we were preparing ourselves for the Pre-Synodal Assembly, which would take place at the week of August 13-14 in Bogotá. The objective of the Assembly is to analyze the *Instrumentum Laboris*, but we also want to hold a public forum on the first day to analyze the situation of the Amazon and to consider the work of the Catholic Church in the follow-up of this territorial process.

The idea of the Assembly is to strengthen a Church with an Amazonian face. That is, try to bring a bit of the Amazon, to recognize us as an Amazonian country. Colombia has about 43-45% of its territory in the Amazon region, so it is very important for us to bring this message. We are not a country with part of its territory located in the Amazon, we are an Amazonian country. We are moving toward this and the idea is to Amazonize the Episcopal Conference.

Something that we have always emphasized is that the Colombian Amazon is not only indigenous, it is also Afro-Colombian, it is rural and it is urban. Even living in an urban area, we can also protect and help to preserve the Amazon.

## 1 • Territorial work and the challenges facing local communities

What is being done from the territories? In the ecclesiastical jurisdictions, work is being carried out directly with the indigenous population, following up issues of organizational strengthening, and with indigenous and Afro-Colombian communities in the region, claiming for territorial rights.

With Afro-Colombian communities, the work is a little smaller. Although we do not find so many Afro-Colombians in these areas, for us it has been important to claim that the Amazon is not only indigenous. Then begins the organizational process of land request and assemblies.

An important work is also being done on climate change issues. For this reason, thinking of alternatives to development is also an issue that the Pope has suggested to us in the encyclical *Laudato Si* and in the pre-synodal work.

We are working hand in hand with the Interfaith Rainforest Initiative. This is a global initiative of the UN that is generating several actions in some countries including Colombia. This is a very interesting ecumenical space to strengthen processes to avoid deforestation. We actually have work to do at different levels and scales and with various communities.

Our target audience is the people of the Church. Establishing a dialogue around everything that is happening with the Synod and with the Pope's call but also showing people related to the church what is being done in the Amazon region. The goal is also to convene the public institutions, try to make an impact so that based on public policies the strategic ecosystems are defended, the populations that live there, as well as the various life forms that do not need extractive and accumulation to be sustainable and economically productive societies.



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# A MORAL BUDGET FROM A MORAL MOVEMENT

**Shailly Gupta Barnes**

- *The Poor People's Campaign* •

## ABSTRACT

*The Poor People's Campaign: A National Call for Moral Revival is a national campaign in the U.S. that has grown to more than 40 states across the country. Taking up the legacy of Rev. Dr. Martin Luther King, the Campaign is targeting the interrelated injustices of systemic racism, poverty, ecological devastation and militarism, and the distorted moral narrative that perpetuates them. It is redefining morality, religion and human rights through its fusion coalition model of organizing, and challenging the existence of poverty in the U.S. In June 2019, the Poor People's Campaign released a Poor People's Moral Budget: Everybody Has the Right to Live! The Moral Budget establishes that there is an abundance of resources to meet the needs and demands of the poor and, in fact, if the country allocated its resources towards meeting those needs, its economy would grow and its delicate social fabric would be renewed.*

## KEYWORDS

United States | Poverty | Campaign | National Budget | Moral Renewal



On 17 June 2019, nine of the candidates running in the United States' (US) Presidential election – including top Democratic contenders Senator Elizabeth Warren, Senator Bernie Sanders, Vice President Joe Biden, and Senator Kamala Harris – made appearances at a Candidates' Forum organised by the Poor People's Campaign: A National Call for Moral Revival.<sup>1</sup> This was the largest candidates' forum to take place before the official party debates began later that month and it was the only forum where candidates answered questions directly from poor people.



These questions were not about the candidates' plans to grow the US economy or opportunities for them to riff on their stump speeches. Instead, the candidates were asked about their plans to guarantee living wages for workers, healthcare for all people, and a habitable planet for our children. They were asked how they plan to end voter suppression, attacks on immigrants, mass incarceration and unchecked military spending. This audience wanted to know how the candidates planned to make our economy work for everyone, especially the 140 million people<sup>2</sup> – or 43% of the US population – who are poor or one emergency away from being poor in the wealthiest nation in the world.

The candidates' forum was part of the Poor People's Campaign's Moral Action Congress.<sup>3</sup> Also as part of the Congress, the Campaign released a Poor People's Moral Budget: Everybody Has the Right to Live!<sup>4</sup> Indeed, for the 140 million people who are poor and struggling to make ends meet, the Campaign's Moral Agenda<sup>5</sup> and Declaration of Fundamental Rights present

a comprehensive response to the systemic racism, poverty, ecological devastation, militarism, and war economy plaguing the US today. These demands are necessary to ensure our survival. The Moral Budget asks, given the resources of the country, whether these demands are also possible. It flips the question of costs and raises the question of the benefits of enacting the Poor People's Campaign's Moral Agenda. It is already costing our society to suppress voting rights, not provide healthcare and to keep wages low. There is a price to inequality.

The Moral Budget, therefore, looks at how much better we could be as a nation if we addressed inequality.<sup>6</sup> It declares that the moral thing to do is also the economically responsible thing to do. We have been investing in killing people; we now must invest in life. We have been investing in systemic racism and voter suppression; we must now invest in expanding democracy. We have been investing in punishing the poor; we must now invest in the welfare of all. We have been investing in the wealthy and corporations; we must now invest in the people who have built this country.

## 1 • A History of the Poor People's Campaign: A National Call for Moral Revival

The Poor People's Campaign: A National Call for Moral Revival is a revival of the 1968 Poor People's Campaign led by Rev. Dr. Martin Luther King, Jr., and other religious and grassroots leaders, to focus the nation's attention on racism, militarism, and poverty by bringing together millions of poor black, white and brown Americans. The 1968 Campaign followed the Civil Rights Movement and acknowledged its limitations. As Rev. Dr. King said in 1967, "We have moved from the era of civil rights to the era of human rights, an era where we are called upon to raise certain basic questions about the whole society... We must recognise that we can't solve our problem now until there is a radical redistribution of economic and political power."<sup>7</sup>



After King was assassinated on 4 April 1968, the 1968 Campaign continued to organise this vision. In May and June that year, 3,000 people arrived in Washington, D.C. and set up camp on the National Mall. For 6 weeks they revealed the deep crises of poverty facing millions of people in the country. Their “Resurrection City” was broken up by police, but continued to inspire generations of activists, organisers and clergy who saw the potential of this historic campaign.

Fifty years later, the current campaign has picked up those same issues with renewed intensity. From Mother’s Day, May 2018, to the Summer Solstice, June 2018, it organised a season of moral action that spanned 40 states. For 6 consecutive weeks, thousands of people who were directly impacted by poverty, racism, ecological devastation and militarism, along with moral and religious leaders and activists, gathered in state capitols and Washington D.C. for mass meetings, direct action, teach-ins and cultural events. There were more than 200 actions across those 40 days, with over 5,000 people presenting themselves for nonviolent civil disobedience, tens of thousands witnessing and millions of people following online and through social media. This was the largest and most expansive wave of nonviolent civil disobedience in the 21<sup>st</sup> century in the United States.



More than just a series of actions and rallies, the Campaign is catalysing a new organising model. By many measures, conditions have deteriorated<sup>8</sup> since the 1968 Campaign. We have fewer voting rights, good jobs and government programs or support for education, water and sanitation and housing. We have more wealth inequality, homelessness, prisons and war. One out of every two federal discretionary dollars goes to the US military, while only 15 cents goes

to anti-poverty programs. The current administration is interested in cutting those programs even further, threatening the lives of millions of children, elders, people with disabilities and families struggling everyday. This includes more than half of our children (38.5 million), 42% of our elders (21 million), 59.7% of Black non-Hispanic people (23.7 million), 64% of Latinx people (38 million), 40% of Asians (8 million), 58.9% of indigenous people (2.1 million) and one out of every three white people (66 million) in the US.

## 2 • A Poor People's Moral Budget

The Poor People's Moral Budget is an effort to prioritise the needs and demands of the poor, rather than the interests of the wealthy and powerful. Both the Republican and Democratic parties have accepted ways of talking about the economy that ignore nearly half of our country. For too long, we have been led to believe that those in positions of influence and authority will use the resources at hand for the betterment of our society. This orientation has justified tax cuts for the wealthy and corporations and work requirements for the poor; it has secured environmental shortcuts for industry and military expansion around the world; and it has yielded very little for the poor.

*I just question why is there not access to health care for young adults, or to anyone for that matter, that does not involve one going into bankruptcy, becoming homeless due to an Emergency Room visit, a simple primary care visit, the cost of medications...* (Mary Ellen Smith, South Carolina).<sup>9</sup>

This is not because there is a lack of resources to address systemic racism, poverty, ecological devastation and militarism. We are a wealthy country. The Moral Budget shows that if we prioritise the needs and demands of the poor, we will create more jobs, build up our infrastructure and yield short- and long-term benefits that will grow our economy and protect our resources for future generations.

In the seven sections of the Moral Budget,<sup>10</sup> we look at policies and investments for seven critical areas of the Poor People's Moral Agenda: 1) democracy and equal protection under the law; 2) domestic tranquility; 3) peace and the common defense; 4) life and health; 5) the planet; 6) our future; and 7) an equitable economy. In each case, we have found that our nation has abundant resources to meet the demands of the poor and to address the widespread and systemic injustices we face. In contrast, the current realities of voter suppression, low and inconsistent wages, insecure access to health care and other basic needs, wealth inequality, war and climate change are costing us dearly.<sup>11</sup>

Our Moral Budget shows that it is possible to invest our resources in the ways demanded by the Campaign: to establish justice, domestic tranquility, security and the general welfare for all. It shows, too, just how wasteful systemic injustice is. The abundance of

our society will grow even greater when we stop investing in maintaining injustice to benefit the few and turn instead to policies based on the needs of the many.

This is not an argument for charity or goodwill to the poor. It is, rather, a simple recognition that the poor are not only victims of injustice, but agents of profound social change. Indeed, if we organise our resources around the needs of the 140 million, the Moral Budget shows that we will strengthen our society as a whole.

### 3 • The Poor Must Lead the Way

The Poor People's Campaign has been insistent that our policies must begin with the realities on the ground and those realities must inform the direction and content of our policies. This is why we insist on a broader measure of poverty<sup>12</sup> than what is currently used and why we will continue to insist on reformulating the definition of poverty to reflect today's conditions. This is why we insist on looking at the issues faced by the 140 million all together, rather than separately. The lives of the poor cannot be compartmentalised into simply a problem of healthcare, jobs or housing. Our policies and research must, therefore, also reflect the complexity of the daily lives of the poor.

This is a straightforward application of the fundamental principles of human rights: that our rights are universally endowed, indivisible one from the other and that those most impacted must be meaningfully included in addressing limitations, restrictions and abrogation of those rights. It is also a reflection of the basic values of every religion: that life is precious and we must allocate our social resources towards ensuring that we create the kingdom of God here on earth as it is in heaven.

We, therefore, begin with the conditions on the ground, as experienced by the poor and dispossessed and the insights of the poor. When a family's water is shut off because they can no longer afford payments and their neighbors start sharing water lines and running hoses in between their homes, it is clear that the issue is not a lack of water. There is plenty of water for everyone; rather, an economic system that insists on providing water – and other basic needs – only to those who can afford to pay for it is the problem. When fast food workers have to sell their blood to have enough money to keep their lights and gas on, it becomes clear that the issue is not their inability or unwillingness to work. It is that work itself does not pay what they need to live, especially when the basic costs of living have increased dramatically over the past few decades.

*I have experienced things such as water shutoffs, poverty and living in fear of being taken away from my home... not being able to shower, brush their teeth, or cook, it's wrong. No one wants to live in poverty. Being able to live with your basic needs, including water, is a human right. (Kailani Jones, Michigan).*

These and other insights have been gathered by the Campaign in mass meetings, hearings and town halls, when poor and impacted people have offered testimonies on the conditions they are living everyday. Their insights, alongside hundreds of community meetings with thousands of people, directed our research and inquiries; and we found capable partners in policy institutes who were willing to follow the direction that emerged from those observations and experiences. Instead of abstractly defining the problem, our policy experts helped elevate the individual experiences of those on the ground to trends that were unfolding across broad sections of our society.

This orientation towards recognizing the leadership of the poor – not just as victims, but visionaries – is a critical aspect of the revolution of values we need today. Otherwise, we will continue to blame the poor for our problems, be divided and pitted against each other and fed the lie of scarcity in the midst of abundance.

*The people who maintain this system want to blame this mess on us – like it's our individual choices that got us into this. We have to correct that – We have to remind people that homelessness is not an individual moral failure, it is society's collective moral failure... We are poor, but we aren't stupid. We know that we aren't the problem. We are the solution. (Zalonda Woods, North Carolina).*

This is why the Poor People's Campaign continues to organise and build power<sup>13</sup> among the poor today, to shift the narrative on poverty, impact policies and elections and show that a new way is not only necessary, but possible. After being launched at the Poor People's Moral Congress, the Moral Budget was presented to all sitting members of the House Budget Committee, one of the most powerful committees in the U.S. Congress, during a Congressional Hearing. Six testifiers from the Campaign spoke to the conditions they are facing and drew on the facts and arguments in the Moral Budget. In the weeks and months to come, the Campaign will continue to use the Moral Budget to raise awareness, especially in the 40 states where it is currently organized. Study groups and reading circles have already formed in some of those states and there are plans to have more systematic study of this document and its primary implication: there is no reason for poverty to exist in a time of plenty. This has the potential to become a rallying cry for a massive March and Assembly on Washington D.C. that the Campaign is planning for June 2020.

In every region of the country, poor people and people of faith and conscience are uniting across lines of race, religion, age, geography, gender and sexuality, political party and other lines of division. A new and unsettling force is awakening to revive the heart of democracy in America, declaring that it is time to “fight poverty, not the poor.”



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**SHAILLY GUPTA BARNES** – *United States of America*

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## CONVERSATIONS



**“THE WORK WE DO IS SOLIDARITY WORK. I DO IT OUT OF FAITH,  
OUT OF SOCIAL, CULTURAL AND POLITICAL COMMITMENT”**

Interview with Adolfo Pérez Esquivel

**“IT IS AGAINST THIS GOD WHO KILLS  
THAT WE ARE FIGHTING AND RESISTING”**

Interview with Alexya Salvador



# “THE WORK WE DO IS SOLIDARITY WORK. I DO IT OUT OF FAITH, OUT OF SOCIAL, CULTURAL AND POLITICAL COMMITMENT”

• *Interview with Adolfo Pérez Esquivel* •

By Leonardo Félix

*An important reference for many generations on the defence of human rights and the promotion of a full and dignified life, Adolfo Pérez Esquivel is undoubtedly an enlightened being with a rich spiritual life. His hope enables him to boldly foresee what has yet to happen, like someone who anticipates what the next steps on the path to an uncertain future will be. It is part of the prophetic work that Adolfo P. Esquivel has been doing for decades as the president of SERPAJ (Servicio Paz y Justicia) in Argentina.*

*In his small office in Servicio Paz y Justicia's building in the legendary San Telmo neighbourhood in Buenos Aires, Adolfo greets us with a big smile, light steps, a firm handshake and hug, like someone who pretends that his 90 years of age are just another fact that gets lost in the vivid testimonies that smell a bit like nostalgia from Buenos Aires and a bit like dreams that are yet to be born.*

**Leonardo Félix** • Who is Adolfo Pérez Esquivel in 2019?

**Adolfo Pérez Esquivel** • A human being who continues to fight for his fellow humans. That's all, which is a lot.

**LF** • You have a long history of fighting for human rights on the continent, for which you have been given several awards and recognition, including a Nobel Peace Prize (1980), during a very turbulent time in our recent past.

**APE** • First of all, one should not seek to win awards, of any kind. The work we do, we do out of solidarity. I do it out of faith and social, cultural and non-partisan political commitment. I try to share two things: the bread that nourishes the body and the bread that nourishes the spirit. And freedom. I will not resign myself to slavery.

**LF** • This is related to something we want to ask you: how do your faith and your religious ties contribute to your commitment to defending democracy?

**APE** • I have always believed that the gospel is not just another thing to read. It is a condition of life that one assumes and tries to put into practice. The link between my faith and democracy is fundamental. It is what sustains me.

**LF** • Where does your faith come from, Adolfo?

**APE** • I was born in the legendary San Telmo neighbourhood, very close to another famous neighbourhood in Buenos Aires, La Boca. I am from a tenement house. My father was an immigrant fisherman and my mother was the daughter of a Guaraní indigenous woman from the province of Corrientes.<sup>1</sup> This region was full of immigrants and former slaves. Our playmates were other immigrants and descendants of slaves.

I grew up with the Franciscans at the Colegio San Francisco. When my mother died, I ended up in an orphanage for boys, where I stayed with the Carmelite nuns in the Patronato Español until the age of 10. I always tried to see and discover what God was and is in my life.

**LF** • Is your desire to know God's place in your life related to "non-violence", which is a cause that you continue to fight for?

**APE** • When I was a boy, I would sell newspapers on the streets of my neighbourhood to earn a living. I would take the trolley car to Plaza de Mayo<sup>2</sup> and there was a man there who sold used books. One day, he said to me, "here kid. I have two books for you: one is a gift and you can pay me for the other one when you can". The book that was a gift was Mahatma Gandhi's autobiography, *The Story of My Experiments with Truth*, and the one that I had to pay him for was *The Seven Storey Mountain* by Thomas Merton, Gandhi's friend. Later,

I fell in love with the gospels, the Sermon on the Mount, which is where non-violence is clearly affirmed. Phrases such as “love thy neighbour as thyself” had an impression on me. And, obviously, what I read on Gandhi deeply moved me. The idea that what is common to all religions is love and respect for human beings continues to be valid in my life, just as non-violence as a means to make demands and defend life is.

I have also gone through some very powerful experiences. I was arrested on April 4<sup>th</sup>, 1977, the first day of the Holy Week that year. I don't believe in coincidences: Martin Luther King (the Baptist preacher in the United States) was assassinated on the same date in 1968. So, I was arrested on a very special day.

In the midst of the strong, nauseating smell of my tiny prison cell, where I had to yell for a really long time to get them to let me out to go to the bathroom, I found “God does not kill” written on the wall. These words, written by a prisoner that I only knew spiritually, were etched in my mind forever.

I was held there for 32 days and they took me on one of the “death flights”.<sup>3</sup> I was chained to a seat at the back of the airplane. Being a good navigator, I recognised the route we were taking, which went from the Luján River, over Martín García Island and I could make out Montevideo (Uruguay) in the distance. In the end, they were unable to throw me out of the airplane thanks to the enormous international solidarity and the campaign people were organising in Europe and other places for my release.

**LF** • Tell us a little about Servicio Paz y Justicia en América Latina (SERPAJ). What is it? How was the organisation born and what is its importance and impact in the region?

**APE** • SERPAJ was born ecumenically. People from the Methodist Church in Argentina, such as Methodist bishops Federico Pagura, Carlos Gattinoni and Aldo Etchegoyen, together with Brazilian Catholics Dom Hélder Câmara and Antonio Frago and the bishop of Riobamba, Leonidas Proaño (the bishop of the Indians), made it possible. With their support, I assumed the responsibility of leading this movement, which Federico Pagura in Mendoza had been forming for years. In the early 1970s, we began to help refugees arriving from Chile and we created the CAREF.<sup>4</sup> In 1974, they put me in charge of coordinating this experience at the continental level.

I believe that SERPAJ's work is to build networking. Knowing that the problem experienced in one place is everyone's problem is our strength. When vulnerable groups are isolated, it puts their lives in danger. Therefore, despite the peculiarities of each SERPAJ on the continent, the active defence of human rights based on non-violence is our distinguishing trait.

**LF** • What was the most important or significant role of the Theology of Liberation in Latin America?

"THE WORK WE DO IS SOLIDARITY WORK. I DO IT OUT OF FAITH, OUT OF SOCIAL, CULTURAL AND POLITICAL COMMITMENT"

**APE** • The Theology of Liberation had a major impact on the continent. After the Second Vatican Council (1962-1965) and the Second General Conference of the Latin American Episcopate in Medellín (1968), many Catholic communities returned to the towns or slums and rediscovered the space for liberation through God together with the poor, their struggles and dreams. As Peruvian Catholic theologian Gustavo Gutiérrez says, the Liberation Theology is about *"drinking again from the sources of living water"*.

**LF** • In your opinion, what should be the role of religion in the public sphere and what is the biggest challenge that religions face today in a global context marked by conservatism and fundamentalism?

**APE** • First, a brief analysis. To stop the Theology of Liberation from advancing, Reagan created the Institute of Religion and Democracy during his government, from which many of these fundamentalist movements emerged with their alienating, individualist, non-community-oriented religions. This differs from public testimony of Jesus, who created community based on his apostles. And I'd add the proviso that in the middle of so many male apostles, they forgot one fundamental women apostle, Maria Magdalena, and the other women to whom Jesus appeared after resurrection.

**LF** • Do you believe that there is a link between the public role of religion and feminist groups in Latin America that needs to be rediscovered?

**APE**: Currently, the women's movement is a non-violent struggle that changes society radically, like mighty rivers that overflow and transform reality. It is one of the great hopes for transforming our social and political reality.

**LF** • Based on your experience, what advice would you give to human rights defenders today?

**APE** • One very simple thing: do not stop smiling at life. The day they stop smiling is the day they have been defeated. Social resistance is also cultural in the sense that we know we are not here in vain, only to survive. We are here to learn to live. Mother Teresa of Calcutta led me to realize that love is the great revolution and the women's movements have a lot of it. I celebrate this and it fills me with hope about what is to come.

• • •

*Interview conducted in June 2019 by Leonardo Félix.  
Original in Spanish. Translated by Karen Lang.*





“THE WORK WE DO IS SOLIDARITY WORK. I DO IT OUT OF FAITH, OUT OF SOCIAL, CULTURAL AND POLITICAL COMMITMENT”



Photos by Gabriela Felix

## NOTES

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1 • Part of the Mesopotamia region in Argentina, along with the provinces of Misiones and Entre Ríos.

2 • The public square where the Casa Rosada, the residence and office of the president of Argentina, is located.

3 • “Death flights” is a practice used by Argentina’s armed forces, which consisted of taking victims of torture and illegal detentions on airplanes and

throwing them out of the planes into the Plata River from high altitudes while they were drugged or semi-conscious. With Pérez Esquivel, an attempt of this action took place on May 5, 1977.

4 • CAREF is the Argentine Commission for Refugees and Migrants. It was created in 1973 in Argentina to assist the large number of Chilean refugees fleeing the Augusto Pinochet dictatorship.



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# “IT IS AGAINST THIS GOD WHO KILLS THAT WE ARE FIGHTING AND RESISTING”

• *Interview with Alexya Salvador* •

By Maryuri Grisales and Renato Barreto

*Alexya Salvador, 38, was born in Mairiporã, a rural municipality on the outskirts of São Paulo. She is a public school teacher, vice president of Brazilian Association of Homotransaffective Families (ABRAFH, in Portuguese) and a mother. In 2015, she was appointed assistant pastor at the Metropolitan Community Church (MCC) in São Paulo, making her the first transgender pastor in Brazil. This year, she will be ordained as a cleric and become the first transgender reverend in Latin America. She was also the first transgender woman in Brazil to adopt a child and, later, the first to adopt two trans children.*

*As a public figure, she ran for the office of state representative in 2018 campaigning on LGBTI rights, education and adoption, issues present in her own life. In her speeches, Alexya says that her body is a trespasser and that her very existence is political, particularly in the country that most kills LGBTI people anywhere in the world. As far as she is concerned, the problem lies in the education that people receive, which is underpinned by prejudices that violate the human rights of the LGBTI population, and which is why she advocates strongly for the transformative role of education.*

*Whether it's in school or in church, she believes that her presence can inspire other people. The same goes for her family. In interviews, as vice president of the Brazilian Association*

*of Homotransaffective Families (ABRAFH), she promotes dialogue on respect for different family formations. In her church, she also talks about the need for a political presence by LGBTI people as a way of expanding areas of acceptance and inclusion.*

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**Sur Journal** • A number of phrases and credentials are often attributed to you, such as “the first transgender pastor in Latin America”, “the first trans woman to adopt a child in Brazil” and “the first Brazilian trans woman to adopt a child who is also trans”. What does this pioneerism mean to you as a black trans woman in a country that is structurally racist, majority Christian and one that most kills LGBTI people anywhere in the world?

**Alexya Salvador** • I like to quote Paulo Freire when he said that “the world is not; the world is being”. In this revolution that we have lived through in recent times, being the first trans woman to adopt a child in the country that most kills transvestites is the greatest political act of existence that I could have done. And today I can say that times are changing, that the world is no longer the same and that we are not here to steal anything from anyone, to break any law or to attack anyone. Every day, people will do anything to discredit me as a mother. First, because they don’t consider me a woman and so I can’t possibly be a mother. By contrast, I am proof that it is indeed possible to be a trans mother. I hate having to talk about motherhood and use an adjective. But, at this point in history, unfortunately we have to label some things educationally so we can teach people what is possible. And my family is there to prove that the trans-affective family exists, that there are various types of different families in the world, not only the homoaffective family like everyone says.

**Sur** • How important is it, these days, for there to be a public figure like you, a pastor occupying a position in ecclesiastical circles and even in institutional policy? How much weight do these credentials carry for you in your own church?

**AS** • It all happened in a way that not even I had planned or intended. Things happened one day at a time, one month at a time, and today I am in this position being the first trans pastor in Brazil – and soon I’ll be ordained as a cleric, making me the first transgender reverend in Latin America. This shows that it is possible to practice a genuine Christianity like in the early Christian communities, in which these issues were not the ones that mattered, they were not the types of issues that separated and segregated people. However, in the world’s largest Christian country, because I go against the flow I have become a symbol of disgust for lots of people, because they believe that I am perverting a Christianity that they claim belongs to them. There’s nothing that binds Christ to any church or to any person. When I talk about Christ, I like to think about the Jesus of the people, the Jesus who walked with those who nobody wanted to walk with. And this Christ also wanted to walk with me.

**Sur** • Tell us a bit about the Metropolitan Community Church (MCC) and its role in the current Brazilian religious landscape.

**AS** • The Metropolitan Community Church was founded in Los Angeles in the late 1960s by the Reverend Troy Perry, a Baptist pastor who would minister, in the living room of his own house, to a group of a dozen or so people who religion at that time also did not accept in their congregations: divorced women, blacks and LGBTIs. At the end of that decade in the United States, blacks could not attend the same churches as whites. The MCC emerged out of this resistance, this empowerment of so-called minorities, when in fact we are not a minority. Today, the MCC is present in more than 50 countries worldwide, not just as an inclusive church, but also as a church affirming our sexualities and our gender identities. However, our most basic agenda is the struggle for human rights. MCC exists not only to bring people together in one place and call it a church. We believe that Christianity empowers us to struggle against all forms of oppression, injustice and for the recovery of our rights. And, right now in Brazil, with the Bolsonaro government, we are taking a stand against any attempt to erode our rights. We have a government of death; unfortunately. A government that persecutes and a government that does anything to silence so-called minorities. As members of the Metropolitan Community Church, we are going to continue resisting and fighting against all death systems, because we believe that this is indeed an evil system. Everything that doesn't generate life generates death. And, if it generates death, then it's God's enemy.

**Sur** • Besides being a pastor, you are also a human rights defender. Considering that Christianity has historically been a tradition that has harnessed its power through the control of bodies – celibate bodies of priests, bodies of women for reproduction and bodies sexually controlled by a restricted idea of nature and divine order, how do you interpret your religious inspiration for reclaiming rights, specifically sexual rights.

**AS** • My ministry calls on me to fight against any type of oppression, in particular the colonization of bodies. Religious fundamentalism teaches that, if our sexual desires and practices are not in keeping with biblical parameters, then we are in sin. I believe that sex is a gift of God and should be exercised with responsibility. Sin is not the sexual act, but instead the failure to guard against sexually transmitted diseases. In this regard, I believe that we should take care of our body that is God's temple. We cannot fight against our own nature, repressing who we are in the name of a religious practice that views sex as something to be combated. Control and colonization of bodies is still key to the church's manipulation of people, because our sexual orientations and gender identities also exist in this reality. Being LGBTI+ and living according to the fluidity that radiates from our human perception is what drives me to fight for every human being's right to be.

**Sur** • This year Brazil criminalized homophobia – a controversial issue particularly in religious circles, since according to some opposing views this compromises religious freedom and freedom of expression. Do you consider this criminalization a breakthrough in terms of human rights?

**AS** • When the Supreme Court criminalizes LGBTphobia, this sends a message to us that new times are here. We know, for example, that the Maria da Penha Law [on domestic violence] has not stopped women from being killed. Similarly, this law will not prevent cases of LGBTphobia from occurring, but people will start to think twice before doing certain things. Obviously it will take a while for society to understand that it's a crime, that we now have recourse to higher courts to defend ourselves. Our church has always fought for LGBTphobia to be criminalized, because we believe that the State has to protect these people, that the State has to guarantee people's freedom of movement and their right to exist. So criminalization is a step in the right direction, but we also need to create public policies to enforce the law, so people understand that all hate, all violence perpetrated against gays, lesbians, transvestites, trans men and trans women is now punishable.

**Sur** • Education is an important part of your work, both as a pastor and educator in your community work and as a mother in the family environment. How do you envision an education for democracy and respect for differences in today's Brazil? How can religion contribute in this regard?

**AS** • I've been a public school teacher for just over 15 years. In my classes, for example, I always try to seize the opportunity caused by conflicts between students, those moments of tension, to teach something that isn't in the textbook. I'm talking about civic awareness, respect for people who are different from us and the fact that we are human beings and, as human beings endowed with consciousness, we should respect others. As a pastor, I try to teach people that differences are not a threat, because people often believe that anything that is not in their own vocabulary, that is not part of their reality, should be seen as a threat and, therefore, combated. No, human beings should not wage war against one another. Not for any reason. All the world's major wars were caused by pride, by arrogance, by the desire to dominate cultures and peoples. Christianity has a long history of invasions in which whole peoples were decimated, people considered witches were burned alive, entire indigenous tribes were looted and burned, empires were overthrown in the name of a God that it seems only knows how to wage war. This Old Testament God did indeed exist. But he also exists when he smiles beautifully in Jesus conveying love, conveying acceptance of those who are different. In fact, I don't see people as different; different for me is an invitation to learn something that I didn't know existed. And when I get to know this something, I see that I'm not really any different. So for me, God inhabits the Candomblé shrine, God inhabits the Buddhist temple, God inhabits the Catholic temple, God inhabits the Evangelical temple. And so many other forms of faith. God has different colors, flavors, smells and tastes. If what's right for me is not found in these places, then it's because God is calling on me to see His presence elsewhere. So this God that kills and wages war cannot be the God of love that is revealed through Jesus. It cannot be. This is the God of Bolsonaro, this is the God of the evangelical caucus in Congress. So, it is against this God who kills that we are fighting and resisting.

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*Interview conducted in July 2019 by Maryuri Grisales and Renato Barreto.  
Original in Portuguese. Translated by Barney Whiteoak.*



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