MANAGING AND REGULATING RELIGION IN A GLOBAL CONTEXT

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The Tsunami and its Repercussions

Like the terrorist attacks of September 11th 2001 in the USA, the South Asian tsunami, triggered by a devastating undersea earthquake, generated a global reaction of compassion and generosity. It also generated several other repercussions: a questioning about God and nature, and a generating of racist sermons and articles clothed in religious language.

In many places in the developed world where the scientific mastery of nature is a core value instead of a passive resignation to nature's whims characteristic of peasant farming communities, it generated spiritual tremors about God's existence (Mayson 2005). More so than S11, though in both cases innocent people were the victims, this occurred because the tsunami was a natural disaster, not the result of deliberate plotting by religiously inspired terrorists.

Such a critique of theistic belief is not new, expressed long ago by Sigmund Freud, "The destinies of man are incompatible with a universal principle of benevolence or with – what is to some degree contradictory – a universal principle of justice. Earthquakes, floods and fires do not differentiate between the good and devout men, and the sinner and unbeliever. And even if we leave inanimate nature out of account and consider the destinies of individual men insofar as they depend on their relations with others of their own kind, it is by no means the rule that virtue is rewarded and wickedness punished, but it happens but often enough that the violent, the crafty and the unprincipled seize the desirable goods of the earth for themselves, while the pious go empty away" (Freud 1933: 228).

The problem of suffering and the mystery of evil have haunted men and women down the

crucifixion and death of Jesus and his subsequent rising from the dead - these events, however, are not said to dissolve away or even explain the realities of suffering and innocent death; they represent a way of overcoming such realities, however incomprehensible they may be. Both traditions emphasize, as the Qur'an likewise suggests, that "it is foolish to be preoccupied with the inequalities of life: since all comes from God, there is no point in achieving uniformity…similarly there is no sense in lamenting the fate of those who suffer in the cause of God…your concerns should be for yourself, not for the fate of others" (Bowker 1975: 115).

In Hinduism, suffering is never perceived as the ultimately reality. The world is an amalgam of opposites, of good and evil, of joy and pain, of healing and suffering. Suffering is never the final truth because it is consumed into the unity of the opposites as a direct result of the working out of the Karma, and the individual self finds its identity in Brahman (Bowker 1975). In Buddhism, the notion of suffering is much broader than that of other faiths, encompassing not only pain and misery, but impermanence, lack of perfection and emptiness, and the Buddha's teaching is wholly focussed around the transcending and overcoming of suffering and evil by living the Noble Eightfold Path. This discussion of natural disasters and suffering highlights the different reflections, if not answers, offered by the major faith traditions, yet there is sufficient commonality built around opposites and the overcoming of the opposites.

However, in some communities across the globe, the disaster was used to deliver messages of hatred and hostility:

- On Palestinian television, a Muslim cleric argued that God had taken His revenge on Thailand, 'the tourists' paradise', because its resorts are the "centre of corruption on the face of this earth". He went on, "The oppression and corruption caused by America and the Jews have increased. Over there are Zionist and American investments. Over there they bring Muslims and others to prostitution. Over there, there are beaches which they dubbed 'tourists' paradise', while only a few metres away, the locals live in hell on earth" (ADC Online 2005: 1)

- An article in a popular Egyptian weekly proclaimed that the Asian tsunami resulted from the joint nuclear testing of the USA, Israel and India. "The three most recent tests appeared to be genuine American and Israeli preparations to act together with India to test a way to liquidate humanity. In the most recent test, they began destroying entire cities over extensive areas. Although the nuclear explosions were carried out in desert lands, tens of thousands of kilometres away from populated

The Continuing Rise of Religious Conflict

It is incongruous that the two areas most devastated by the tsunami in all the affected areas across the Indian Ocean in Asia and Africa were Aceh in Indonesia and the east coast of Sri Lanka, both troubled areas where in recent decades the interrelationships between religion, ethnicity and the state have bubbled over into extremism and violence. In Aceh to the distress of other religious minorities, the Muslim extremists have imposed Shar'ia law as part of their determination to separate from Indonesia. In Sri Lanka, in a conflict with its roots in the 1950s in the contest between the Buddhists and the Hindus and a context of social injustice, the Tamil Tigers led by Prabhakaran, a local warlord, have held back the growth and development of Sri Lanka (De Silva 1998; Uyangoda & Perera 2003; Ghosh 2003) though an uneasy peace is currently in force there. Religious conflict of differing intensities has arisen across as part of the global religious resurgence with both its positive and negative aspects.

In these conflicts as in the many others across the globe, at stake are issues such as the social injustice context for religious and ethnic violence that may have global as well as local impact as seen in the operations of Osama bin-Laden, the theoretical justification for religious violence based on literalist interpretations of the sacred texts taken out of their specific historical contexts, the increasing ethnic and religious diversification of nation-states resulting from the various world population movements, the consequent growth of ethnoreligious diasporas and the transnational links now better developed between the faith communities through the internet and the mobile, the nature and definition of religion and a faith community, the nature of religious authority, jurisdiction and accountability within global and national faith communities and, lastly, mechanisms for inoculating nation states against religious extremism and violence.

Across the world, we can see this impact. A nation as solidly democratic and free as the Netherlands is questioning its multicultural policy. Its Minister of Justice has recently proposed limiting the expressions of freedom and religion after the discovery of a book, *The Path of the Muslim*, in an Amsterdam mosque which advised the killing of Muslims who repudiated their belief and converted to another faith and it encouraged the killing of gay persons and adulterers. The call to throw gay persons upside down from the highest building in the neighbourhood caused revulsion and indignation in Dutch circles.

As a result of differentials in birth rates and global population movements, Christianity is moving its heartland from Europe to the countries of the poor south in Africa and the Americas. Hilaire Belloc's 1930 proclamation that "Europe is the faith" illustrates how quickly the situation has changed. The Islamic community has become truly global in its

Human Rights and Faith Communities

The emergence a new transnational regime of human rights and of the many advocacy and monitoring organizations has not yet been underpinned by robust and stable forms of global governance although such initiatives as the UN supervision of human rights reforms in countries such as El Salvador, Cambodia and Haiti, its creation of a new high commissioner for human rights, the first international tribunals since Nuremberg in the former Yugoslavia and Rwanda and the introduction of the International Criminal Court and the prosecution are important steps along the road (Brysk 2002a).

Increasingly we see, especially by developed nations, the violations of individual rights. Who has a right to rights? Tensions are being generated by this very question. No person is an alien or a non-person. The conceptual base for the denial of rights to migrants, borderhoppers and asylum seekers comes directly out of the liberal tradition's understanding of political community, citizenship and rights, based on the canonization of the State and national sovereignty and Locke's concept of consensualism and contractualism (Schuck & Smith 1985). As Maher notes, such thinking "leaves little space for rights claimed on the basis of universal personhood" (Maher 2002: 30).

Yet international human rights discourse and action has been too neglectful of the religious dimension and the role of faith communities. Because of their often global reach and their grassroots localization, such communities are usually very well-informed about violations. They are well-equipped to overcome the conventional wisdom that human rights violations and remediation are predominantly located within the state, and to be major players in the creation of a global civil society and to facilitate the emergence of transnational civil networks.

The Denial of Religious Freedom in the Context of the Global Religious Resurgence

The respected International Association for Religious Freedom has in recent years highlighted many instances where religious freedom has been denied or limited. The inclusion in 1945 of human rights discourse into the Charter of the UN was due as much to religious people and thinkers as to statesmen (Boyle 2004). However, while race and gender have been important foci over the past six decades in the international human rights movement with special conferences and inclusion in conventions, religion as a basis for discrimination has been neglected. As Kevin Boyle of the Human Rights Centre at the University of Essex has commented, "there has been no special Convention agreed to outlaw religious discrimination.

transcendent and the mysterious usually expressed in spiritual meditation, religious rituals and artistic achievements (Thomas 2004). The gift by the European colonizers to the Third World was the modernizing, secular state but it has failed to produce democracy and development. Muzaffar (2004) writing from a progressive Muslim perspective suggests that the religious resurgence in Asia is nested in "moneytheism", the ideology which legitimates the relentless pursuit of money and riches as an end in itself reinforced by the media's seductive glorification of opulent, consumerist lifestyles with huge mansions, fast and powerful cars, useless paraphernalia, trophy women and instant satisfaction of superficial desires. The reaction to greed and acquisitiveness is, in part, a reaction to Western secular values (Muzaffar 2004; Thomas 2004). In Thomas' view, strong religions and weak states characterise much of the developed world, leading to a philosophy of aggressive majoritarianism where the religion of the majority overrides the rights of the religious minorities, usually in the name of the preservation and development of national culture. This has been apparent in the Christian Orthodox countries of eastern and south-eastern Europe such as Russia and Greece where religion and culture have been so intertwined for so many centuries. For example, as a recent instance in Russia in June 2004, 100,000 Jehovah Witnesses were stripped of their legal status by a Moscow court, effectively banning their religious practice.

The Westphalian solution to religious intolerance and the War of the Roses (1550 – 1650) in Europe was the development of the modern state, the secularisation of politics and the privatisation of religion. However, the rejection of the principle of *cuius regio, eius religio* ensured that religious pluralism was taken seriously (Thomas 2004). The Westphalian solution reinforced by rationalist Enlightenment thinking gave birth to an aggressive secularism or a rationalistic statism which suspects that all faith traditions are irrational. Yet religion has been the main basis for order at most times in most cultures, contributing to national social capital. Modern Western societies have been characterised by incoherence and ethical pluralism estranged from their social and historical contexts. The Christian rationality of Pope John Paul II is almost as guilty of this estrangement as the rationality of the positivists and humanists. However, as Muzaffer (2004) insists, religious leaders often, if not usually, are not able to respond appropriately and are locked into a traditionalist, restorationist framework in many cases; they are handcuffed to a past that argues for the superiority of an exclusivist majoritarian religion that looks askance at religious minorities. Like political totalitarianism, it wants a religious monopoly that eschews religious competition in the name of the link between religion and culture.

The State and the Management of Religious Affairs

web-sites that disseminate propaganda on the internet and through virtual museums and skewed information web-pages?

Till now, the fundamental question has tended to be phrased: how should religion and the state be kept separate? Because Enlightenment secularism is no longer sustainable, the question is preferably phrased: *in a civil society, how should the relationship between religion and state be positioned that ensures the right to religious freedom?* Or, in another phrasing, *in a civil society, how should religious diversity be managed and regulated to ensure that majority and minority faith communities compete cooperatively, peacefully and honourably and contribute positively to national social capital in the management and regulation of faith communities?* Or, briefly, *what does good governance of religious diversity and faith commitment require?* Or, *when does good governance require interventions in religious affairs?* And *what are the responsibilities of religious leaders towards the construction of civil societies, inter-faith harmony and global and local peace?*

The management and regulation of religious diversity is an issue for all nation states. Now it is a process with global implications because of the formation of religious diasporas and their transnational networks to provide support for their far-flung faith communities and perhaps cover for religiously inspired terrorists. In this paper, I want to examine responses of selected nation states to religious diversity and then suggest a roadmap for going forward at both global and national levels. I want to suggest that in policy frameworks and practical implementation by governments, courts and police and military forces, encouragement of religious moderation is the key strategy whilst aggressive secularism and aggressive majoritarianism are inimical to such as strategy in encouraging more aggressive and perhaps violent responses. I also want to suggest that religious fundamentalism needs to be responded to by quality political and religious leadership. Governments, both in the developed and developing worlds, are, and rightly so, reluctant to intervene. Courts may not be helpful, and court decisions by the European Court of Human Rights and the European Court of Justice tend to pay little other than lip service to the idea of religious freedom (Richardson 2004).

France and its Aggressive Secularism

France has recently been in the global eye in its decision to ban the wearing of any religious symbol in government schools, targeting the *hijab* worn by Muslim female students. One could well ask flippantly, if religious symbols are to be banned, why not football club symbols? Football allegiance has led to violence and mayhem in soccer stadiums and European city streets. But such flippancy would be to misunderstand the strength of French thinking. A number of weeks prior to S11, the French Parliament passed in June 2001 a law

Viewed as essential to overcome any social and religious conflicts that might destroy the unity of France, this ideology has more recently become prominent after the 1905 settlement with the emergence since the 1970s of the new religious movements such as the Hare Krishnas, the Church of Scientology and the Mormons. French mainstream thinking has hardened, and the alarm has focussed on allegations of psychological manipulation. Many government inquiries have ensued and other institutional arrangements have emerged (Bickford 2004). It is important to note that *laicite* is only partly a genuine separation of religion and state – it guarantees freedom to practise religion and theoretically treats all religions equally but in fact operates with a system of recognised religions. It would now appear that Islam is being shifted back into the unrecognised group.

The fundamental assumption of *laicite* is that the new religious movements are based on irrational thinking from which the French citizen must be protected. Those who join these movements have been psychologically manipulated. Bickford sums up well the consequences of this assumption, "*Laicite* refers to a strongly positive commitment to exclude religion from State institutions and, in its place, to inculcate principles of nonreligious rationality and morality. Further, *laicite* involves a code of ideological hygiene for preventing religious influences from infiltrating the Republic's life. This means that constant vigilance is necessary to detect and suppress any threat of backsliding towards a stage of pre-*laicite* or of allowing new religious influences to infiltrate the State's domain. Neutrality of the State towards religion is not really a major feature of *laicite* in France since there are 'recognized religions'……….All religious expressions outside the mainstream are suspected of possibly undermining rationality, individual free will and, consequently, the capacity of individual citizens to support and cultivate their Republic" (Bickford 2004: 32 – 33).

In the 2001 legislation, the term 'mental manipulation' is incorporated into the act, and the whole government-backed campaign against these new religious movements has involved the employment of psychiatrists by anti-cult and parental groups to prove that recruitment has been a consequence of psychological manipulation, fraud or a seductive and induced abandonment of rationality (Bickford 2004; Duvert 2004). The French ideology elevates republican secularism as an alternative and higher form of religion, a covert religious superiority that implies that atheistic or agnostic secularism is more provable than theistic positions. It also highlights the fact that neither the French Left nor the French Right have ever developed the notion of a multicultural France capable of accommodating and integrating new and incoming ethnic and religious traditions. It is now problematic whether the current French practice banning the hijab and other religious symbols in government schools will generate alienation and disharmony from within its large Muslim population. In a multi-faith nation, these cultural and religious clashes need to be the subject of

a religion (Baird 1976, Rao 2004). But it is not clear what are the essentials of India's main faith.

More recently, in the last decade, the Indian courts have given themselves enormous powers and the provincial states have usually been more than happy to abdicate such responsibilities, given the highly volatile nature of inter-religious relationships on the sub-continent. The verdicts have either reinforced the cause of secularism or underpinned the cause of Hindu nationalism. It has not clarified what is 'secular' and what is 'unsecular'. In Rao's (2004) view, "no precise meaning can be ascribed to the terms 'Hindu', 'Hindutva' and 'Hinduism'" (Rao 2004: ???). In the 1995 Prabhoo case as in the Manohar Joshi case and the Kapse case, the courts have conflated Hindutva and Indianization and he concludes that in contemporary India secularism remains but empty rhetoric and Hindu majoritarianism remains supreme. Even if these views are extreme, the Indian case highlights the problematic nature of a pro-majoritarian position.

The Situation in other Commonwealth Nations

Malaysia is a country where a modus vivendi, if not always comfortable and not always just, has been reached on the basis of a pragmatic bargain between the Muslim Malays and the Chinese in contrast to Sri Lanka where cultural and religious majoritarianism, pushed alike by Sinhala political leaders and Buddhist religious leaders since the mid-1950s, eventually led to the country's civil war. The conflict is between a Buddhist majority with a minority complex and a Hindu minority with a yearning for majority complex, a minority with a majority complex (da Silva 1998). The process began with Sinhala language majoritarianism in 1955 and other subsequent funding injustices. There were also severe failures in Tamil leadership. In his detailed analysis, Ghosh concludes, "The history of the Sinhala Tamil ethnic relationship is a history of failed paradigms for which both the communities are responsible. More so the Sinhalese because they controlled the state power in every practical sense"(Ghosh 2003: 415). When the government failed to implement several peace pacts, it was not surprising that Tamils lost faith in their government. The lesson from the Sri Lankan context is that a religious majoritarianism was not sufficiently regulated nor properly managed by the State in a multi-faith context.

In Canada, the last half century has seen an evolution from the ethos surrounding the 1867 Constitution Act influenced by the traditions of the *Ancien Regime* and which in clause 93 gave special protection to Catholic and Protestant groups and some denominational public school systems (Cote 2004). This shift has been from a Catholic majoritarian approach to a public culture impacting similarly on all religious groups. Cote develops the notion of 'civic

but the earlier 1950 riots following a contested custody case when Maria Nadra Hertogh, a 13 year old girl of a Dutch Catholic father and a Eurasian mother, and baptised as a Christian, had been raised after the Japanese invasion by a Malay foster mother as a Muslim and was accepted into the Muslim community. After the War, her father subsequently claimed custody which polarised Malay and European opinion, leading to the riots in which 18 were killed. Accordingly, Singapore's religious regulation policy has been embedded in the paradigm of preventing social disorder and the damaging potential of conversionist activity. Accordingly, the Singapore State defines what is acceptable as religion and has, for instance, taken legal action against the Jehovah Witnesses for their proselytising. Each and every religion has been pressured to adjust to the State ideology which has been sufficiently liberal for faith communities to do this and the State endeavours to homogenize religion, allowing inter-faith differences to emerge only if they complement and cooperate with each other (Tamney 1988; Hill 2004).

In Singapore, there had been much talk about 'Asian values' and 'a Confucian ethic' and during the 1980s, in the name of inculcating civic virtue and social discipline, six religious education subjects were introduced into high school (Bible Knowledge, Buddhist Studies, Hindu Studies, Islamic Religious Knowledge, World Religions and Confucian Ethics) as part of a compulsory civics syllabus. But in 1989, after only four full years in implementation, this experiment in inter-religious education was terminated. There were problems with the Buddhist and Confucian subjects; few Chinese students chose to do the Confucian subject, disappointing the government; there was a perception that emphasis on each religious tradition heightened the differences in contrast to a comparative religious approach; and there was another perception that the heightened religious consciousness would generate a corresponding heightened politicisation – it was at this time that regime change had occurred in the Philippines led by a radical Catholicism partly influenced by liberation theology.

The subsequent 1990 Maintenance of Religious Harmony Act created a Presidential Council for Religious Harmony and then empowered the government to caution and restrain any religious leader or member who caused hatred or ill-will between religions, carried out political activities or any subversive activities in the name of religion or who generated 'disaffection' against the President or the government (Hill 2004) The main group affected have been the Jehovah Witnesses, and their right to conscientious objection has not been honoured in a country where military service is compulsory. Since then, on a number of occasions, religious leaders have been cautioned e.g. an evangelical Christian pastor for criticizing Buddhism, Taoism and Confucianism. However, underlying the Singaporean approach has been its feeling of precariousness in being a Chinese island in a largely Muslim area, best summed in the comment by Lee Kuan Yew, "it is a difficult matter to put a Malay

acceptance of the other that underpin the processes that facilitate positive well-being and social outcomes within a nation. It is built on an accurate understanding of a nation's past and the building of solid but flexible institutions that are resistant to corruption, fanaticism and zealotry as well ensuring good communication channels between and across individuals, organizations and collective institutions.

Secondly, faith communities ought be **counter-cultural** in pointing to and showing up the wrong, misguided actions and false values of government, its institutions and of individuals misguided in their lust for power, sex or whatever god. This is called the prophetic voice of faith in challenging corruption, hypocrisy and mistaken directions. Civil societies need to give to religion the social and political space to play this role since, because of their grassroots contact, faith communities are often the first to detect an emerging issue.

Thirdly, all faith communities need to be **cross-cultural**, that is, an outward orientation that is part of the universalism that is at the authentic core of all religious traditions. All local faith communities need to develop their own theologies of 'the other' and 'the different', and interrogate their traditions for attitudes such as "other religions are the work of Satan" or "death to the infidel".

Freedom of Religion, Apostasy and Conversion

Article 18 of the Universal Declaration of Human Rights declared in 1948 "everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance". Saudi Arabia raised objections but these were over-ruled. No religion likes to discuss or even acknowledge a person's conversion to another faith. It is a difficult subject. This article enshrined the right to change one's religion. The right was re-iterated in the 1966 International Covenant on Civil and Political Rights which also incorporated a provision reflecting the Islamic view – that there can be no coercion in respect of religion and belief (Boyle 2004). The 1981 United Nations Declaration on the Elimination of Discrimination and Intolerance based on Religion and Belief, so much the result of the work of the Indian, Arcot Krishnaswami, reiterates the same views. However, as Boyle notes, "this question of the right to choose a religion remains a matter of weak consensus at international level in practice and is not accepted by Islamic countries" (Boyle 2004: 4).

Some Islamic scholars are now questioning this Islamic stance even though it is claimed to be a non-negotiable element of Islam. Saeed and Saeed (2004) have recently noted that the issues

discussion is usually carried within the broader debate about the activities of Christian missionaries in Muslim countries, the continuing fear of Christianization and the centuries-old historical legacy. As Saeeed notes, "The ghost of Christianity lurks behind the Muslim debates on Islam and the West, Westernization, secularisation and even the debate over apostasy" (Saeed & Saeed 2004: 109). They conclude that "there is nothing in the Qur'an to justify a temporal punishment for apostasy, and little to justify many of the apostasy laws associated with it. Much of this law was developed from certain isolated(*ahad*) *hadith* and interpretation of those *hadith*, or on the basis of analogy (*qiyas*) and *ijtihad*. Since none of these guarantee certainty of knowledge *('ilm qati'l)* as understood in the principles of Islamic jurisprudence (*usul al-fiqh*). Muslims in the modern period have the opportunity to go back and rethink these laws. If there laws are no longer practicable or relevant for Muslims, there is a strong justification to reconsider these. The argument that these laws are backed by consensus (*ijma'*) should not deter Muslims from going along this path. Numerous other laws on which there was consensus at some point in Muslim history have been subject to revision and, in some cases, as with those connected with slavery and the caliphate, dropped altogether" (Saeed & Saeed 2004: 167 – 168).

Managing and Regulating Religion in Globalizing Societies

In endeavouring to provide the contours of a framework for managing and regulating religion and the formulation of a hyphenated global-local faiths agenda, we need to take a reality check and acknowledge, firstly, that faith communities, especially the missionizing ones, are in competition with each other in marketing their faith products and keeping their market share as much as they are in conflict or in co-operation with each other. Co-operation is not easily achieved even when there is no historical baggage of hostility and war. While belief is much more than a commercial product, the religious message still has to be marketed and packaged because each thinks that their product is the best, especially if they are insistent on themselves as repositories of ultimate truth. There is the movement towards unity and co-operation as seen in the ecumenical movement within Christianity, the interfaith dialogues at national and international levels and the growth of organizations such as the World Conference of Religion for Peace and the World's Parliament of Religions. But this is countermanded by the fact that faith communities are at one level players in the unavoidable global marketing game as seen in the global pastorate of Papa Wojtyla and the spiritual interventions of the Dalai Lama.

Secondly, religious faith is a solid, robust entity, not easily moved nor opened to global horizons. There are the religious captive identities, held within their own subcultural and religious enclosure, which avoid or are afraid of contact with religiously different groups

its legislative, judicial and policing agencies and to prevent the development of any heady brew of religious extremism and ethnonationalism. Its responsibilities are to keep an open religious market which research shows prevents the emergence and growth of ultra-fundamentalist religious movements (Introvigne 2004), to detect at the earliest possible moment the time to act purposefully in defusing tensions and conflict from escalating into violence (Kanninen 2003) and to unmask the real motives behind conflicts.

In managing religious diversity, some nations will have to make changes to their constitution or to other foundational legislation. But across the world there are many anomalies in religion-state relationships. The British monarch cannot be married to a Roman Catholic, and the British Prime Minister must approve episcopal appointments in the Anglican Church in the U.K.. The Malaysian constitution, reflecting a majoritarian perspective, defines a Malay as 'someone who speaks Malay, practises Malay customs and is a Muslim and in Article 3(1) it states that 'Islam is the religious of the Federation' though adding 'other religions may be practised in peace and harmony' (Evans 2004).

In the creation of a 'civic ethos' or 'a culture of reconciliation and co-operation', the regulation of religious diversity is, firstly, a process and has the following features:

1. The state through its constitutional, legislative, judicial and policing processes treats all faith and non-faith traditions on the basis of equality

2. The state establishes the appropriate legislation to regulate the place of religion in civil society with the legislation being administered fairly and in time.

3. The state establishes a well-funded secretariat to oversee the legislation and its implementation and to monitor both national and overseas trends, including the monitoring of web-sites of faith communities.

4. The leaders of faith communities show how they contribute to the nation's and the world's social capital through their teachings and activities

5. The faith communities have the political and economic space to safeguard, develop and transmit their traditions, and are able to worship and meditate, own property and form associations freely.

6. The state put into place mechanisms to accommodate essential religious practices in conflict with state legislation or core national values and practice through a process of

developed the twin notions of "soft non-relativism" and "infederated complementarity" to inform a religious pluralist view based on the three propositions (a) no world-view or revelation is susceptible of proof, so certitude is not possible (b) not all world-views teach compatible theses so there exists a rivalry even if there is considerable overlap - given the uncertainty, the only possible stance is soft non-relativism and (c) a multicultural stance implies a positive stance towards the different religions and world-views which complement each other and have something to teach each other whilst they co-exist in a world-wide federation.

These educational ventures should be genuine multi-faith experiences, accompanied by visits to different countries to examine how religious diversity is managed and regulated in different national settings. The more international and inter-faith experiences religious leaders have, the more accepting they will be of religious pluralism.

2. The Formation of National and Regional Inter-religious Councils

Another worthwhile and positive development in several parts of the world has been the formation of inter-religious councils at regional and continental levels. Of course, many nation states have had such councils at the national levels for many years and this needs to be replicated across all nations. At the regional level, recent years have seen the development of regional inter-religious councils. In 2001, WCRP had previously convened the first European Council of Religious Leaders (ECRL) and its second meeting was held in Sarajevo in September 2003. Representatives of all the major religions discussed the ongoing impact of terrorist attacks, the Iraqi conflict and the Middle East situation. The Council also focussed on tensions in Europe as a result of the influx of immigrant populations and the resurgence of long-present minority populations. The same year also saw the inauguration by WCRP of the African Council of Religious Leaders. They met in Abuja in June 2003 under the patronage of President Obasanjo. In December 2003, the executive formed action-oriented commissions to address conflict transformation and HIV/AIDS and to develop a strategy for dialogue between pan-African religious and political leadership. In August, in Latin America where inter-faith activity has been very slow in developing, WCRP initiated a Latin American Inter-Religious Council though its first priority will be to develop national councils and chapters in the region.

Asia is behind in this kind development though the geographical complexity of Asia may mean a different kind of solution. Asia contains far greater religious complexity than Africa, Europe or Latin America. WCRP has recommended to the Asian Conference of

modem and modemless. And the opportunity exists for the Commonwealth to take the lead by articulating a Commonwealth Charter of Religious Rights and Responsibilities that, as well as outlining the tenets of religious freedom, also documents the responsibilities of faith leaders and their communities to work for inter-religious harmony and global cohesion.

Another noteworthy initiative that may be very helpful is that of the International Association of Religious Freedom to articulate an Affirmation of Responsibility for All Religious and Belief Communities (IARF 2004). Drafts have been circulated for the past two years, and 'intellectually and spiritually' it has been a major challenge for IARF. The final draft is scheduled to be completed for approval in March 2006.

Related to this is the notion of a global-local ethic. The contours of a global ethic are only emerging, and the trigger was the *UN Declaration on Human Rights* together with the other international conventions previously mentioned. But there are difficulties in the construction of a global ethic. In 1993, after a preparatory period, the Parliament of the World's Religions met in Chicago and approved the *Declaration toward a Global Ethic*, built around the axiom, there can be no peace among the nations without peace among the religions. The Declaration was built around the basic principle of global personhood, 'every human being must be treated humanely' found in every great religious or ethical tradition and also the so-called Golden Rule, "Do not do to another what you would not want to be done to you', and around the four fundamental ethical demands found in all the great religions, 'Do not kill, do not steal, do not lie, do not commit sexual immorality'.

4. Revamping of the Position of UN Special Rapporteur on Freedom of Religion or Belief

The legal expert, Carolyn Evans (2003, 2004), has in her work drawn our attention to the role and position of the UN Special Rapporteur on Religion which is chronically and grossly underfunded yet manages to produce annual reports that draw attention to problematic situations around the world. This situation needs, as a matter of urgency, to be rectified, and greater robustness be given to the position.

Other initiatives are to gain the support of the international business community, and the participation of religious leaders at the Davos meetings has been a step in this direction. Also needed is the mobilization of women in the building of peace and inter-faith co-operation. As well, it is necessary to have a World Day for Human Rights as has been advocated in some

List of References:

Anti-Defamation Commission (B'Nai B'rith) (2005) Allah's revenge for Bangkok corruption. **ADC Online**, February.

Baird, R. Religion and the secular: categories for religious conflict and religious change in Independent India. In B. Smith (ed.) **Religion and Social Conflict in South Asia** (E. Brill, Leiden)

Bickford, J. (2004) 'Laicite', 'dystopia' and the reaction to New Religious Movements in France. In J. Richardson (ed.) **Regulating Religion: Case Studies from around the World** (Kluwer Academic/Plenum Publishers, New York)

Brysk, A. (2002a) Transnational threats and opportunities. In Brysk, A. (ed.) **Globalization and Human Rights** (Uni. of California Press, Berkeley)

Brysk, A. (2002b) From rights to realities. In Brysk, A. (ed.) **Globalization and Human Rights** (Uni. of California Press, Berkeley)

Bowker, J. (1975) **Problems of Suffering in Religions of the World** (Cambridge University Press, Cambridge)

Boyle, K. (2004) Freedom of Religion for All. Paper delivered at the Parliament of the World's Religions, Barcelona, 9th July. Available on the website of the International Association of Religion Freedom (www.iarf.org.uk)

Cote, P. (2004) Public management of religious diversity in Canada: development of technocratic pluralism. In Petito, F. & Hatzopoulos, P. (eds) **Religion in International Relations: The Return from Exile** (Palgrave Macmillan, New York)

De Silva, K. (1998) **Reaping the Whirlwind: Ethnic Conflict, Ethnic Politics in Sri Lanka** (Penguin, India)

Duvert, C. (2004) Anti-cultism in the French Parliament: desperate last stand or an opportune leap forward? A critical analysis of the 12 June 2001 Act. In J. Richardson (ed.) **Regulating Religion: Case Studies from around the World** (Kluwer Academic/Plenum Publishers, New York)

City, October 2004. Downloaded from www.cesnur.org/2004/mi_niches.htm on 3rd December 2004.

Kanninen, T. (2003) Prevention and reconciliation in a world of conflicts: the United Nations perspective. **Concilium** 5, 93 – 100.

Maher, K. (2002) Who has a right to rights? Citizenship's exclusions in an age of migration. In Brysk, A. (ed.) **Globalization and Human Rights** (Uni. of California Press, Berkeley)

Mayson, C. (2005) Tsunami theology. Downloaded from **e-Praxis – Engaging Faith and Society** on 15th February and available through e-praxis@lists.ukzn.ac.za

Muzzafer, C. (2000) Religion in 21st Century Asia: the Challenge without; the Change within. Paper for International Movement for a Just World, Malaysia.

Rao, B. (2004) Religion, law and minorities in India. In Petito, F. & Hatzopoulos, P. (eds) **Religion in International Relations: The Return from Exile** (Palgrave Macmillan, New York)

Richardson, J. (2004) Regulating religion: a sociological and historical introduction. In J. Richardson (ed.) **Regulating Religion: Case Studies from around the World** (Kluwer Academic/Plenum Publishers, New York)

Saeed, A. & Saeed, H. (2004) **Freedom of Religion, Apostasy and Islam** (Ashgate, U.K.)

Smart, N. (1996) Global Christian theology and education. In Astley, J. & Francis, L. (eds) **Christian Theology and Religious Education: Connections and Contradictions** (SPCK, London)

Tabandeh, S. (1970) **A Muslim Commentary on the Universal Declaration of Human Rights** (F.T. Goulding, London)

Tamnay, J. (1988) Religion and state in Singapore. **Journal of the Church and State** 30, 109 – 128.

Thomas, S. (2003) Taking religious and cultural pluralism seriously: the global resurgence of religion and the transformation of international society. In Petito, F. & Hatzopoulos, P. (eds) **Religion in International Relations: The Return from Exile** (Palgrave Macmillan, New