Faith and Freedom of Speech

A Biblical Basis for Human Rights

"Whatever you wish that others would do to you, do also to them, for this is the Law and the prophets." Mt. 7:12

Jesus said this as part of the 'Sermon on the Mount' and it is a summary of the Old Testament teaching on the treatment of others. This profound statement reflects a deep concern for all human relationships. It is a simple truth that what you would like to happen to you, should be what you do for/to others. Jesus elevates this statement to the level of divine revelation. So the practical duty of 'do to others as you want others to do to you' is both a human right and a human obligation. The duty of extending human rights to others should be honoured as part of our obedience to God.

This call to obey comes not only from what Jesus **said**, but also from the model of His life. He dignified our humanity starting with the incarnation right through to the present. There is a Human Being 'in the midst of the throne' now!

In His public ministry Jesus announced that His presence was hope for the poor, the captives, the blind and the downtrodden [Lk. 4:8]. He sought out the sick and emotionally impaired [Lk. 4:40]. He didn't coerce any to be His followers [Mt. 9:28.29]. He dealt very graciously with women from all backgrounds [Jn. 4:7-26; Mk. 7:26]. He didn't condemn unbelievers but trusted in God's ultimate judgement in dealing with them [Mt. 11:30].

In His parables He taught that weeds would grow alongside good seeds and that the harvester must be patient until the end [Mt. 13:30]. He indicated that the highest rights belong to God, but the non-religious demands of a political ruler should be met [Mt. 22:21]. Finally in the vision of Himself at the last judgement Jesus identifies with the stranger, the sick, the prisoner and the unclothed poor [Mt. 25:43].

The 'do unto others' is explicit in the Bible in its teaching concerning the non-Jewish peoples. It is a theme associated with roots and origins – Abraham, Moses and Ruth (an ancestress of David) all claimed they lived as ***"strangers in a strange land"*** [Gen. 23:4; Ex. 2:22; Ruth 2:10]. The cities of refuge and other judicial protection were extended to the "strangers sojourning" in the land [Joshua 20:9].

The law of God called for the eradication of 'strange gods' and the destruction of idols, yet the stranger in the midst of the nation was to be protected. This was the basis of the Jewish justice system that Jesus grew up with in first century Palestine. Jesus never rejected this system; rather He called for just relationships between all people founded on the ethos of the covenant that God established at Sinai [Mt. 5:17; 22:40]. The Old Testament prophets pleaded with the people to renew their commitment to their covenant with God. Part of this covenant was that they should provide for 'the others' in their midst who were not necessarily of the same ethnic origin as themselves [Ex. 12:49].

Basic Christian Rights

It may be convenient to define human rights in summary form as 'treating others the way you wish they would treat you'. A few key rights relating to religion need to be defined. Patrick Sookhdeo wrote a paper entitled **Religious Liberty: Historic basis and present examples** (Jan. '94). He distinguishes four rights:

1. **Freedom of conscience:** normally described as pertaining to the individual in his or her relationship to God including the right to change one's religion.
2. **Freedom of religious expression:** normally seen as including the right to religious worship, to give public witness to religious convictions and to teach these values to one's children.
3. **Freedom of religious association:** understood as the right, as a religious community, to preach, educate, publish and carry on missionary activities.

4. **Corporate and institutional religious freedom:** normally applies to the recognition of a religious community as a legal entity with the right to own property and be perceived as a 'legal' person with all the rights and duties implied by such recognition.

Difficulties with these terms in the law arise when attempts are made to restrict them strictly to a private right and not a public community affair. For example, 'the right to change one's religion' is seen as a private decision of the person to change from one religion to another. Muslims don't see it this way. Conversion out of Islam is a public act of treason – a betrayal of their community.

The Concept of 'Dual Truth'

At the end of the 'Golden Era of Arab Civilisation', a great Muslim philosopher, Ibn Rushd (died in 1198) lived and taught in Moorish Spain. He is known in Europe as Averroes. He developed the concept of 'dual truths' from Aristotle. One truth is truth derived from God and based on God's revelation. The second truth is truth based on human reason. Thomas Aquinas took this concept and developed it so that reasoning can be useful in determining proofs for the existence of God – i.e. the second truth is higher and can establish the first truth (derived from the second). In this way 'reason' was elevated and this helped to form the underpinning of the Enlightenment and of modern western secularisation. Evidence of this can be seen enshrined in the United States constitution as 'self-evident', 'inherent dignity' or 'inalienable rights' with only very feeble references to a Creator God who is Lord of all.

So the 'Dual Truth' concept in the western world led to increasing secularisation where 'reason' has been enthroned. With the formation of the United Nations in 1945, the focus turned away from the rights of the citizen in a nation (and the resulting various national constitutions) to the idea that 'rights' should not be restricted just to nations but also extend to non-territorial human rights – religious rights, economic rights women's rights etc.

In 1948 the United Nations issued a document entitled **The Universal Declaration of Human Rights** (UDHR). This expresses the ideal of equality among all peoples in the classic language of the Enlightenment.

"Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world."

The idealism and simplicity of the UDHR is to be admired, but the consensus on which it was built is being eroded by post modernity that has no trust in 'reason' and rejects the concept of a unique divine revelation. Muslims reject the concept of reason and point to Shariah as the divinely appointed law of God. So now we have various alternative 'human rights' declarations with various articles on the place of religion in public life.

The non-western world rightly points out that the words 'inherent dignity' and 'inalienable rights' are loaded with meaning reflecting the philosophy of European and North American rationalistic and secular assumptions of the Age of Enlightenment. These 'inalienable rights' are assumed by the West to be bestowed on us by a Divine Creator in a way that has not been defined and is now largely forgotten. Americans have a **Bill of Rights**, but there is no explanation of how these rights originated in a Creator God and there are various pressure groups, such as civil liberties groups, who would vigorously oppose such a connection.

Muslims and others have maintained that words like 'rights' have produced selfish and hedonistic lifestyles in the civil societies of the West. They are probably right! The Christian dynamic would emphasize 'duties and responsibilities' i.e. "**do** to other citizens what you would have them do to you". The teaching of Jesus in Mt. 7:12 implies that you must first know and understand the needs of others before you can think of your own needs being met. In Galatians 5 Paul lists nine fruits of the Spirit beginning with love and continuing with joy, peace, patience, kindness, goodness, faithfulness, gentleness and self-control. Paul ends by saying, ***"Against these there is no law."***

The Muslim Approach to Human Rights

The Quran proudly presents to the world the Muslim community (Umma) as the 'perfect religion' [Sura 3:110,*"You are the best of all communities, the Umma, evolved for mankind, enjoying what is right, forbidding what is wrong."*] In the same way as Mt. 7:12 for Christians, this verse defines the Muslim approach to human rights. Muslims have the duty to commend the good and forbid that which is evil. Secondly they have a duty to build up and advance the community (Umma).

In Matthew, the doing of good is tied into the revelation of the will of God. The Quranic verse ties the doing of good to the welfare and expansion of the community of Muslims. Worship, freedom of association and educating your children in the faith are noble community functions for the Muslim. The five pillars of Islam all have their roots in Abrahamic faith (Judeo-Christian). But added to these was the necessity of defending the faith with armed struggle – Jihad. Jihad refers to both the individual struggles against the internal and external forces that distract Muslims from their faith. It is also the collective response of the Umma when a leader (a member of the Ulema) calls for armed struggle to defend Islam.

The last ten years of Muhammad's life were filled with conflicts and war (AD 622-632 – the year of his death). This began when a small group of his followers attacked a caravan going to Mecca during the sacred month when all raids were forbidden. The raiding party killed several of the caravan members and then took the prisoners and the booty to Muhammad. At first Muhammad condemned the attackers for violating the sacred month. But then revelations came to Muhammad confirming to him the raid was sanctioned by God.

Sura 2:217, *"They ask you (Muhammad) concerning fighting in the prohibited month. Say, 'Fighting therein is a grave offence, but it is graver in the sight of God to prevent access to the path of Allah, to deny Him, to prevent access to the sacred mosque and to drive out its members. Subversion (fitnah) is greater than killing.' "* The Arabic word 'fitnah' means treason and sedition.

Fighting as a method of advancing Islam continued during the rule of Muhammad's successors. The classic age of Muslim advance was roughly from AD 630 to AD 930. By offensive action Muslim armies penetrated into the heart of France and to the shores of India. Offensive war of this nature is advocated in Quranic verses such as 8:55-58; 5 and 9.

Two Quranic Scriptures

Our Muslim friends are fond of quoting a verse from the Quran that clearly prohibits any coercion in religion – Sura 2:256. *"There should be no compulsion (ikrah) in religion."* But there is another Quranic verse that is often referred to as the 'verse of the sword' – Sura 9:5, *"Slay the idolaters wherever you find them and take them, confine them and lie in wait for them at every place of ambush."*

The question arises, which verse of the Quran should dominate – the no compulsion of 2:256 or the 'verse of the sword'? This leads us into the topic of abrogation (nasikh) that is found in the Quran. Sura 2:106, *"Whatever sign we abrogate (nansakh) or cause to be forgotten, we bring one better or similar."* Muslim lawyers consistently argue that the 'verse of the sword' (9:9) was revealed **after** the tolerant verse 2:256. This means 2:256 is abrogated. Under Shariah it is legitimate for the Islamic community to commit acts of violence against its non-Muslim citizens if this protects, builds up or advances the community – Umma.

Christian Minorities under Islam

Under Shariah law, where Muslims are a majority, Christians, Jews and Zoroastrians are to be placed in a special class called Dhimmi. Those in this class were allowed to practise their faith under prescribed conditions. These conditions were formulated by the second caliph – Caliph Omar (AD 634-644):

- Non-Muslim males were to pay a poll tax called the jizya tax.

- Non-Muslims were not allowed to be engaged in military service – often extended to government service.
- No new churches or synagogues were to be built. Existing ones were only to be renovated with permission.
- There was to be no display of crosses and no religious processions.
- The house of a Christian could not be built higher than that of his Muslim neighbour.
- Distinctive clothes were to be worn to distinguish them from Muslims.
- Non-Muslims were forbidden to ride on horses. They had to ride on mules and donkeys. They should not ride at all if Muslims were walking.
- Non-Muslims had to show respect to Muslims – by giving up their seats to them etc.
- The testimony of a Christian or a Jew could not be accepted against a Muslim in a court of law.

Many a poor Middle Eastern family (Indian or Balkan) entered Islam to avoid paying the jizya tax and to escape from the other humiliating conditions. Still by the 12th century the majority of people in the Middle East remained Christians. The Crusades caused the mass conversion of Middle Eastern Christians to Islam in revulsion at the behaviour of the crusaders.

But Christian minorities in Muslim Countries today still feel the force of the Code of Omar. Islamists want to see its full implementation. But even without this they know that political and economic conditions are against them. Millions of Middle Eastern Christians have chosen to emigrate to the west. In Sudan, 'the south' rebelled. The Quran commands the death sentence for these people – Sura 5:33, *"The punishment of those who wage war against God and His messenger and who spread corruption on the earth is crucifixion."* Sadly in Sudan, many of these Christian 'rebels' have been crucified.

Conversion from Islam – Muslim Human Rights Declarations

In 1981 various Muslim countries produced the **Universal Islamic Declaration of Human Rights** (UIDHR). In its preamble, this document makes it very clear that it is superior to the UDHR because it is based on the Quran and the Hadith (the basis of the Shariah). This document was upgraded in 1990.

These documents have replaced "rights and privileges" with "duties and responsibilities". The Shariah is open to many different interpretations. Among the Sunni there are four official schools of interpretation of the law and these extend the debate to thousands of minute details that cover every possible form of human behaviour.

These documents (UIDHR '81 & '90) put three groups of people at risk:

- **Muslim Women** who want to find flexibility in their duties to their families and to society apart from the heavy handedness of the male members of their respective families
- **Minority Muslims and non-Muslims** who live in Muslim countries. Pakistan would be a good example. Shia Muslims, Ahmadi and Christians often experience violence against them from the Sunni majority. There is considerable fear of encroachment by Islamists. There is no such procedure as affirmative action to assure the survival of a minority group in these Muslim nations.
- **BMBs*** **–** those who convert from Islam to faith in Jesus

The greatest objection of the Muslim community to the UDHR is article 18. This states that everyone has the right to freedom of thought, conscience and religion. This right includes the freedom to change his/her religion or belief and freedom – either alone or in community with others; either in public or in private – to demonstrate his/her religion or belief in teaching, practice, worship or observance.

The 1981 UIDHR statements on Religion

The purpose of the Muslim state is to establish an Islamic order. Converts from Islam are at risk as they become dissenters from that order.

- The preamble of the UIDHR states (sections g and i)
    - (g) "…in our obligation to establish an Islamic order."
    - (i) "Where all human beings shall be equal and none shall enjoy a privilege or suffer a disadvantage or discrimination by reason of race, colour, sex, origin or language."

Note the absence of religious equality! This is partly mitigated by:

- Article III (c): "No person shall be denied the opportunity to work or be discriminated against in any manner or exposed to greater physical risk by reason of religious belief, colour, race, origin, sex or language."
- Article X (a): "The Quranic principle, *'There is no compulsion in religion'* shall govern the religious rights of non-Muslim minorities."
- Article X (b) states that, "In a Muslim country religious minorities shall have the choice to be governed in respect of civil and personal matters by Islamic law or by their own laws."
- Article XII – The Right to Freedom of Belief, Thought and Speech
    - (a) Every person has the right to express his thoughts and beliefs so long as he stays within the limits prescribed by Shariah. No-one is entitled to disseminate falsehood or to circulate reports that may outrage public decency or to indulge in slander, innuendo or cast defamatory aspersions on other persons.
    - (e) No-one shall hold in contempt or ridicule the religious beliefs of others or incite public hostility against them. Respect for the religious feelings of others is obligatory on all Muslims.
- There is an article in the English version that does not appear in the official Arabic version – Article XIV 'The Right of Free Association'. In the Arabic version Article XIV is 'The Right to Propagate and spread Islam'. It is clear that the only freedom of association being guaranteed is the one that protects activities connected with Islam.

In reality the UIDHR is a statement defending Muslim orthodoxy. The most serious restrictions are placed on those who can be charged under Shariah. So any person who chooses to leave Islam can be accused of blasphemy and slander and such a person cannot rely on UNHR or any laws in Muslim minority countries to protect him/her.

The Islamic Foreign Ministers Declaration – 1990

The 19th Islamic Conference of Foreign Ministers produced a revised Islamic Rights Declaration.

- Article 10: Islam is the religion of unspoiled nature. It is prohibited to exercise any form of compulsion on man or to exploit his poverty or ignorance in order to convert him to another religion or to atheism.
- Article 22 (c): Information is a vital necessity to society. It may not be exploited or misused in such a way as may violate sanctities and the dignity of the prophets, undermine moral and ethical values or in a way that disintegrates, corrupts or harms society or weakens its faith.
- Article 24: All the rights and freedoms stipulated in the Declaration are subject to Islamic Shariah.

Shariah and the Apostate from Islam

- **The Quran:** This appears to favour a very mild treatment of apostates (ridda). All of it is non-violent as the Quran says that an apostate should keep his life and with the admonition that God will judge the apostate. Surah 2:217, *"And if any of you turn back from their faith and die in unbelief, their works will bear no fruit in this life and in the hereafter they will be companions in the fires of hell."*

  Some Muslim lawyers say the Quran abrogates this verse for in Surah 9:11, 12 we read, *"Fight the heads of disbelief"*. Surah 9 is the last Surah given to Muhammad.

- **The Hadith:**

  "I heard the messenger of God saying that it is unlawful to shed the blood of a Muslim with the exception of three crimes:

  1. *The punishment of someone who commits adultery after marriage is stoning.*
  2. *Retaliation is required against someone who internationally commits murder*.
  3. *Anyone who becomes an apostate after being a Muslim should be punished by death." (Bukhari)*

  All four schools of Shariah (Maliki, Hanafi, Shafii and Hanbali) specify that those who leave Islam should be punished by death.

- **Modern interpretations**

  Sheikh Muhammad El-Ghasali, a senior lawyer from Al-Azhar University in Cairo (Islam's legal centre), stated in open court that, "The presence of an apostate inside the community constitutes a threat to the nation and should be terminated … any person or group of people who kill such an apostate should not be liable for punishment since they would be fulfilling the legitimate punishment prescribed by Islam."

  In reality there is a continuum of policies in Muslim countries from absolute adherence to Shariah to a much more tolerant approach.

What should our reactions be with regard to persecution?

Jesus was persecuted. He was terribly tortured and then killed in a very cruel way and He made no attempt to avoid persecution. Paul taught the early believers that they should expect and prepare for persecution, ***"All who desire to live a Godly life in Christ Jesus will be persecuted."*** (2 Tim. 3:13)

In spite of Paul's warnings and the example of Jesus, I think it is possible to discern another approach to persecution in the New Testament.

- **Flight**

  Joseph, Mary and Jesus (probably a toddler) were told by God to escape to Egypt to avoid being caught by Herod's soldiers who were going to kill all the male babies in Bethlehem – Mt. 2:13-15.

  So flight out of immediate persecution is possible. But sometimes believers cannot or elect not to migrate out of a dangerous area. Clearly we need to make provision for those who do. The gold brought to Jesus by the magi was probably God's provision for the flight and the cost of setting up a new home.

- **Judicial Protection**

  From chapter 16 the Book of Acts is the record of Paul's prolonged appeal to magistrates and governors within the Roman Empire for protection from his persecutors. Most probably this was not just for his own sake but so that his case would set a precedent for all believers to be protected by the law from the harassment they were receiving at the hands of the Jewish authorities.

I believe this sets a precedent to use national and international appeals for believers facing persecution. Indeed, monitoring the violations of religious rights is a 'duty and responsibility' for all Christians who are being guided by the Mt. 7:12 principle.

There are few easy answers for believers when they are faced with Islam in its Jihadi mode. Probably over the next decade we will increasingly see minority Muslim groups becoming Jihadist as the pressure for change comes to Muslim peoples and especially as those pressures for change are seen to come from the outside.

- **Being seen 'to do good'**

  Both The Quran and the Bible have exhortations to take care of widows and orphans. [Surah 2:220 – Muhammad was an orphan and clearly encouraged Muslims to care for orphans. James 1:27]

  Muslims tend to codify 'good actions' much like the Pharisees and the lawyers did at the time of Jesus. These laws are now seen as a form of divine revelation. When the care of widows and orphans becomes 'a religious law' it tends to rob the 'good action' of its humanity – the human response to a human need (in other words – love). The story of the Good Samaritan is Jesus' answer to this sort of legalisation.

  Any religious group that upholds a theocratic legal system like the Shariah or like that of the Pharisees has the problem of constantly modifying its law to meet the constantly changing environment of life. Clearly those who benefit from changes in the law are those who can put others in a disadvantaged position – such as Muslim women, non-orthodox Muslims, Dhimmi and other non-Muslim minorities.

  Christians are often accused of being antinomians (i.e. anti all attempts to legalise everything) or of having a spirit of anarchy that resists what others feel – i.e. that there has to be a legal foundation (legislation) for everything. However, from the Reformation onwards Christians have supported constitutions and legal societies because they form a good basis for practicing the duties and responsibilities we owe to our neighbours simply because they are human beings. Animal rights and our duty and responsibility to animals is also part of Biblical teaching.

  These are not divine laws, but part of the civil code that can be changed to reflect changes in life. As Christians we should not codify 'doing good'. We should rather follow the model of Jesus in His concern for others.

  So 'doing good' involves:

  - **Demonstrating the law of love:** Rom. 13:10, ***"Love does no wrong to a neighbour; therefore love is the fulfilling of the law."*** Remember Jesus' definition of our 'neighbour'. Remember too to love our enemies for whom we are also to pray (Mt. 5:44).
  - **Understanding human needs:** Understanding is gained by talking to people and listening to them. Listening to Muslims and understanding their hurts is essential if we are to 'do good'. The Gospels are full of stories of what Jesus **did** for people in their need. Jesus listened to people – Mt. 20:32, ***"What can I do for you?"*** was a common question. There is more in the New Testament about what He **did** that about what He **said**.
  - **Living in hope:** We believe in the God of Hope. Jesus said, ***"In the world you will have tribulation. But take heart! I have overcome the world."*** (Jn. 16:33). So demonstrate hope (versus a kind of fatalism). Model the power of the Lord Jesus in dealing with the sick, the emotionally distraught and the demonised. Hope that people will be saved and transformed and that whole communities will be transformed.

- **Encompassing all:** From the lowest person in the 'pecking order' to strangers in our lands and our dearest family members, all should be treated with love and graciousness. Make time to be with people.
- **Knowing God:** Jesus knew God. We have a faith that encourages 'knowing God'. This is a great basis for sharing with people you meet regularly. Muslims will ask, 'How is it possible to know God?' Part of our answer is that this is the source of why we live in the way of love: 1 Jn. 4:8, ***"Anyone who does not love does not know God because God is love."*** It **is** possible to know God personally. A sure way to demonstrate this is when others see the Living God living out His love for all mankind through us.

If we follow the example of the Lord Jesus, we might still run into persecution and difficulties as He did, but we will be blessed (Mt. 5:10-12). More importantly, our lives will make a huge impact and draw many into 'knowing God'.

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[*] Page 4: **B**eliever from a **M**uslim **B**ackground