

**The Way Forward:  
Strengthening the Role of the OSCE  
In Facilitating  
Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding**

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**I. Introduction**

It is a genuine honor for me to represent ODIHR's Advisory Panel of Experts on Freedom of Religion or Belief at this important implementation meeting in Kazakhstan. I have long believed, as we have been reminded repeatedly during our sessions, that the Kazakh experience of sustained harmony among its many cultural, religious and ethnic groups has much to teach other parts of the world. Thus, I am grateful not only for the hospitality we have received here, but for the deeper opportunity to learn from our Kazakh hosts. I also want to express gratitude for the experience of working as a member of the Advisory Panel. Our work contributes in many ways to the larger process of promoting dialogue, understanding and respect. But I am conscious that the very process of interacting with other Panel members has been itself a model experience of inter-cultural, inter-religious and inter-ethnic understanding, and for this I pay tribute to the other members of the Panel.

In my presentation today, I want to describe how the Advisory Panel and its activities contribute to strengthening inter-cultural/religious/and ethnic understanding. For those who were not able to attend the Panel's side event held in the previous hour, I will provide an extremely brief overview of the work of the Panel. I will also summarize a number of practical recommendations growing out of our work that can be passed on to the UN's Alliance of

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Civilizations and to the Working Group on Human Protection and Non-Discrimination that is charged with identifying ways that the OSCE can strengthen commitments to fight intolerance and promote understanding. But first let me make a few general comments about what is vital if eloquent words about dialogue and even alliance among civilizations is going to make a difference in the lives of people who suffer as a result of intolerance.

## **II. General Considerations**

I have participated in a number of “dialogue of civilizations” projects, including several of the meetings that have been organized by the UN and the OSCE over the past few years. These are important and have been productive in many ways. But it is vital to make certain that dialogue among civilizations at the global level becomes discussion of real day-to-day issues among neighbors at the local level. Otherwise, the grandest efforts of dialogue on the part of ambassadors of civilizations and the world’s great religious traditions prove only that sophisticated world travelers are good at talking to each other in exotic locations. It is also not enough to record some notes of practical ideas in a trip report sent to our respective headquarters. We need to find practical ways to translate our evident good will into evident good practices at the local level, in the lives of particular persons. We need to transform the international into the local, the alliance of civilizations into joint projects in local communities, the dialogue of civilization into down-to-earth talk among neighbors. This takes time, thought, and commitment.

Let me begin with a story I learned about recently when I was preparing to go to a conference in Jos, Nigeria on comparative systems of religion-and the state. Jos is located in the middle of Nigeria, where the Muslim north and the Christian south meet. A few years ago, Jos erupted in violence between Christian and Muslim groups. Two or three years earlier, members of a small Christian group were in the process of finding a site and building a church. They

located some property that was near a mosque, and they worried that building nearby might cause tension. So they went to the mosque and talked to leaders there, and asked if they would object to their building. The people at the mosque said that no one had ever shown them the respect of asking that kind of question before. They consented to the building and good neighborly relations continued. When the rioting erupted, and a group of enraged Muslims from another part of town came charging up the street carrying torches and intending to burn down the Christian church, the neighbors from the mosque across the street came out and stopped them, saying, "Don't burn this church. These people are our friends."

The fundamental questions we are really asking at this conference boil down to questions about how patterns of neighborliness can be encouraged, so that when the fire of intolerance begins to rage, people come out and say, "Put the fire away. These people are our friends." There are so many things that could have gone wrong in the foregoing story. The Christian group could have omitted the simple courtesy of asking if there would be objections. They could have simply bought the property and prepared for standard land use battles before planning authorities and courts. The people at the mosque could have reacted differently too. They could have said, "We don't want a Christian church so close to us. Find some other property." The Christian group in question was a smaller, less known denomination. The people at the mosque might have reacted based on bias and stereotypes, and they might have failed to see through the stereotypes to the actual people who came to their door. They might have said, "We only want traditional groups as our neighbors." Of course, even deeper levels of resentment might have come into play. They might have reacted negatively based on anger growing out of past insensitivities of other groups to other Muslims.

When so many things can go wrong, what can be done to help things go right? How do we localize our global commitments to human rights in general, and, to freedom of religion or belief in particular? Let me suggest some approaches by describing the Advisory Panel and some of its work.

### **III. The Work of the Advisory Panel**

After nearly a decade of activity, the Panel has had considerable experience working in areas where the international community can exert maximal leverage to encourage “things to go right” at the local level. The extended Panel currently consists of about sixty experts from around the OSCE. Each country can designate two Panel members; obviously several countries have not yet done so. Communication with the Panel as a whole takes place electronically. Under the current structure, the Director of ODIHR also designates a smaller Advisory Council which meets annually and takes responsibility for guiding and often carrying out many Panel activities. Dr. Thomas Krapf is ODIHR’s Advisor on Freedom of Religion or Belief, and serves as the liaison between ODIHR and the Panel.

One focus of the work of the Panel has been on education for tolerance. The contributions such efforts make to promoting understanding are obvious. One of our Panel members has developed a “Website Guide to Tolerance Education,”<sup>1</sup> which provides an extensive guide to resources available on the web. Significant contributions to Holocaust education have been made. Ongoing efforts to find creative and effective ways to build tolerance education into local school curricula are vital. The Panel is also engaged in developing benchmarks for assuring that treatment of religion in school settings is handled in ways that promote understanding and avoid becoming a source of exclusion and resentment.

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<sup>1</sup> This website can be accessed at <http://tolerance.research.uj.edu.pl>.

A great deal of the Panel's work has involved monitoring legislative developments and providing technical assistance when law reform projects are underway. In this regard, the Panel prepared *Guidelines for Review of Legislation Pertaining to Religion or Belief*,<sup>2</sup> copies of which are available in English and Russian both here at the conference and on the OSCE website.<sup>3</sup> The *Guidelines* were prepared in 2004 in Consultation with the European Commission for Democracy Through Law (Venice Commission),<sup>4</sup> and have been endorsed by the UN Special Rapporteur on Freedom of Religion or Belief.<sup>5</sup> These Guidelines are based on the relevant provisions of international treaties,<sup>6</sup> UN Declarations,<sup>7</sup> case law of the European Court of Human Rights, and OSCE commitments<sup>8</sup> that codify the fundamental right to freedom of religion or belief in international law.<sup>9</sup> The *Guidelines* are also based on experience of the Panel in rendering technical assistance to law reform countries in many OSCE countries, and they address sensitive issues in many legal areas, including laws governing registration of religious

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<sup>2</sup> Available at [http://www.osce.org/odihr/?page=publications&div=intro&subdiv=religion\\_belief](http://www.osce.org/odihr/?page=publications&div=intro&subdiv=religion_belief) [last visited on 4 March 2005].

<sup>3</sup> The English version of the *Guidelines* is available at [http://www.osce.org/publications/odihr/2004/09/12361\\_142\\_en.pdf](http://www.osce.org/publications/odihr/2004/09/12361_142_en.pdf), and the Russian version is available at [http://www.osce.org/publications/odihr/2004/09/13600\\_142\\_ru.pdf](http://www.osce.org/publications/odihr/2004/09/13600_142_ru.pdf).

<sup>4</sup> The Guidelines were adopted by the Venice Commission at its 59th Plenary Session (Venice, 18-19 June 2004), and were welcomed by the OSCE Parliamentary Assembly at its Annual Session (Edinburgh, 5-9 July 2004).

<sup>5</sup> The Guidelines have also been commended by the U.N. Special Rapporteur on Freedom of Religion or Belief. Report of the Special Rapporteur on the Freedom of Religion or Belief to the 61st Session of the Commission on Human Rights, E/CN.4/2005/61, para. 57.

<sup>6</sup> See, e.g., International Covenant on Civil and Political Rights, adopted and opened for signature by United Nations General Assembly Resolution 2200A (XXI) on 16 December 1966, entered into force 23 March 1976 (hereinafter "ICCPR"); International Covenant on Economic, Social and Cultural Rights, adopted and opened for signature by United Nations General Assembly Resolution 2200A (XXI) on 16 December 1966, entered into force 3 January 1976 (hereinafter "ICESCR"); Convention on the Rights of the Child, adopted and opened for signature by United Nations General Assembly Resolution 44/25 on 20 November 1989, entered into force 2 September 1990 (hereinafter "CRC"); European Convention for the Protection of Human Rights and Fundamental Freedoms and its First Protocol, opened for signature by the Council of Europe on 4 November 1950, entered into force 3 September 1953 (hereinafter "ECHR").

<sup>7</sup> Most notably, the Universal Declaration of Human Rights, adopted and proclaimed by United Nations General Assembly Resolution 217A (III) on 10 December 1948.

<sup>8</sup> For a list of relevant OSCE commitments which Romania has accepted as a participating State in the OSCE, see OSCE Human Dimension Commitments: A Reference Guide, [available in English or Russian at [http://www.osce.org/odihr/?page=publications&div=intro&subdiv=osce\\_hdc](http://www.osce.org/odihr/?page=publications&div=intro&subdiv=osce_hdc), last visited on 4 March 2005.]

<sup>9</sup> The major international instruments relied upon are excerpted in Appendix I of the *Guidelines*. *Guidelines*, Appendix I, pp. 31-51.

organizations, religion and education, autonomy of religious communities, issues relating to clergy and religious leaders, proselytizing and missionary activity, financing of religious groups, special issues in prisons, military and hospitals, national security and terrorism issues, land use questions, and many other areas.

One of the most critical ways for any state to promote understanding and mutual respect is to adopt good laws that respect international human rights standards. Nothing contributes more to a sense of exclusion and intolerance than determinations that a religious group cannot be registered or faces interminable bureaucratic hassles in finding a place to worship. Requiring a religious group to register to carry out its activities, or denying registration to a group seeking such registration, constitutes a clear violation of international human rights standards. Such legislation is the antithesis of facilitating interaction and dialogue with the state, and impairs the ability of religious communities to interact both with its own members and with others. To the question, "How then are we to control potentially violent groups if we don't restrict registration?" the answer is simple: use other instrumentalities of civil and criminal law. Using registration laws for this purpose is profoundly counterproductive. The problematic groups simply go underground, while legitimate groups suffer. In this respect, we regard recent legislative developments in Central Asia that have adopted more restrictive registration laws as inconsistent with OSCE Commitments and inconsistent with the spirit of this conference. More generally, legislation that reflects international standards promotes a sense of fairness and inclusion that constitutes the critical foundation for dialogue and understanding.

The Panel has also been involved from time to time in direct conflict prevention and resolution. This can be a particularly critical context for promoting dialogue and understanding. For example, in what was at bottom a conflict between Orthodox communities in Macedonia, the

Panel provided an expert opinion indicating that the conviction and imprisonment of Bishop Jovan was incompatible with OSCE standards. This contributed significantly to the dynamics that eventually led to his release.

We have also addressed a number a number of broader thematic issues. Panel Members have drawn attention in other sessions to our recent statement on the Islamic cartoons controversy. Copies of this statement are available. The statement addresses the importance of understanding, respecting and taking seriously the religious sensitivities involved, and at the same time affirms commitment to fundamental human rights values, including both freedom of religion and freedom of expression. It recommends proactive steps that can be taken by political and religious leaders, and encourages dialogue (but not censorship) with media sources to promote the various fundamental values at stake. The recommendations made with respect to the cartoons issue can be generalized, in that we believe the Panel can be tasked with responsibilities of:

- (a) identifying issues that could contribute to cultivating an improved atmosphere of tolerance, mutual respect, and freedom of religion or belief;
- (b) supporting the participating states in their work with religious communities and the members of the media; and
- (c) developing, in cooperation with the OSCE Representative on the Freedom of the Media, programs to implement the mutually reinforcing values of freedom of religion or belief and freedom of expression.

Through the Benchmarks project that is now underway, we hope to be able to contribute in many areas to strengthening commitments and processes that contribute to cultivating an environment of understanding and mutual respect.

### **III. General Recommendations**

Before concluding, let me mention two general recommendations that should be taken into account as the OSCE moves forward in its efforts to facilitate understanding through



dialogue and partnerships. The first is that as important as dialogue is, what might be called “diapraxis” may be even more important, and is likely to be even more effective. What I mean by “diapraxis” is the effort to find ways for groups not merely to talk together, but to work on joint projects together. Groups are much more likely to learn to respect each other and to understand that they can live together cooperatively, despite differences of belief, if they work together on matters of common concern. Members of the Advisory Panel, for example, come from many different belief traditions. I believe we have learned and accomplished far more by working together to carry out specific projects within our terms of reference than we would have by carrying out formal dialogues concerning our belief systems. In general, the OSCE should encourage “diapraxis” activities, by finding ways of involving individuals from differing ethnic, cultural, and religious groups to carry out joint projects that benefit the community as a whole.

Second, in seeking to promote understanding, there is a need to take a more encompassing and sympathetic understanding of the range of groups that need to be understood and embraced in dialogue and diapraxis activities. When one is working at the global level, particularly in the field of religion, there is a tendency to focus on major world religions, and to ignore smaller groups. For example, the general image suggested by the ideas of “Dialogue” or “Alliance of Civilizations” is building relationships among Judaism, Christianity and Islam, with consideration of other world religions such as Hinduism and Buddhism no doubt being permissible. This image ignores the reality that each of these is in reality a variety of sub-religions, linked by family resemblances but often separated by significant differences of belief. Thus, it is vital to address differences within as well as among religions.

This point has been made repeatedly at this conference. I want to address two related points. First, more attention needs to be paid to diaspora groups. Too often, the image of

“Dialogue” or “Alliance of Civilizations” envisions East talking to West, when the local issue is really Muslims in Europe and America, protestants in Orthodox space, anti-Semitism in countless local contexts, and so on. This is a major source of international tensions involving religion: believers in one country are concerned about how their co-religionists are treated elsewhere. A dominant religious group in one country is insensitive to religious minorities that are actually very influential if not dominant elsewhere. It is all well and good to talk about respect for distant and historical civilizations, but the real question is how members from a contemporary group react when adherents of another group move in next door. We have too many examples of grand talk about toleration and mutual respect, followed by denial of registration and building permits, or worse, by burning or bulldozing of places of worship.

Second, smaller religious groups should not be forgotten or ignored. There is something hypocritical about major traditions coming together with the purpose of fostering tolerance and mutual respect, and refusing to allow smaller groups to come to the table (or refusing to come to the table if smaller groups are allowed to participate). Of course, sometimes smaller groups do not wish to come to the table. That is their right, and should also be respected. Dialogue is not a value that is enhanced by forcing it on others. But most people welcome inclusion. For historical reasons, many countries of the world have sociological patterns in which 90-98% of the population belong to a handful of traditional religions (or to the growing secular tradition of non-belief). In our increasingly pluralistic world, this means that there is rich religious diversity in the last 2-10% of the population. A sociologist friend of mine has compared this to tropical rainforests, which cover a relatively small percentage of the earth’s surface, but are tremendously

significant for bio-diversity.<sup>10</sup> In religious as in ethnic settings, it is often the smallest groups that are most at risk, and that most need protection and respect.

### **Conclusion**

I would like to conclude with a story that communicates what is ultimately necessary if we are to move beyond abstract dialogue to concrete progress in implementing our shared ideals of toleration, inclusion, equality and respect. I heard this story from a revered leader in my own faith tradition, who in turn had heard it from Shimon Peres, the former prime minister of Israel. Mr. Peres in turn had heard the story from a Muslim. Perhaps someone here may know the ultimate source of this story, but there is something wonderful about the way it has been handed down to me and now to you across a number of cultural, religious and ethnic divides.

The story involves a discussion between a Jewish rabbi and two friends.

*The rabbi asked one of the men, "How do you know when the night is over and the day has begun?"*

*His friend replied, "When you look into the distance and can distinguish a sheep from a goat, then you know the night is over and the day has begun."*

*The second was asked the same question. He replied, "When you look into the distance and can distinguish an olive tree from a fig tree, that is how you know."*

*They then asked the rabbi how he could tell when the night is over and the day has begun. He thought for a time and then said, "When you look into the distance and see the face of a woman and you can say, 'She is my sister.' And when you look into the distance and see the face of a man and can say, 'He is my brother.' Then you will know the light has come."*

It is my hope that in all the recommendations we make, we can find ways to localize and individualize our recommendations as we seek to operationalize them. We need to move beyond

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<sup>10</sup> I am indebted to Gordon Melton for this idea.

the international to the local, beyond dialogue to diapraxi, and we need to be personally engaged. We need to be among the citizens of the world who respond to those bringing the torches of intolerance into our all-to-flammable neighborhoods by going out of our homes and comfort zones and saying, "Put the fire away. These admittedly diverse people are my friends." As we do this, we will not only know that the light has come. We will be among the bringers of morning.