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## The Creation of the Marrakesh Declaration and the Portrayal of Religious Minorities in the International Press

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## **Abstract**

In recent times religion minorities all over the world have been facing existential threats, which seriously compromise their social inclusion and the survival of their cultural heritage.

In 2016, hundreds of Muslim and non-Muslim scholars and intellectuals met in Marrakesh to discuss about religion tolerance, interfaith dialogue and the treatment of religious minorities in predominantly Muslim countries. The gathering ended with the drafting of a new Declaration, which aims to restore the principles of the ancient Charter of Medina, to the benefit of all religious groups in the Middle East. This dissertation analyses the declaration of Marrakesh on both a linguistic and a legal level, providing information on why it was considered as an urgent necessity and defining possible predictions regarding its future implementations and its legal value in modern Arab societies.

Finally, this thesis will analyse the relationship between religious minorities and the media, focusing on how smaller religious groups are perceived from the general public and how British and American newspapers deal with minorities representations and challenges.



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# Introduction

This dissertation analyses the birth, consequences and possible future implementations of the declaration of Marrakesh on the Rights of Religious Minorities in Muslim countries, providing also a general idea of how religious minorities are portrayed and perceived in international media production.

The first chapter will mainly focus on the general context in which the declaration was born, who took part to it, when, where and why. King Mohammed VI of Morocco hosted, with the cooperation of other organizations and political figures, from the 25th to the 27th January 2016 in Marrakesh, a conference entitled “Religious Minorities in Muslim Lands: Legal Framework and a Call to Action”, which led to the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Communities. The need for such a document has reached its peak in recent years, considering what religious minorities are currently suffering violent attacks, since the presence of a weak global legal system, which seems to be incapable to grant them their fundamental rights. Even if this declaration represent a pivotal point in the history of the protection of religious minorities, it surely was not the first example of legal document which attempted to put a spotlight on this social issue.

The first document ever redacted to bring peace between Jews and Muslim communities in Middle East was the Charter of Medina (VII cen.), symbol of brotherhood and promoter of peaceful relationships, drafted by prophet Muhammad himself and some of his most faithful supporters. One of the main goal of this gathering in Marrakesh, was to re-establish the principles of the Charter in modern Arab societies, since its provisions contained a number of fundamental principles, such as freedom of movement, property and ownership and equality before the law, which needs to be reconsidered in these dark times. The production of legal documents on minorities and

their rights has definitely seen a decrease in most recent times. This work will also deal with the most prominent modern documents on minorities in the Arab world, and discuss if they suffice in terms of specificity and validity. Most examples will show that that in almost all mayor Islamic legal document, references to religious minorities are either nonexistent or not specific enough to ensure concrete results. In the effort to understand which could possibly be the future of the declaration of Marrakesh and if implementations can actually be considered as doable in every Muslim countries, predictions will be attempted, based on what different scholars and intellectuals have said and written on the document itself and particularly on its proper legal validity.

The second chapter is entirely dedicated to the analysis of the condition of different religious minorities in some of the most controversial Muslim countries from a religious freedom perspective, in the attempt to understand why this document turned out to be so necessary right in this century. Firstly, the situation of religion minorities in Morocco will be tackled: the Moroccan Government, under the guide of King Muhammad VI, has achieved a lot in social, economical and educational fields. The condition of minority communities in Morocco still remains in need of much discussion and more legal support, even if its entire political system has put a lot of effort in studying, understanding and protecting the heritage of certain minorities by providing annual funds for schools and religious education.

The second chapter will also deal with the conditions of the Kurdish Yezidi community of Iraq, of Christians in Pakistan, of the Baha'i in Iran, of religious minorities in Turkey and with the dilemma of religious harmony and religious freedom in Indonesia. The discourse will take into consideration the fact that religious discrimination can arise from two different social conditions. On one side, the presence of an extremist group on national territory, can lead to the birth of a wave of hatred and discrimination caused by the illegal context itself. On the other, this study will also take into consideration all those governments, which should operate equal and anti-discriminatory law on a national level, but decide contrariwise to act according to the alleged "Muslim supremacy".

The third chapter deals with the methods and techniques linked to the translation process of legal documents, presenting also a commented translation of the declaration



from English into Italian, in the attempt of underlying the logical process behind the transposition of legal matters from one language to another. The Declaration had already been translated into Italian before by the Italian COREIS, whose version has been published on the declaration's official website, alongside the original Arabic draft, a Dutch version and an English version. Always in the effort to put a spotlight on the existence of different translation choices and on the importance of the role of the translator in using his skills to convey the same message of the source text in the target text, both Italian versions have also been compared, pointing out the most important differences and the reasons behind certain choices.

The last chapter of this thesis will deal with the existing relationship between religious minorities and the global media. The content will take into consideration the position minorities hold in mainstream media and how they handle their own media strategy, offering insights into how a marginalized community evolves and try to fit in, while preserving its own cultural heritage. Further sections of this last chapter will analyze the treatment of minorities specifically in the landscape of the American and British news production. Based on the general features that the treatment of minorities in the States and in England present, some articles, published by *The New York Times*, *The Washington post* and *The Times*, on the declaration of Marrakesh will be critically analyzed, in order to understand how the document has been perceived from the general public and if the gathering of 2016 has been sufficiently mentioned by Western news production companies.



# Chapter 1

## The Marrakesh Declaration of 2016

Despite the fact that history has recorded many examples of Muslim societies being diverse, tolerant and accepting towards other religions and communities, in more recent times religious minorities have been murdered, starved, intimidated and forced to exile by governments and religious authorities from all over the world.

In this cultural atmosphere His Highness, King Mohammed VI of Morocco, together with the international Minister of Endowments and Islamic Affairs, Ahmed Toufiq of Rabat, and the Forum for Promoting Peace in Muslim Societies based in the U.A.E (United Arab Emirates) hosted, from the 25th to the 27th January 2016 in Marrakesh, a conference entitled “Religious Minorities in Muslim Lands: Legal Framework and a Call to Action”, which led to the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Communities. Many organizations and intellectuals cooperated together in order to explore and analyze one of the most critical religious and social issues of our time, according to the content of the Koran, and in an effort to work together towards pluralism<sup>1</sup>.

Over three hundred Islamic scholars, politicians, and activists, as well as a small group of interfaith observers from both Muslim and non-Muslim countries agreed to meet in Marrakesh to talk about a pressing human rights issue, which is the protection of religious minorities in Muslim communities. All discussions, opinions and resolutions, touched and analysed in those three days of Conference, led to the creation of a document, which aims to protect and secure fundamental rights for all religious

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<sup>1</sup><http://www.marrakeshdeclaration.org>

minorities in predominantly Muslim communities. The content of the Declaration involves multiple fundamental aspects, such as important statements on how violence is used in Muslim countries to impose one determinate point of view over the others, and how false information are globally distorting Islam's perception. The Declaration also underlines how strongly the intellectuals community is determined to reaffirm the content of the Charter of Medina (VII cent.) on a legal level and to find new and concrete ways to apply it and for it to be used as a catalyst for change. The declaration is also a symbol and instrument of cooperation among all countries, Muslim and non, in order to provide full protection to religious minorities, erasing arrogance, bias and violence among communities.

What the Declaration promises to do, in conclusion, is to make religious law in Muslim countries more inclusive, to review educational programs and to push all decision makers to work together, in order to make the content of the document a reality within Muslim societies. The final paper affirms that:

“In the Name of God, the All-Merciful, the All-Compassionate  
Executive Summary of the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities

25th-27th January 2016

WHEREAS, conditions in various parts of the Muslim World have deteriorated dangerously due to the use of violence and armed struggle as a tool for settling conflicts and imposing one's point of view;

WHEREAS, this situation has also weakened the authority of legitimate governments and enabled criminal groups to issue edicts attributed to Islam, but which, in fact, alarmingly distort its fundamental principles and goals in ways that have seriously harmed the population as a whole;

WHEREAS, this year marks the 1,400th anniversary of the Charter of Medina, a constitutional contract between the Prophet Muhammad, God's peace and blessings be upon him, and the people of Medina, which guaranteed the religious liberty of all, regardless of faith;

WHEREAS, hundreds of Muslim scholars and intellectuals from over 120 countries, along with representatives of Islamic and international organizations, as well as leaders

from diverse religious groups and nationalities, gathered in Marrakesh on this date to reaffirm the principles of the Charter of Medina at a major conference;

WHEREAS, this conference was held under the auspices of His Majesty, King Mohammed VI of Morocco, and organized jointly by the Ministry of Endowment and Islamic Affairs in the Kingdom of Morocco and the Forum for Promoting Peace in Muslim Societies based in the United Arab Emirates;

AND NOTING the gravity of this situation afflicting Muslims as well as peoples of other faiths throughout the world, and after thorough deliberation and discussion, the convened Muslim scholars and intellectuals:

DECLARE HEREBY our firm commitment to the principles articulated in the Charter of Medina, whose provisions contained a number of the principles of constitutional contractual citizenship, such as freedom of movement, property ownership, mutual solidarity and defense, as well as principles of justice and equality before the law; and that, the objectives of the Charter of Medina provide a suitable framework for national constitutions in countries with Muslim majorities, and the United Nations Charter and related documents, such as the Universal Declaration of Human Rights, are in harmony with the Charter of Medina, including consideration for public order.

NOTING FURTHER that deep reflection upon the various crises afflicting humanity underscores the inevitable and urgent need for cooperation among all religious groups, we AFFIRM HEREBY that such cooperation must be based on a "Common Word," requiring that such cooperation must go beyond mutual tolerance and respect, to providing full protection for the rights and liberties to all religious groups in a civilized manner that eschews coercion, bias, and arrogance. BASED ON ALL OF THE ABOVE, we hereby:

Call upon Muslim scholars and intellectuals around the world to develop a jurisprudence of the concept of "citizenship" which is inclusive of diverse groups. Such jurisprudence shall be rooted in Islamic tradition and principles and mindful of global changes. Urge Muslim educational institutions and authorities to conduct a courageous review of educational curricula that addresses honestly and effectively any material that instigates aggression and extremism, leads to war and chaos, and results in the destruction of our shared societies; Call upon politicians and decision makers to take the political

and legal steps necessary to establish a constitutional contractual relationship among its citizens, and to support all formulations and initiatives that aim to fortify relations and understanding among the various religious groups in the Muslim World;

Call upon the educated, artistic, and creative members of our societies, as well as organizations of civil society, to establish a broad movement for the just treatment of religious minorities in Muslim countries and to raise awareness as to their rights, and to work together to ensure the success of these efforts.

Call upon the various religious groups bound by the same national fabric to address their mutual state of selective amnesia that blocks memories of centuries of joint and shared living on the same land; we call upon them to rebuild the past by reviving this tradition of conviviality, and restoring our shared trust that has been eroded by extremists using acts of terror and aggression; Call upon representatives of the various religions, sects and denominations to confront all forms of religious bigotry, vilification, and denigration of what people hold sacred, as well as all speech that promote hatred and bigotry;

AND FINALLY AFFIRM that it is unconscionable to employ religion for the purpose of aggressing upon the rights of religious minorities in Muslim countries.

Marrakesh

January 2016 ,27th.”<sup>2</sup>

Scholars, intellectuals and religious authorities from almost three hundreds different Muslim and non-Muslim countries, including the United Arab Emirates, Turkey, Pakistan, India and Iran, worked together towards the creation of this document, but most importantly a big role was played by the King of Morocco, His Highness, King Mohammed VI.

Since the beginning of his kingdom, the king has been a stunning example of tolerance and acceptance. Muhammad VI is famous and known all over the world for actively participating in promoting interfaith dialogue and mutual respect between different religious communities, while working on different improvements regarding

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<sup>2</sup>The text is the official English translation of the original document in Arabic, made public on the official site of the Declaration, together with an Italian and a dutch version as well.

very important national matters such as education and the creation of a new non-discriminatory legal system. The gathering kicked off on a Monday morning with the words of King Mohammed VI, read by the Minister of Endowments and Islamic Affairs, Ahmed Toufiq. Worth mentioning are the most interesting and inspiring bits:

“In normal circumstances, there would have been no need to address a theme such as the one chosen for this conference, The rights of religious minorities in Islamic lands, given the unambiguous position and principles of Islam as well as its legacy in this regard. Nevertheless, there are events which have rendered the discussion of such a theme necessary in the current circumstances, and Muslims must show that these events have no basis or justification in Islam’s frame of reference. Muslims have to show that certain events which are happening under the guise of Islam are driven or prompted by considerations which have nothing to do with religion.[...] I am therefore pleased to see that this conference has been convened, bath to spotlight the true values advocated by religions and to make sure we uphold those values so that peace and solidarity may prevail for the benefit of humankind[...]

We, in the Kingdom of Morocco, see no reason for denying religious minorities any of their rights. We do not tolerate a violation of this kind being perpetrated in the name of Islam, nor do we tolerate any Muslim being involved in such an infringement. This firm belief is rooted in the proper understanding of religious principles, in our cultural heritage and in the history of this time-honored Kingdom; this explains the way Moroccan Muslims interact with each other and with followers of other religions.[...]

Morocco has always been an outstanding model of cultural coexistence and interaction between Islam and other religions, particularly Judaism and Christianity. One of the glorious pages in this history was the emergence of the Moroccan-Andalusian civilization, which brought together various communities and led to the development of trade, industry and the arts, as well as to fruitful exchange in the areas of knowledge, wisdom, philosophy and science. [...]

As Commander of the Faithful and defender of the faith, I am committed to protecting the rights of Muslims and non-Muslims alike. The religious rights of Muslims and non-Muslims are protected in accordance with the aforementioned immutable principles,

and their rights as citizens are guaranteed by the Constitution; there is no difference or distinction as far as the ultimate goals are concerned. In doing so, I am following in the footsteps of my glorious ancestors.[...]

The world we live in today needs religious values because they embody the virtues we should uphold before the Creator. We also need them because they consolidate our propensity for tolerance, love and cooperation in promoting righteousness and piety. We need common values not just to nurture tolerance, but also to derive from them the energy and fortitude that will enable Man to take a long hard look at himself; we need them because they can help us to rally together in order to enjoy a life free from war, greed, extremism and hatred a life in which crises and human suffering can be reduced as a prelude to the elimination of the risk of religious conflict.[...]

I wish your conference every success. I believe what people are expecting you to say, through your final declaration, is that religion must not be manipulated to justify any infringement or denial of the rights of religious minorities in Islamic countries. I am therefore pleased to see that this conference has been convened, bath to spotlight the true values advocated by religions and to make sure we uphold those values so that peace and solidarity may prevail for the benefit of humankind.”<sup>3</sup> Undoubtedly, King Muhammad VI played a big role in promoting and hosting in Morocco all conferences that led to the creation of the Declaration, but he was not alone in the process. At least two other International Organizations cooperated, in order to make the declaration a reality for Muslim Communities: first, the Forum for promoting Peace in Muslim societies and second, the Network for Religious and Traditional Peacemakers.

The Forum for promoting Peace in Muslim Societies announced the creation of its Council at a meeting in Abu Dhabi in December 2015, under the presidency of His Excellency Sheikh Abdullah bin Bayyah <sup>4</sup>, plus a group of professionals, scholars and intellectuals. Its main goals are the promotion of peace and the peaceful resolution of conflicts in all Muslim communities, the recognition of the importance and rights of women in the creation of global peace, the protection of religious minorities in Muslim countries and the promotion of a truthful Muslim culture, free from prejudice and hatred. The Forum has its headquarter in Abu Dhabi and it is currently one of the most

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<sup>3</sup>[www.habous.gov.ma/fr/](http://www.habous.gov.ma/fr/)

<sup>4</sup>[www.binbayyah.net/english/bio/](http://www.binbayyah.net/english/bio/)



important and active Organization of the Muslim world<sup>5</sup>. From the day of its creation the Forum has organised different events, with the goal of promoting peace and safety between all communities, but with a spotlight on the Islamic ones: on March 9 and 10, 2014, the first Forum to promote peace in Muslim countries and communities was organised in Abu Dhabi, in order to scientifically discuss terrorism, hatred and social disintegration in the Muslim world, plus providing concrete solutions to all of these issues. Three other meetings took place in 2016, 2017 and December 2018.

Another important founder of the Declaration of Marrakesh was the Network for Religious and Traditional Peacemakers. The Network aims to build bridges between peacemakers and global players in order to promote sustainable peace. The Organization was originally founded in order to promote the idea that religious and traditional authorities were and are vital, but underutilized actors in all peacemaking processes. The initiation of the Network was closely supported by the UN Mediation Support Unit of the Department of Political Affairs and the United Nations Alliance of Civilizations. Since its founding, the Peacemakers Network has grown into a network made up of almost 50 partners<sup>6</sup>. The Network's strength lies in its ability to find synergies between partners organizations and to enable collaborative efforts in building sustainable peace.

Last but not least, an important role in the making process of the document was also played by the Minister of Endowments and Islamic Affairs, Ahmed Toufiq of Rabat. During the 90s, he worked as a Professor of history for the faculty of Letter at the University of Rabat, but he currently is a World Religious Leader for the Eliah Interfaith Institute<sup>7</sup>.

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<sup>5</sup><https://peacems.com/about-us/brief/>

<sup>6</sup>[www.peacemakersnetwork.org/about-us/](http://www.peacemakersnetwork.org/about-us/)

<sup>7</sup>The Eliah Interfaith Institute is a Forum, which aims to promote the sharing of knowledge and the creation of projects capable of creating true interfaith cooperation.  
([www.elijah-interfaith.org/](http://www.elijah-interfaith.org/))

## 1.1 The inspiration behind the Declaration of Marrakesh

As previously mentioned, the Declaration is the result of a meeting between hundreds of scholars, intellectuals and theologians from all over world. Nonetheless, this document is also the outcome of both ancient and more modern legal documents, which previously treated and tried to improve the condition of religious minorities. The most ancient and most important source of inspiration and model to the declaration of Marrakesh is the Charter of Medina (VII cent.), while the Arab Charter of human rights or the Universal Islamic Declaration of human rights, among other treaties and agreements, were drafted respectively in the 80's and 90's.

### 1.1.1 Ancient documents on Religious Minorities

The very first example of legal document for the rights of religious minorities in Muslim countries dates back to the time of the prophet Muhammad, founder of the Islamic doctrine.

Muhammad was born around 570 CE in the Arabian city of Mecca, from a wealthy family. His family belonged to the Banu Hashim clan of the mercantile Quraysh tribe of Mecca, the richest and most respected one of the city. By the time Muhammad was six, he had already lost both his parents, but according to the holy book, the Koran, his life was destined to be filled with extraordinary events and to be blessed by one divine task: the professing and spreading of the Islamic doctrine throughout the world. Muhammad was known to be an honorable and trusted man, with a noble personality and successful in his work as a merchant. According to believers, around 610 AD, during the first night of Ramadan, Muhammad was visited by the angel Jibril, who revealed to him some words, which were later to become the initial Surah of the Koran.

The majority of the scholars believe al-Fātiḥah (the opener or the opening) to be the very first message that Muhammad received from the angel:

“In the Name of God, the Merciful, the Compassionate Praise belongs to God, the Lord of all Being, the All-merciful, the All-compassionate, the Master of the Day of Doom. Thee only we serve; to Thee alone we pray for succour. Guide us in the straight

path, the path of those whom Thou hast blessed, not of those against whom Thou art wrathful, nor of those who are astray.”<sup>8</sup>

Muhammad dreamt and saw the Angel Jibrīl for the first time when he was around forty years old. In the VII century, around ten years after the first revelation, Muhammad suddenly lost his beloved wife, one of his most supportive family member and first believer of the doctrine he was trying to spread. This year is known as the year of sorrow, the year that could have marked the end of Muhammad’s preaching and the victory of polytheism over monotheism. Despite his grief, the prophet kept on spreading his message, emigrating three years later from Mecca to Yatrib, where the entire population, already largely converted, had been enthusiastically waiting for him to arrive.

For Muslim people, the day of Muhammad’s migration to Yatrib marks the beginning of a new era in the history of the world, the beginning of the preaching of the prophet throughout Arabia and eventually the creation of Islam. Because of him, Yathrib was then renamed Madīnat an-Nabī, city of the prophet, the city that saw the birth of the Charter of Medina, which is the first legal document in history to be created to protect religious minorities in Islam and promote a peaceful coexistence between all believers.

During his time in Medina, Muhammad took over important political, religious and social roles, although his main goal was to solve conflicts and create peace between all Jews and Muslim communities in the city. The constitution of Medina was concluded after 622, as an agreement between the prophet and all the most important clans in Medina to secure peace, brotherhood, freedom and security throughout what will later become the first multi religious Islamic state of Medina.<sup>9</sup>

Considered to be one of the first written legal documents on democracy in human

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<sup>8</sup>All quotes from the Koran are taken from the version translated by Arthur John Arberry. The first draft of his interpretation of the Holy book was published in 1955, and it is still the most widely respected by scholars and professors for the loyalty that it shows towards the original language and for being without prejudice.

A. Arberry, *The Koran Interpreted*, Touchstone, New York 1996.

<sup>9</sup>Baudo, *Il profeta Muhammad, un messaggero di Dio per l’Umanità*, Accademia ISA, Milano 2008, pp. 11-28.

history, it finds its principles on the Koran and the Sunnah, including immigrants, Muslims, non-Muslims, Jews and even non-Muslims allies. Here are some of the most important and pivotal points of the Charter, regarding the rights of non-Muslims citizens of Medina:

1. “This is a document from Muhammad the prophet (governing the relations) between the believers and Muslims of Quraysh and Yathrib, and those who followed them and joined them and labored with them.
2. God’s protection is one; the least of them may give protection to a stranger on their behalf. Believers are friends one to the other to the exclusion of outsiders.
3. The peace of the believers is indivisible. No separate peace shall be made when believers are fighting in the way of God. Conditions must be fair and equitable to all.
4. The Jews of the B. ‘Auf are one community with the believers (the Jews have their religion and the Muslims have theirs), their freedmen and their persons, except those who behave unjustly and sinfully, for they hurt but themselves and their families.
5. The Jews must bear their expenses and the Muslims their expenses. Each must help the other against anyone who attacks the people of this document. They must seek mutual advice and consultation, and loyalty is a protection against treachery. A man is not liable for his ally’s misdeeds. The wronged must be helped.
6. The contracting parties are bound to help one another against any attack on Yathrib.
7. The Jews of al-Aus, their freedmen and themselves have the same standing with the people of this document in purely loyalty from the people of this document. Loyalty is a protection against treachery. He who acquires ought acquire it for himself. God approves of this document.”<sup>10</sup>

The charter aimed to establish Muhammad as mediating authority for all tribes in Medina and to end all inter tribal fights in the city through his guidance. In the document, Muslims are asked to treat Jews and all other non-Muslims in an equal and

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<sup>10</sup>M. Tahir-Ul-Qadri, *The Constitution of Medina*, Minhaj-ul-Quran Publications, London 2012.

respectful way, as long as they are willing to maintain peaceful relationships and to act according to the Sacred Law and the pact itself. On their part, non-Muslims have to financially contribute to the well-being of the whole community, especially in case of conflict or war, in order to maintain a certain kind of social equilibrium and a suitable living condition for every citizen, no matter from which religious background.

There is another fundamental concept of the Islamic doctrine that has been taken from the Koran and renovated in the Charter of Medina, and that concept is all behind the meaning of the Arabic word “Ummah”. When the term “Ummah” appears in the Koran, it generally refers to the collectiveness of a community or a group of people, brought together not only by blood, but also by spirit. Not only does the term designate a community, but also a community guided by the same faith, worshipping the same God and unite thanks to the efforts of one Prophet.

According to W. Robertson Smith, the term is considered to come from the Hebrew *ēm*, which means “community” but also “mother” and “race”.<sup>11</sup> The Holy Book defines the “Ummahs” as rightful, honorable and faithful communities, although throughout the Koran, the concept definitely undergoes a certain kind of evolution.

Nowadays the term refers exclusively to Muslim communities, although initially, “Ummah” presented a more general connotation, involving and including the most different types of community, especially those belonging to the so called “People of the book”. To every Ummah on Earth, God has sent a Messenger or prophet, destined to spread his divine plan of Salvation, which inspired Muhammad and his followers in the writing of the Charter of Medina. The community that Muhammad was trying to build was young and divided on many levels, but through the definition of the Islamic Doctrine and the concept of “Ummah”, the prophet managed to create a sense of unity and togetherness both geographically and mentally, capable of bringing people from different ethnics together, under one faith.

This concept is undoubtedly one of the most interesting and fascinating of the entire Charter and for sure the main reason why past Muslim societies were famous for being tolerant, open-minded and non-discriminatory in regards to other faiths. During the centuries, the more the number of Muslim territories grew larger, the bigger the

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<sup>11</sup>Denny, *The Meaning of "Ummah" in the Qurʾān*, cit., p.36.

melting pot became, including Persians, Romans, Turks, Barbers, Kurds and many others.

Islamism embraced various cultures and sciences giving birth to one of the most important civilizations in our history. The Charter remains the one true inspiration under the whole process that led to the Marrakesh Declaration, whose goal is to bring its principles back to life, in the attempt to establish a more rightful social situation within all Muslim Countries and between all different religious communities .<sup>12</sup>

### 1.1.2 Modern documents on Religious Minorities

The main issue that scholars and intellectuals have in finding more modern and contemporary sources connected with the Declaration of Marrakesh, is that in almost all mayor Islamic legal document, references to religious minorities are either nonexistent or not specific enough to ensure concrete results.

1981 Universal Islamic Declaration of Human Rights establishes, for example, the will of the Islamic community to create an environment where all human beings are equal, but at the same time makes no specific reference to the equal treatment in regards of all members' faith. Many other articles about religious freedom (eg art XIII, XIVa and XIVb) and the protection of religious minorities in Muslim countries are totally insufficient in specificity, also hiding in most cases a sense of supremacy of the Islamic Law and faith, and omitting the use of the proper term "non-Muslim".

There is no article dedicated to religious minorities in the 1993 Cairo Declaration of Human Rights in Islam as well. Article I states that: *All men are equal in terms of human dignity and basic obligation and responsibilities, without any discrimination on grounds of race, color, language, sex, religious beliefs.* Although in the article religious beliefs are mentioned, the content then recites: *True faith is the guarantee for enhancing such dignity, along the path of human perfection*<sup>13</sup> This last sentence makes everything stated before largely conditional, and the general content of the article unclear.

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<sup>12</sup>F. M. Denny, *The Meaning of "Ummah" in the Qur'ān*, in «History of Religions», 15.1(1975), pp. 45-70.

<sup>13</sup>N. Ghanea, *Human Rights of Religious Minorities and of Women in the Middle East*, in «Human Rights Quarterly», 26.3(2004), pp. 717.

The first Document in recent history that clearly mentions religious minorities even if still weakly, is the 1994 Arab Charter on Human Rights. Article 27 is the most complete one on the topic of religious minorities human rights stating that: *-Adherents of every religion have the right to practise their religious observances and to manifest their views through expression, practice or teaching, without prejudice to the rights of others. No restrictions shall be imposed on the exercise of freedom of belief, thought and opinion except as provided by law.*<sup>14</sup>. As noticed in the previously mentioned legal documents, the article is made confusing by the use of certain terminology or sentences: Does their freedom really have no restrictions, or is it somehow legally controlled? And if it is legally controlled, is the document referring to Islamic law or to some other kinds of law?

Generally, real attempts in guaranteeing human dignity to religious minorities, especially in the Middle East, are extremely recent and some are definitely worth mentioning. The Amman's Message, for instance, represents a call for tolerance and unity in the Islamic world and it was approved on November 9, 2004, by King ʿAbd Allāh II ibn al-Ḥusayn of Jordan. The document, structured in 3 main points, was drafted by 200 Muslim scholars from 50 different countries, and mainly touches three topics: it tries to define who a real "Muslim" is; who should deal with the process of excommunication from the Islamic religion (takfīr), and the principles regarding legal nonbinding opinions in the Islamic law (fatwa).

Here are some of the most meaningful sentences, taken from the Amman Message:

1. "Islam has made clear that the goal of its message is realizing mercy and good for all people.
2. Islam calls for treating others as one desires to be treated.
3. Islam confirms the principle of justice in interacting with others, safeguarding their rights, and confirms that one must not deny people their possessions
4. Islam rejects extremism, radicalism and fanaticism—just as all noble, heavenly religions reject them—considering them as recalcitrant ways and forms of injustice. Furthermore, it is not a trait that characterizes a particular nation; it is an aberration that has been experienced by all nations, races, and religions. They

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<sup>14</sup>Ghanea, *Human Rights of Religious Minorities and of Women in the Middle East*, cit., p. 719.

are not particular to one people; truly they are a phenomenon that every people, every race and every religion has known.

5. Islam honors every human being, regardless of his color, race or religion”<sup>15</sup>

Another great result in the creation of equality under many circumstances in Muslim Countries was the 2010 Conference in Mardin, southeastern Turkey, where fifteen Muslim scholars among the most prominent, declared the fatwa by 14th century scholar Ibn Taymiyya<sup>16</sup>, as no longer relevant for the contemporary world. The Conference was convened by the Global Center for Renewal and Guidance (GCRG) together with Mardin’s Artuklu University with the purpose of studying Ibn Taymiyyah’s “Mardin fatwa”.

Basically, Taymiyya’s vision divided societies into “House of Islam” and “House of unbelief” but according to the Muslim scholars gathered in Turkey, such a vision needed to be put into the right historical context in order to be considered religiously and generally acceptable. This fatwa comes from the medieval times, and it cannot therefore be applied to our modern globalized society. This realization seems to be fundamental in the resolution of minorities issues, since most of them come by the concept of “Muslim supremacy”, of which Taymiyya was a great supporter.

The entire discussion in Mardin was focused on the importance of starting new research on all these ancient fatwa and non binding religious rules, in order to promote their correct understanding and contextualization together with a new perspective on their legacy for present and future generations. No more fatwa can be used to justify killings and radical activities in a world that is collectively working hard to promote the respect of fundamental human rights and peaceful relationships among all ethnic groups and faiths.

Here are the most important conclusions reached at the end of this gathering:

1. Ibn Taymiyya’s fatwa concerning Mardin can under no circumstances be appropriated and used as evidence for leveling the charge of kufr (unbelief) against

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<sup>15</sup><http://ammanmessage.com>

<sup>16</sup>Ibn Taymiyya (1263-1328) was one of the most famous Muslim theologian, indeed one of the most controversial as well. For his theories on the Sunni doctrine, he was imprisoned multiple times from Orthodox religious scholars. [www.muslimphilosophy.com/it/](http://www.muslimphilosophy.com/it/).



fellow Muslims, rebelling against rulers, deeming game their lives and property, terrorizing those who enjoy safety and security, acting treacherously towards those who live (in harmony) with fellow Muslims or with whom fellow Muslims live (in harmony) via the bond of citizenship and peace.

2. The classification of abodes in Islamic jurisprudence was a classification based on juristic reasoning that was necessitated by the circumstances of the Muslim world, then and the nature of the international relations prevalent at that time. However, circumstances have changed now: the existence of recognized international treaties, which consider as crimes wars that do not involve repelling aggression or resisting occupation; the emergence of civil states which guarantee, on the whole, religious, ethnic and national rights, have necessitated declaring, instead, the entire world as a place of tolerance and peaceful coexistence between all religions, groups and factions in the context of establishing common good and justice amongst people, and wherein they enjoy safety and security with respect to their wealth, habitations and integrity.
3. Amongst the priorities of Muslim scholars and Islamic academic institutions should be the analysis and assessment of ideas that breed extremism, takfir (labeling fellow Muslims as unbelievers) and violence in the name of Islam. Security measures, no matter how fair and just they may happen to be, cannot take the place of an eloquent (scholarly) elucidation supported by proof and evidence. Therefore, it is the responsibility of the Ummah's religious scholars to condemn all forms of violent attempts to change or violent protest, within, or outside, Muslim societies. Such condemnation must be clear, explicit, and be a true manifestation of real courage in speaking the truth, so as to eliminate any confusion or ambiguity.<sup>17</sup>

In conclusion, the real path to the declaration of Marrakesh concretely began only four years prior its creation, with a series of seminars in Nouakchott, Mauritania, followed by a large forum in Tunis in 2013, where the topic was finally addressed in a proactive and international way. The World Social Forum in Tunis took place from

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<sup>17</sup>[www.reuters.com/article/us-islam-fatwa-violence/muslim-scholars-recast-jihadists-favorite-fatwa-idUSTRE62U0VU20100331](http://www.reuters.com/article/us-islam-fatwa-violence/muslim-scholars-recast-jihadists-favorite-fatwa-idUSTRE62U0VU20100331)

March 26 to 30 2013 where International Organizations, social movements and networks, supported by many Tunisian movements, were already fighting in defense of social justice, democracy and dignity. Despite all attempts to find points of consensus between different faiths, this issue is still lacking of concrete resolutions and many came to the conclusion that perhaps religion should be completely left out of all political concerns and fields.

The discussion remains far from over, but has at least paved the way for the “Religious Minorities in Muslim Lands: It’s Legal Framework and a Call to Action” gathering in Marrakesh in 2016, for being educational and inspirational to all scholars and professionals that shaped the new declaration.

## 1.2 The Future of the Declaration

Many scholars, journalists and members of the international community agree on the fact that it is too soon to determine on which level and how strongly the Declaration is impacting and will impact Muslim communities worldwide. What we know for sure is that unfortunately, so far the Declaration has received more attention from Western Countries and Media than it has within the Muslim World. Nonetheless, the hope for a stronger and more equitable future is very much alive, even though the process connected to the crafting of the Declaration saw the continuous clash between tradition and modernity and between past and future. Worth of mention are the statements of Representatives of countries such as Saudi Arabia, Pakistan or Iran, whose governments are clearly invested in maintaining the status quo and whose minorities are still suffering discrimination on a daily basis. Although there have been attempts to find points of consensus, the entire conference has registered a clear tension between all participants, especially when it came to talk about how to make the words a reality and how to put theory into practice.

In December 2018, Ahmed Salisu Garba, member of the Faculty of Law of the Bauchi State University of Gadau and Deputy Dean/Head of the Department of Private & Business Law, published on the journal *The Review of Faith and International Affairs* an article entitled “The Prospects and Problems of the Marrakesh Declaration on the Rights of Religious Minorities in Muslim Majority Communities”. Throughout

his work Garba presents and explains several issues linked to some issues that the declaration may present, in the attempt to understand if the document can be successfully implemented on a practical and legal perspective.

In the article, Swiss-Palestinian Islamic law scholar Sami Aldeeb, paints the declaration as totally useless unless Muslim countries do not legally end discrimination against minorities in the first place. According to the law scholar, the best way to do so would be to abort the concept of Islam as state religion and to work towards a legal system capable of approving multi-religious marriage. It has been scientifically proved that “religious intermarriage contributes for the growing awareness of cultural relativism and religious tolerance”<sup>18</sup> since it provides the couple the opportunity to discuss, celebrate and tolerate their religious differences on a daily basis.

The author also underlines how fundamental it is for Muslim countries to work on intra-Muslim conflicts first. Surely, Garba refers here to the enmity between Sunni and Shi’a, two different branches of the Islamic faith. Their conflict dates back to the death of Muhammad in the VI century, since the core issue that split the Muslim community was the succession to the prophet himself. At the death of the prophet, some wanted to elect the next head for the community (Sunni), while others believed Muhammad to have appointed a successor himself, on the basis of his bloodline (Shi’a). Many elements involved in the structure of this two branches are still unclear nowadays and this fact contributes to the difficulties linked to the relationship between Muslim communities and other faiths.

On top of what has been mentioned so far, it is important to remember that Islamism still presents a strong hierarchical structure, especially considering the state-religion relationship. This hierarchical structure dictates that firstly, a state needs to officially declare Islam to be its national religion, specifying also, which Muslim ideology the state is going to embrace between Sunni and Shi’a. Consequently the decision to protect and promote only that precise ideology is currently pushing governments to discriminate and maltreat other fellow Muslims, although members of different religious branches. How are Muslim countries supposed to work and improve the rights

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<sup>18</sup>A. M. Sewenet, *Interreligious Marriage: Social and Religious Perspectives*, in in «Imperial Journal of Interdisciplinary Research», 3.6 (2017), p. 358.

of religious minorities on their territories, if in many cases still they seem not to accept the existence of even other Muslim ideologies?. Here comes the urgent need to work on internal issues first, otherwise the declaration of Marrakesh together with many others legal documents related to the same issues, will not stand a chance at being really effective.

Moreover, the declaration lacks of a definition for the term “extremism”. According to Garba, no definition equals having no boundaries between who deserve the hatred and who does not: “In Muslim societies today, dangerous misinterpretations can arise from the use of words like “extremist,” “fundamentalist” or “terrorist” to refer to a religious group. Such labels, as law and religion experts Cole Durham and Brett Scharffs have observed, may expose such group to discrimination and cruelty by the state or by the political and religious majority groups in the society (Durham and Scharffs 2010,293–329).”<sup>19</sup> The last issue that the declaration presents, according to the author, is the lack of explanation on how representatives were chosen and why. To many, this fact looked like an attempt to somehow hide its true legal power in the eyes of Muslim countries. Only the total number of representatives was made public together with the names of the ones who played bigger roles, but this uncertainty surely does not allow the masses to fully understand who took part to this process and how effective it can actually be on a legal level.

His eminence Sheikh bin Bayyah concluded the gathering stating how he would personally ensure the declaration’s implementation and use in the future. Bayyah promised to share it with Muslim scholars, to teach it in classes and seminars but also to cooperate with networks and organizations in order to make sure to give it a proper boost, by convening to the declaration an higher level of legitimacy. Many implementations have been suggested, especially regarding the so called “priority countries” such as Nigeria, Pakistan, Senegal, Sudan and many others. Efforts will be put especially on four different areas: Civil society, education, legislative and policy change and last but not least religious engagement.

It is fundamental for the future and the success of the Declaration for it to be

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<sup>19</sup>Garba, *The Prospects and Problems of the Marrakesh Declaration on the Rights of Religious Minorities in Muslim Majority Communities*, cit., p. 55-59.

known and cited by media, especially in the Muslim world, where it unfortunately still is perceived as “for the elite” and not concerning the majority of the citizens. Nowadays the Document remains idealistic and with low directions on how to achieve its goals. According to the Special Report, written by Susan Hayward<sup>20</sup> for the United States Institute of Peace a good solution would be to promote countries cooperation and put together multiple plans for action around the globe, creating a proper “roadmap for implementation”. The Declaration has legal value and can therefore be used as an instrument to hold states accountable for their actions. The more the content of the declaration will be used in defence of minorities rights, the more recognition it will get in the international framework.

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<sup>20</sup>Senior advisor for religion and inclusive societies at the U.S. Institute of Peace. Hayward leads the Institute’s efforts to understand religious dimensions of conflict and advance efforts engaging religious actors and organizations in peace-building. ([www.usip.org/people/susan-hayward](http://www.usip.org/people/susan-hayward))



## Chapter 2

# The Declaration as a necessity

In order to understand why this conference was organised in the year 2016 and why so many countries felt the urge to finally address this social issue right in this historical moment, it would be useful to generally explain what is happening to religious minorities on a global level but, most importantly, in predominantly Muslim countries. According to Pew Research center<sup>1</sup> religious threats reached their highest level globally in 2012, especially in North Africa and in The Middle East. In most Muslim countries around the world, religious minorities are incapable of seeing their fundamental rights recognized and persecutions, tortures or death sentences based only on religious hatred touch the life of thousands of people on a daily basis.

First and foremost it is important to define what a minority is and what kind of features it needs to have in order to be legally considered a minority within a specific country. Giving a definition to the term is already a struggle, since very important documents such as the Declaration on the Rights of Persons belonging to National or Ethnic, Religious or Linguistic Minorities and the Council of Europe's Framework Convention for the Protection of National Minorities, display no proper definition for this kind of community.<sup>2</sup> The most recognized definition, even if still not legally binding, was drafted by Special Rapporteur Francesco Capotorti in his Study on the rights of Persons belonging to Ethnic, Religious and Linguistic Minorities. His definition is the following: *A group which is numerically inferior to the rest of the population of a*

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<sup>1</sup>[www.pewresearch.org](http://www.pewresearch.org)

<sup>2</sup>G. Gilbert, *Religious Minorities and Their Rights: A Problem of Approach*, in «International Journal on Minority and Group Rights», 5.2(1997), pp. 100-105.

*State and in a non-dominant position, whose members possess ethnic, religious or linguistic characteristics which differ from those of the rest of the population and who, if only implicitly, maintain a sense of solidarity, directed towards preserving their culture, traditions, religion or language.*<sup>3</sup>

Being this the definition for a minority, it is possible to recognize them from the different treatment that they get from a social and legal perspective but also from the different features that they present, such as a different skin colour, a different language or different cultural habits, if compared to the so called “dominant” ethnicity or, in this case, religion.

Minority rights is a key component of international human rights law but nonetheless many minor populations around the globe have been facing existential threats and legal solutions to protect them are still nowhere to be found. It is fundamental to take into consideration also the fact that minorities’ issues can be found both in “legal” context and in “illegal” ones. On one hand, in certain geographical areas, the strong presence of extremists groups has created a wave of hatred and discrimination that unfortunately involves not only minor communities, but also Muslim people themselves; On the other hand, there are countries whose governments should operate according to the rule of law, respecting national treaties and applying a non discriminatory legal system, but instead, they do not make any effort to change the status quo, which means ruling according to Muslim supremacy, previously established only on the base of religious hatred or in the attempt to gain political advantages.

## **2.1 Morocco and its Approach to Religious Freedom**

As has already been stated, the accepting attitude that the state of Morocco and its authorities showed in hosting in Marrakesh the entire making process that led to the creation of the Declaration, has been fundamental. Nonetheless, the declaration focuses on religious minorities and their treatment in Muslim countries, so it is equally important to mention, that religious freedom in Morocco as well, remains on some

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<sup>3</sup>J. Pejic, *Minority Rights in International Law*, in «Human Rights Quarterly», 19.3(1997), p.16.



levels an unsolved issue.

According to the Morocco 2018 International Religious Freedom Report<sup>4</sup> 99% of the Moroccan population is Sunni Muslim, while the remaining one percent includes Christians, Baha'i, Jews and Shia Muslims (0.1%). Nowadays there is no data regarding the number of atheist in the Country, while the Baha'i community should count around 350-400 members. Several other minorities are legally tolerated with different limitations and degree of restrictions.<sup>5</sup> The country of Morocco hosts, participates and organizes annual events to promote and encourage respect and tolerance among all religions. Great examples are the two weeks "Morocco: Jews and Art in the Muslim world" exposition, hold in New York in September 2000, where a royal Jewish Counselor represented King Muhammad VI for the opening ceremony, and the colloquiums that the king hosts every year during Ramadan, to discuss about tolerance and promote interfaith dialogue with Muslim scholars.

The approach that Morocco seems to have taken against discrimination and religious oppression, especially in recent years, is living proof of how open to dialogue its Government is and how this Country can potentially become a global advocate for change in the Islamic environment but if religious freedom in Morocco seems to be reachable, where are the issues? On what do Morocco place restrictions to religious practice? How important is the traditional sacred law nowadays?.

The preamble of the Moroccan constitution of 2011 explains that "The preeminence accorded to the Muslim religion in the national reference is consistent with the attachment of the Moroccan people to the values of openness, of moderation, of tolerance and of dialog for mutual understanding between all the cultures and the civilizations of the world.", while article 3 specifies that: "Islam is the religion of the State, which guarantees to all the free exercise of beliefs and cultures."<sup>6</sup>

Nonetheless, Modern Morocco still needs to face numerous issues in regards to the

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<sup>4</sup>Annual Report, drafted by the Bureau of democracy, Human Rights and Labor of the US Department of States. It provides an annual analysis of status of religious freedom globally and per Country.

<sup>5</sup>Human Rights Bureau of Democracy and Labor and the United States Department of State, *Morocco International Religious Freedom Report*, in [religious-freedom-report.org](http://religious-freedom-report.org), 2018.

<sup>6</sup>J.J Ruchti, *Morocco's Constitution of 2011*, in [constituteproject.org](http://constituteproject.org), 2016.

acknowledgment of some of the main Human Rights policies, but the presence of a King as Muhammad VI definitely represents a good starting point. Unfortunately, this lack of Human Rights attention does not involve only religious minorities, but also bigger parts of the population, such as the female side. On a social level Moroccan women are still suffering different forms of legal and cultural discrimination, partly because of the existence of the Code of Personal status, also known as Mudawana. The Mudawana became legal in 1958, two years after Morocco's independence, and was then reformed in 1993, although women still report a strong level of unequal behaviour in their regards, particularly since the above mentioned document has been regulating topics such as marriage, divorce, family planning and inheritance. Thanks to the transcendent feminist wave, which from the beginning of the 90's pressed the government for reforms on the Moroccan Mudawana, some modest changes have been made and the document seems to better adjust to International human right law. Despite this changes, lot of work is still needed and every request considered as fully equal was either immediately rejected or quickly considered not worth mentioning. In 2004, under the guidance of King Muhammad VI, the Mudawana was again slightly modified, ensuring more rights and security for women. For the first time in history, thanks to the king's contribution, sexual violence was recognized as a crime and the minimum legal age for women to get married was raised from 15 to 18 years old.

Muhammad VI graduated in law from Mohammed V University in Rabat in 1985. Starting from the 70's, he had already begun to replace his father in official trips abroad as a Prince, participating in several meetings and national and international conferences. His Majesty the King is considered to be the Head of State, "Amir Al Mouminine" Commander of the Believers and supreme arbiter among all institutions of the country. Legislative power in the Kingdom of Morocco is attributed to a Parliament composed of two Chambers: the House of Representatives and the House of Councillors. Their members receive their mandate from the nation by election. The House of Councilors is composed of 270 members elected by indirect ballot to represent the economic and social institutions, as well as all local communities.<sup>7</sup>

Muhammad VI became king on the 23rd of July 1999, shortly after the death of

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<sup>7</sup>[www.ambasciatamarocco.it/sistema-politico/](http://www.ambasciatamarocco.it/sistema-politico/)

his father Hasan. Generally King Mohammad VI promotes a more moderate political line. As soon as he inherited his father's role, he promised to work on all economical, educational and social issues that were affecting the country, declaring the end of the political line brought on from the previous King. Politically, he opened up to dialogue with the opposition by releasing numerous political prisoners and by giving permission to a number of political opponents to come back from exile.<sup>8</sup> The Constitution places limitations on all Islamic organizations that seem to have turned into political in nature, crossing the boundaries of pure religious practice. The only extra restrictions that the Government places regard the use of certain religious materials and the process of conversion from Islam to other faiths. Between the 1998 and the first half of 1999 the entry to Morocco was denied to some foreigners because they were carrying christian materials, and the same is reported to be happened in April 2018, when the police detained a men for 24 hours with the accuse of having christian literature in his backpack. Christians can actually freely build new churches, schools and hospitals, since the time of the French Protectorate, although rights still need to be established on the topic of Christian marriage, the right for children to decline Islamic classes at school and the possibility of using biblical names.

The Islamic traditional law calls for punishment every Muslim who is willingly deciding to convert to another faith and as a matter of fact these citizens, in Morocco as well, still do face some social ostracism and might also have gone through some detention or questioning processes, the last ones reported being in 2018. Such events happened on the basis of references to the Koranic law, since neither the civil nor the criminal law in Morocco consider conversion as a crime. The Bahai'i community is still living under complicated circumstances, with their faith still considered to be heretical. Since 1983 they have been obliged not to take part to public communal activities and consequently not to practise their faith openly and freely. Nowadays, the Baha'i still fear to be harmed by "extremists" in the country and the need to practice their religion behind curtains, away from public spaces.

In conclusion, in Morocco as well total religious freedom seems to be a work in progress and a fully equitable situation between all religious communities is nowhere

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<sup>8</sup>[www.ambasciatamarocco.it/biografia-di-sua-maesta-il-re-mohammed-vi/](http://www.ambasciatamarocco.it/biografia-di-sua-maesta-il-re-mohammed-vi/)

in sight. The biggest hope for all kinds of minorities globally, lies on the creation of a proper legal system capable of defending their rights and on the growth of an international recognition of their condition from both Muslim and non-Muslim countries.

## 2.2 Religious Freedom in Iraq

Considering the strong presence of extremist groups in the territory as fertile ground for minorities issues to grow, the situation suffered by Kurdish Yezidis in Iraq is one worth of mention. Kurdistan, like many other regions in that area of the world, was politically and geographically divided in multiple occasions, also against the people's will. The latest time that Kurdistan ("Land of the Kurds") was divided, happened to be in 1923 with the Lausanne Treaty, which shaped the region the way we know it today. With the Lausanne Treaty, Modern Iraq was placed under the British mandate and the city of Mosul, birth place of the feud between Muslim and Kurds, was divided into four governorates: Mosul with an Arab majority, Erbil and Sulaimaniya with a Kurdish majority, and Kirkuk with a Turkmen majority, except in some of its northern parts.

After the Iraqi Parliament signed the Iraqi-British Treaty in 1924, with a majority of 37 members in favour and 24 against, Sulaimaniya became part of Iraq. From the very beginning of the British mandate, the English government was not capable of ensuring to the Kurds members of the population their political and cultural rights, particularly the right to use their own language. Great Britain instead, decided to exploit this feud in order to fulfil their own goals, meaning that they used Kurdish discontent as a bargaining counter, through which exert pressure on successive Iraqi governments, in an attempt to force them to sign long-term agreements and treaties that served British interests alone.

Only when the Monarchy was established in Iraq, the regime felt the need to adopt concrete political measures in regards to the Kurds by accepting them in senior positions into the power structure, although not in a fully equal way. The Monarchy, in fact, still distinguished two "types" of Kurds: the "loyal Kurds", which could be granted with power and freedom, and the "opposition Kurds", which could not be accepted or allowed to participate in the political life of the country. The Kurdish

situation did not change also during the first republican regime.

Iraq-Iran war of 1980 did not bring any improvement to the Kurdish sufferings. By the end of the war Iraq registered a 60 billions worth of debt and the Iraqi government soon found out that former Kurds leaders had taken the decision to collaborate with Iran during the war, giving them new excuses to perpetuate injustice, oppression, killings and deportations. It was only in 1991 that Iraqi authorities, army, civil service and police finally withdrew from the region, leaving KOP (Kurdish Democratic Party) and PUK (Patriotic Union of Kurdistan) politically in power. Nonetheless, the two parties were not in good terms and a civil war broke out in the years between 1994 and 1998, a fight that was solved by the US, who brokered a ceasefire in September 1998. In October 2002 the reunified Parliament of the Kurdish state declared Iraqi Kurdistan a federal state, the first and for now only independent Kurdish territory.<sup>9</sup>

The Encyclopedia Britannica reports a complete and inclusive definition of who the Yazidis are and where they are generally located: *Yazīdī, also spelled Yezīdī, Azīdī, Zedī, Izadī, Êzidî, or Yazdani, member of a Kurdish religious minority found primarily in northern Iraq, southeastern Turkey, northern Syria, the Caucasus region, and parts of Iran. The Yazīdī religion includes elements of ancient Iranian religions as well as elements of Judaism, Nestorian Christianity, and Islam. Although scattered and probably numbering only between 200,000 and 1,000,000, the Yazīdīs have a well-organized society, with a chief sheikh as the supreme religious head and an emir, or prince, as the secularhead.*<sup>10</sup>

August 3 2019 marked 5 years since the 74th genocide in the history of the Yazidis of Iraq, led by the most brutal Jihadist organization in History: the Daesh, local name for ISIS. Yazidism is recognized internationally as one of the oldest Kurdish religions in the East<sup>11</sup>. Yazidism is an ancient monotheistic religion and one of its key aspect lays on how Yazidis distinguish and to whom they attribute the presence of good and evil on Earth. Yazidis believe in just one source of good and evil and in the power of people's choice, which eventually determines where good and evil are found. The

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<sup>9</sup>S. N. Jawad, *The Kurdish question in Iraq: historical background and future settlement*, in <<Contemporary Arab Affairs>>, 1.1(2008), pp. 25-39.

<sup>10</sup>[www.britannica.com/topic/Yazidi](http://www.britannica.com/topic/Yazidi)

<sup>11</sup>[www.undispatch.com/remembering-the-yazidi-genocide-five-years-on/](http://www.undispatch.com/remembering-the-yazidi-genocide-five-years-on/)

religious figure of the Arch-Angel Melek Taus, often depicted as a peacock, guides humanity when it comes to make a decision. According to Islam “... *the arch-angel refuses to bow down to Adam out of sinful pride and subsequently falls from the grace of God. After this, he continues to try and corrupt mankind through temptation and other means. In Yazidism however, the angel does refuse to bow down to Adam, is expelled from Heaven, but cries for 7,000 years until his tears of repentance quench the fires of Hell. In the Yazidi faith therefore, Melek Taus is redeemed in the eyes of God and continues to serve as a medium between mankind and God*”<sup>12</sup>. From these different religious interpretations comes the idea that Yazidis worship the devil, which consequently causes a huge amount of religious discrimination against the Kurdish minority.

The Yazidis community has been the target of extremely violent attacks throughout history, two of the worst ones being in the villages of Kataniya and Jazira and in Mosul, respectively in 2007 and 2014. On August 14th 2007, terrorists inflicted a devastating coordinated attack detonating simultaneously four truck-bombs, killing more than 500 people and wounding over a thousand between Kataniya and Jazira. No one has been held responsible or arrested for the attack but presumably al-Quaeda was behind it.<sup>13</sup> By 2014, the conflict in Syria had been going on for a number of years and it was during that period that what was known as ISI became ISIS, increasing its territory into Syria and Iraq. In a matter of a weekend they conquered the city of Mosul by force, and in Kocho, district of the Singer, Northern Iraq, the organization arrived in a morning of the beginning of August. The Yazidi’s issue is led only by religious hatred and for religious matters, since, according to the people of al-Baghdadi, they are a minority that do not deserve to live, unless they deny their faith and embrace Islam. They gave only to men the possibility to choose between death and conversion, while women were deported, raped, enslaved or sold as goods. In the various episodes of the attack of those days, 3100 Yazidi died and another 6800 were kidnapped<sup>14</sup>.

The tragedy has left this minority alone, divided and lost, even from a political

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<sup>12</sup>Van Zoonen, Wirya, *The Yazidis: Perceptions of Reconciliation and Conflict*, cit., p. 9.

<sup>13</sup>D. van Zoonen, K. Wirya, *The Yazidis: Perceptions of Reconciliation and Conflict*, in «Middle East Research Institute», 2017, pp. 3-12.

<sup>14</sup>[www.affarinternazionali.it/segnalazioni/genocidio-degli-yazidi-simone-zoppellaro/](http://www.affarinternazionali.it/segnalazioni/genocidio-degli-yazidi-simone-zoppellaro/)

point of view and to the present day the issue still has no solution; many affirm that there can be no future for them in Iraq and that is why law is now more needed than ever. Declarations such as that created in Morocco in 2016 need to be recognized and legalized, to make a difference both in critical and conflicted circumstances and in more conservative nations where the alleged supremacy of the Muslim doctrine damages the well being of smaller religious communities. This is the case of the Baha'i in Iran and the Christian community in Pakistan.

## 2.3 Religious freedom in Pakistan and Iran

Pakistan, as well as Iran, is overwhelmingly Muslim, although the Christians make up the 1.6 percent of the population. Since the creation of the State of Pakistan, the circumstances for minorities in the country are so unbearable, that the percentage of minor religious communities dropped from 15 to 4 percent. Minorities issues in Pakistan mainly come from the strong blasphemy law that the country adopts, which means that legally, every act or faith that goes against Muhammad's will is considered to be punishable with death or life imprisonment. Through the objective resolution number 11 of 1949<sup>15</sup>, the same fundamental rights guaranteed to Muslims, were guaranteed to non-Muslim citizens as well, but the regime of Zia al-Haqq initiated, between 1977 and 1988 in Pakistan, a process of gradual Islamicization that has still not mitigated. In 1973, year of the last revision of Pakistan's constitution, Islam became Pakistan's state religion and constitutionally, Prime Ministers can be only Muslims. Since then, Christians in Pakistan have been living in an atmosphere of hostility, categorized as "persona non grata", discriminated and persecuted on all fronts. Nonetheless, Christians who are currently living in that area, cannot be considered as *ahl-al-Dhimma*<sup>16</sup>, since they were already present in Pakistan in 1945, after

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<sup>15</sup>In March 1949, the first Constituent Assembly led by Pakistan's Prime Minister Liaquat Ali Khan, passed the objectives resolution, one of the most important constitutional documents in Pakistan's history. The document was drafted as a guideline, in terms of principles and values, for all the future Constitutions of the country. M. A. Shahzad (International Islamic University), *The Objectives Resolutions*, in «Islamic studies», 48.1(2009), p. 89.

<sup>16</sup>Subjects to the Muslim state by virtue of having been conquered.

the II World War, when the sub-continent was partitioned.

Discrimination against religion minorities in Pakistan can be particularly identified among two social aspects: law and education. In 1991, the council of Islamic ideology and the enforcement of the Shari'a act led to a profound Islamicisation of the legal system in the country, which deeply compromised the position of religious minorities in front of the law. The act's enforcement officially declared mandatory for all judges to be Muslims and for non-Muslim testimonies to be considered as secondary in legal circumstances. Moreover, Pakistan's penal code is famous for being a bastion of Islamism and quite often its judicial system has proved to be easy to distort. Judges tend to be threatened by the police, secret services or extremist movements, hence the Christians have been demanding for legal cases involving Christian marriage or divorce to be managed only by Christian judges. A key factor in the promotion of religious equality and inter-religious harmony is education. The whole educational system in Pakistan is compromised by bias and religious intolerance, creating a general feeling of hostility also among young citizens. As pointed out by the Justice and Peace Commission of the Roman Catholic Church of Pakistan, school texts are not based on democratic values, and educational material is generally insensitive towards religious differences and minorities, not only in a matter of religious subjects, but also in history, civic and social studies. Interesting phenomenon in Pakistan is also the presence of proper Christian villages, which point to some kind of ghettoisation of Christians all over the country. There are at least two dozen of these villages in Pakistan, nonetheless in 1997 a group of Christians were evicted with the apparent blessing of the police, who had been harassing them while openly asking them to leave the country.

Despite the presence of proper Christian villages, most of the violence throughout the decades has been against Christian institutions, and since the 90's the attacks have largely intensified. On 8 December 1992 a mob of 5000 men attacked the Sacred Heart Church in Kemani, allegedly mistaken for a Hindu Temple, while on January 2004 the Pakistan Bible Society building suffered a grenade attack. On 28 October 2001, five militant Muslims attacked the congregation of the St Dominic Church in Bhawalpuri, killing 16 worshippers including 8 children, while at the end of 2005 a mob of 3000 had destroyed three Churches in Sangla, near Lahore, attacked two Christian schools, a



hostel and a convent after false allegations that a copy of the Qu'ran had been burnt.<sup>17</sup>

Surely, the attacks on institutions have created an atmosphere of fear among the Christian community in Pakistan, but the events happened in Gojra, Punjab, were supposed to become the most famous ones internationally. In 2009, in Gojra, churches and houses were burnt and nearly 10 people burnt alive, during a religious mob, following the alleged desecration of the Koran by the Christian community. In this case though, the reasons under all this hatred are not exclusively religious, but also political. Some journalists and scholars see the growing violence as a message to Muslim countries that seem to have become too friendly with the West, but also as an issue linked to the war in Afghanistan, led by the Americans.<sup>18</sup>

In 1979 the revolution in Iran overthrew the regime of the Shah. Contrary to popular belief, the revolution was the result of a mass rebellion against a corrupt rule, which involved a large part of the Iranian citizenship. It was only towards the end of the revolutionary process that Ayatollah Khomeini returned to Iran from exile, seized political control over the country, promising to be a true, moral and independent ruler. Although Khomeini did promise to restore justice, equality and to stop external involvements into Iranian affairs, he proved himself to be a brutal ruler, imposing his theology and his decisions on the regime even while heavily criticized by many clerics and scholars.

Definite statistics on religious minorities in Iran are difficult to obtain, but multiple sources claim that in the country there are: 13,000 Chaldean, Latin and Armenian Catholics; 122,000 Armenian, Assyrian and Greek orthodox Christians; and 8,500 Protestants. In addition, there are 300,000 Baha'is, number that makes it the biggest non-Muslim community in the country.<sup>19</sup> In Iran specifically, the roots of religious hatred and discrimination can be classified under two different lights; their legal status on one hand, and the way the state actually treat them on the other.

Legally, Article 13 of the Iranian Constitution recognises Christianity, Judaism and

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<sup>17</sup>G. Theodore, *Christian Citizens in an Islamic State: The Pakistan Experience*, Ashgate Publishing, London 2007, pp. 41-57.

<sup>18</sup>[www.bbc.com/news/world-asia-35910331](http://www.bbc.com/news/world-asia-35910331)

<sup>19</sup>D. Kirkham, *State Responses to Minority Religions*, Routledge, New York 2013, p. 34.

Zoroastrianism as minority religions, which means that these communities are allowed to use their own language in religious practice, establish charitable associations and to have their own educational system. Ipso facto, the constitution points to the persecution of all the minority groups that are not included in article 13, such as the Baha'i community. Unfortunately, article 13 is not the only one that can lead to discrimination and hatred; articles 12, 167 and 168 allow more forms of legal discrimination on some religious minorities due to Shari'a laws.<sup>20</sup> Concretely, these articles of the constitution deal with issues such as the credibility of testimonies of non-Muslim in court and the illegality of Muslim women marrying non-Muslim men.

As weak as Iranian legal measures to ensure fundamental rights for religious minorities can be, their actual treatment has been proved to be even more brutal. Two groups in particular remain extremely vulnerable: Christians with Muslim backgrounds and the Baha'i. Founded a century and a half ago, the Bahá'í faith is one of the fastest growing religions in the world. With more than five million believers in at least 233 countries, it has already become the second most widespread faith after Christianity.<sup>21</sup> The most important feature of the Bahá'í lies in the composition of its community, which includes over 2100 different ethnic and tribal groups, all with the most different professional, social and economical background. The hatred and persecutions against this community in Iran have ancient roots: in the 19th century, the Iranian clerical class felt threatened by a new religion, which was the Babi religion, precursor of the Baha'i faith. The Bab (gate) was the founder of the spiritual movement and he claimed to be not only the twelfth imam awaited by the Shi'is, but also a messenger and bearer of a new revelation. Unfortunately, the Bab's claim and Muslim's core belief that

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<sup>20</sup>“Sharia as ideal alludes to the religious and metaphysical principle of a divine plan for human beings and their society. In this sense, the term has a strong motivating and mobilizing meaning, for example, as a plea for greater justice or against corruption. [...] Sharia is religious law and therefore concerns precepts of belief. Even where this finds expression in formal, national law, the individual believer or an Islamic movement can find his/her/its own interpretations for rules to live by and be able to employ them in fulfillment of – or in deviation from – the formal law in place.” The Netherlands Scientific Council for Government Policy, *Dynamism in Islamic Activism: Reference Points for Democratization and Human Rights*, Amsterdam University Press, Amsterdam 2007, pp. 111-113.

<sup>21</sup>Kirkham, *State Responses to Minority Religions*, cit., pp. 33-39.

Muhammad was “the seal of the prophet” and Islam the ultimate religion, could not coexist together. The Bab was firstly imprisoned and then publicly executed in June 1850 in Tabriz. Years later Bahá'u'lláh, a Persian nobleman from Tehran, who in the mid-nineteenth century left a princely, comfortable and secure existence for a life of persecution and deprivation in order to proclaim himself as the new and independent Messenger of God, gathered the Baha'i remnant and founded the Baha'i faith.

With the triumph of the Islamic Revolution in 1979, persecution became systematic: more than 200 Bahá'í have been executed or killed, hundreds more imprisoned and tens of thousands left without jobs, pensions and study opportunities. All Bahá'í national administrative structures have been banned by the government and all sacred sites, mausoleums and cemeteries have been confiscated, vandalized or destroyed. Thousand of members of the Bahá'í community have been persecuted only on a religious hatred basis. Islamic fundamentalists in Iran and elsewhere have always considered the Bahá'í as a threat to Islam, and its followers as heretics, based on moral and theological reasons. The idea that both the revelation and the line of prophets were progressive, made of Muhammad not the ultimate prophet but a figure in a chain of revealers of divine will. This chain included not only Jesus, but also the founders of many religions that Islam does not recognise, such as Hinduism, Zoroastrianism and Buddhism.<sup>22</sup>

When ten Baha'i young women were arrested in Iran for teaching their doctrine to children, and then condemned to death for not converting to Islamism, their fight against persecutions finally reached every corner of the globe. Thousands of newspaper articles about the situation of the Bahá'í in Iran appeared on a global level and important international organizations, including the European Parliament, approved resolutions condemning or at least expressing concern about the situation of the Bahá'í in the country. Most importantly, the Commission on Human Rights, the General Assembly on Human Rights and the General Assembly of the United Nations urged the Iranian government to respect international human rights conventions.

As a result of international criticism, the most violent aspects of the persecutions

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<sup>22</sup>F. Kazemzadeh, *The Baha'is in Iran: Twenty Years of Repression*, in «Social Research», 67.2 (2000), pp. 537-539.

ceased in the early 1990s. Iran's Bahá'í are still fighting for their rights to freely practise their religion, and international efforts to achieve their full emancipation are still on the go.<sup>23</sup> The same can be said about the Christian community in Pakistan.

## 2.4 Religious freedom in Turkey

The historical legacy of the Ottoman Empire and especially the post-Ottoman period, with its lack of democracy and external impositions of autocrats, has pushed the condition of minorities in the Middle East towards their exclusion. For Turkey, the threat of Western powers dismembering the country after World War I surely had an impact on the way they treat and have been treating minorities in the past. Since Turkey's foundation its treatment towards minorities has changes multiple times, alternating periods of repression and discrimination with times of accommodation and near inclusion. In regards to the question of religious minorities, the Kurdish case surely represents the most brutal example of their treatment in the country, although they are not the only ethnic minority that was excluded from the building of the Turkish Republic.

The Alevis, considered as "heterodox" Muslim for being part of the Shi'a tradition, were religiously discriminated since the only form of Islam recognized by the Turkish Republic was Sunni Islam. Although spiritually excluded from the building process of the new Republic, Turkey put some efforts into their cultural inclusion, in order to prove and publicly display Turkey's "cultural diversity". In Turkish Republican history there is always been a contradiction regarding the Alevis, since on one side they are displayed as a fundamental element of Turkish folkloric heritage, while on the other political and religious hostility towards them still persists.

The history behind the relationship between Kurds and Turks in Turkey has deep roots and can be divided into three chronological phases:

- The original phase of repression of the 20th century (mainly cause by the PKK insurgency since 1984).
- The Turkish candidacy for membership in the EU of 1999 caused new proposi-

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<sup>23</sup>[www.bahai.com/ibahai/](http://www.bahai.com/ibahai/)

tions to include Kurds in the Turkish society.

- The current phase of hostility, allegedly began in 2011, but especially since summer 2015.<sup>24</sup>

At the birth of the new Turkish Republic only Armenian, Catholics, Greek Orthodox and Jews were legally recognized by the regime, leaving the large ethnic Kurdish minority out, purely on the belief that it could have been a threat to the newborn nation. Founders of the Turkish Republic considered the presence of an ethnically heterogeneous society as a feature capable of making a nation weak, preferring to follow the nationalist European model of one language, one nation, one state. Since the beginning of the Turkish state the main goal was to assimilate Kurds to Turks, causing the loss of their language and cultural identity. When and where uprisings happened, the government neutralized them through arrests, deportations, executions of leaders or simply supporting the Kurdish feudal landowning class in order for them to block any desire of rebellion among their communities.

In 1974, as a reaction to years of repression and assimilation, a group of Kurdish activists known as the Revolutionaries of Kurdistan started a campaign for Kurdish rights, which led to the foundation of PKK (Kurdistan Workers Party) in 1978. In 1983, a new law, which prohibited the use of Kurdish language *in the expression and dissemination of thoughts*, was incorporated into the constitution, pushing the PKK towards a full scale insurgency that officially started in 1984. The war has been causing the death of almost 40,000 people, passing through several periods of escalation, which involved civilians especially in the southern areas of the country.

The second phase of the Turkish-Kurds relationship's history started in 2002 when the AKP (Justice and Development party), first moderate Islamist party to attain power in Turkey, without unleashing an immediate response from the military. Since 1999, year of the Turkish EU candidacy, the nation had already been going through a phase of democratization, in which even the Prime Minister of the time, Mesut Yilmaz, started expressing the need to create a new more supportive approach to the Kurdish question. The new AKP was mainly made up of Black Turks, a more religious part of

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<sup>24</sup>M. Geri, *Ethnic Minorities in Democratizing Muslim Countries: Turkey and Indonesia*, Palgrave Macmillan, Norfolk 2018, p. 81.

the population, generally coming from East Anatolia, and more similar to the people of the Kurdistan area. Therefore, Erdogan in particular, pushed for the recognition of the Kurdish identity. Books in Kurdish became legal, under previous control from the government and Kurdish broadcasting was allowed on TRT for 30 minutes a week.

Despite these improvements regarding the treatment of the Kurdish minority, democracy in Turkey was always gradually, in small but powerful steps and through the presence of civil society organizations and a well balanced economical system. Thanks to the wealth, generated by smart and strategic economic performances, the new broader middle class started to push for an active civil society, without which democracy could not exist. Since the day AKP came to power, particularly between 2002 and 2014, Turkish economy tripled in size while the party kept winning and growing in size and number of supporters.

In 2007, once acknowledged the support that the party was gaining, its elites began to infiltrate civilians and military institutions, probably helped by internal oppositions and enemies of Erdogan. The whole scandal, together with many conspiracy theories on the AKP, such as the alleged existence of a “deep state”, culminated in a plot, known as Ergenekon, to overthrow the AKP, caused the arrest of hundreds of people, especially retired military personnel. In 2014, Erdogan became President in a direct election from the population and as a result of a change in the Constitution, but he was forced to work on his strategy by two international events that happened around that time: the Arab Spring and the civil war in Syria, from which ISIS arose in 2013. The Arab spring caused the AKP to worry about possible internal repercussions, considering the general youth frustration towards the Turkish regime, but the civil war in Syria and the uprising of ISIS were a threat not only to a party but, ontologically, to the entire system. Suddenly it seemed possible, for an independent organization as ISIS, to create its own space inside another nation, deeply corrupting its strength and unity. This fact, pushed the AKP to go back to inequality and discrimination, in order to maintain a unified regime and protect the country from the possible birth of a Kurdish area on national ground.

Scholars today do not consider Turkey as an effective democracy, but more as an “hybrid regime” of democracy and autocracy, idea that seems to be confirmed by all

the difficulties that the nation is facing regarding its acceptance as member of the European Union.<sup>25</sup> The Turkish constitution as well, has been going through changes over time, sometimes improving the condition of religious minorities, and some others showing clear signs of inequality and discrimination. The constitution of 1924 states that: “The religion of the Turkish Republic is Islam”, even if the Lausanne Peace treaty of 1923, which formally established the Republic of Turkey, recognizes the existence of religious minorities and makes references regarding their protection and fundamental rights. Article 39 of the treaty states that: “Turkish nationals belonging to non-Muslim minorities will enjoy the same civil and political rights as Muslims. All the inhabitants of Turkey, without distinction of religion, shall be equal before the Law”. In fact, Muslim in Turkey make up the 98 percent of the population, while the remaining 2 percent is made up of Greek Orthodox, Armenian Orthodox, Jews and Syrian Christian, which are the only minorities that the government recognize.

Nonetheless, since 1936, minorities have been facing issues with property ownership, education and renovation or expansion of their worship places. Although in 2008 the Parliament did pass an amendment, expanding religious freedoms and ensuring free water and electricity for Mosques and Synagogues equally, multiple obstacles are still preventing to a party to openly and freely defend religious minorities, both for the presence of strong public opinions on the issue, and since they are still perceived as a threat.<sup>26</sup>

## 2.5 Religious Freedom in Indonesia

Indonesia’s population is famous for being one of the most multicultural in the world. Nowadays, Indonesia counts 1,128 ethnic groups, all linked to their own culture, dialects, belief system and language. Despite this kind of cultural background, Indonesia recognises only six religions: Islam, Protestantism, Catholicism, Hinduism, Buddhism and Confucianism. In order to ensure fundamental human rights to as many

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<sup>25</sup>M. Geri, *Ethnic Minorities in Democratizing Muslim Countries: Turkey and Indonesia*, Palgrave Macmillan, Norfolk 2018. pp. 79-95.

<sup>26</sup>A. Hetzke, *The Future of Religious Freedom: Global Challenges*, Oxford University Press, Oxford 2013, pp. 270-285.

religious or ethnic minorities as possible, the UN accepts minority status according to both subjective and objective criteria, meaning that a minority can be identified as such, when its members:“(1) share common religion, (2) share a common desire to preserve their religion, (3) they are numerically inferior, (4) they are citizens of the state, (5) they are in a non-dominant position.”<sup>27</sup>

The latter is in Indonesia the most subject to debate, since the concept of *non-dominant* can be interpreted in different ways. Seeing it as lack of state recognition would imply that every belief group that Indonesia does not officially recognise is in fact a minority. The term may also simply encompass any religious or ethnic group whose belief is considered to be outside of mainstream from the most important civil-religion doctrine of the country, which is the principle of Belief in One and Only God.

The principle was present and considered in many pivotal points of the Indonesian history, such as the drafting of its first Constitution in 1945. It was Soekarno, first president of Indonesia, who envisioned the country as an independent state whose population was to be united in front of the Almighty God. Soekarno believed the fact of praising God to be part of the human race since the beginning of civilization, firstly as Gods of nature, and then as invisible force in control of all material universe. In an effort to incorporate Soekarno’s idea, that the belief in God was part of Indonesia’s identity, into the Constitution, its drafters included this principle in article 29, creating tough critics. Article 29 is supposed to foster intolerance towards smaller belief systems and to fight for religious harmony at the expense of religious freedom.

At the end of November 1967, the Indonesian Minister of Religious Affairs Muhammad Dahlan spoke about religious harmony during The first Inter-religion Conference, giving the following definition: “*Religious harmony is a situation in which the relation of religious followers is based on toleration, understanding, respect, equality in practising religious teachings and cooperation in social and national life under the unitary state of Indonesia and the Constitution*”<sup>28</sup> This approach towards religious harmony has changed over time in multiple occasions, but there are three widespread assumptions that survives, no matter which implementation the Ministry of Religious Affairs or the Parliament have done over the years: (1) Religion is seen and perceived as a

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<sup>27</sup>Kirkham, *State Responses to Minority Religions*, cit., p. 66.

<sup>28</sup>Kirkham, *State Responses to Minority Religions*, cit., p. 69.



potential source of conflict; (2) There must be no clashes of interests between Religious clerics and followers; and (3) Religious harmony must be protected, maintained and controlled by the state. In conclusion, the whole concept is focused on the protection of national stability, rather than creating actual religious freedom, and every social element that concerns the survival of religious harmony, must be handled by the government.

The government of Indonesia has been stating for decades that most religious intolerance cases in the country deal with innocuous conflicts, however the Wahid Institute of Religious Freedom and Tolerance is on a different page. On their report of 2011 on religious freedom they found out that many cases of discrimination deal with far more severe restrictions, such as worship, hate speech, violent threats, forced conversion, heresy and blasphemy. In fact, although even according to Indonesian law, all beliefs should deserve respect, this is not the case for the aliran kepercayaan community. This community involves multiple mystical beliefs systems, which include animist, Hindu-Buddhist, and Islamic, linked together by a meditational path that seems to be more spiritual than properly religious.

In 1953, the Ministry of Religious Affairs reported that the aliran community did not deserve legal protection, since their belief could not be considered legitimate. In 1955, after Indonesia's first elections, the whole community mobilized against the government, forming a coalition called BKKI. The BKKI was left alone for years, until the Indonesian Communist Party decided to publicly defend them in order to gain support. When the communists were deflated, the end of this alliance left the community even more vulnerable and exposed than in the past and all previous efforts to gain some legal recognition came to an end. The Indonesian Government recognizes the right to follow Aliran Kepercayaan, as long as its practitioners do not upset the public order or offend the sensitivities of the followers of the major religions, even if their actual social status remains unclear.

Very interesting in Indonesia is also the presence of Bakor Pakem, which is a branch of the Attorney's General Office that is meant to monitor all religious beliefs that could harm or endanger society and the regime itself. Bakor Pakem can work closely with the police, the military, local governments and the Ministry of Religious Affairs and

exist to prevent religious minorities from gaining “too much” independence.

In conclusion, both Indonesia’s government and its mayor religious communities consider religious minorities as threat to public order and social life. Religious and cultural differences keep leading to tension, hatred, discrimination and killings in the absence of governmental preventive action. Progress is to be made, and the regime must take it upon itself, without considering sizes, numbers or influence among religious groups, and progress will happen only when the focus will shift from religious harmony to religious freedom.<sup>29</sup>

Genocides, killings, rapes and tortures are still happening in many countries only for religious reasons and many nations seem not to be able to recognize the gravity of the situation from the Human Rights perspective. The need of legal remedies and rules for Minorities’ issues is stronger than ever and maybe what has been said and done in Morocco in January 2016 can finally put a proper spotlight on this humanitarian crisis and start a real effort in finding concrete solutions.

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<sup>29</sup>Kirkham, *State Responses to Minority Religions*, cit., pp. 65-80.

# Chapter 3

## The Declaration and its Translation Process

### 3.1 The Translation of a Legal Document

In the last few decades the increasing levels of contacts between countries and the phenomenon of globalization has been requiring an higher demand in the translation of legal documents, which has gained a fundamental role especially within the European Union. The EU has, nowadays, 23 official languages and also is under obligation to guarantee to its citizens the maximum level of multilingualism possible. Difficulties in legal translation can already be found in the translation of the term “law” itself: Are the English term “Rule of Law”, the French term “Etat de Droit” and the German term “Rechtstaat” fully equivalents?<sup>1</sup>

Translation can be divided into 3 categories: general translation, literary translation and specialist or technical translation. Legal translation belongs to the last category and it is normally referred to as a translation activity that involves language for special purposes (LSP) in the context of language for legal purposes (LLP). Legal translation can be then classified according to many criteria, the most important being according to the subject, the function and the purpose of the legal document.

Different methods must be adopted according to the subject of the legal text that we need to translate, since there is a difference in content and style between statutes,

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<sup>1</sup>D. Cao, *Translating Law*, Multilingual Matters, Toronto (2007), p. 3-4.

treaties, private legal documents, legal scholarly work and case law. Documents such as regulations, codes or contract are identified as primary prescriptive texts, while pleadings, briefs, appeals or petitions present more descriptive features. Generally, in Europe, all bilingual or multilingual translations for normative purposes have equal legal power among all members and once translated they go through precise authentication processes prescribed by law.<sup>2</sup>

Generally speaking, Law is not universal but tied to a specific national legal system, which means that every single piece of legal documentation makes reference to a specific legal system, that may present contrasts or differences with other countries. Comparative lawyers have classified mayor legal systems into different categories. According to lawyers David and Brierley (1985), these previously mentioned categories are seven: Romano-germanic law, Common Law, Socialist law, Hindu law, Islamic law, African law and Far East law<sup>3</sup>. Eighty percent of nations belong to the two most influential legal families, which are the Romano-germanic (also known as Civil law) and the Common law. Legally speaking, the Common law focuses on facts, it is based on extracting rules from events, of which analysis generally determines the purpose of the rule itself. On the other hand, Civil law traces legal history, it identifies patterns and determine for each new rule a domain of application and validity. Despite their systematic differences, translation is not impossible and these two legal families are not totally incompatible, even if the role that each legal family has in each nation represents one of the mayor sources of difficulty in legal translation.

Legal language is linguistically classified as a sub-language, which means a language that follows its own pragmatic, syntactic and semantic rules. Nevertheless the main issue in not essentially linguistic, but actually lies in the “invisible” layers of legal communication: unstated conventions. Legal matters have developed their structure to meet the demands of the country in which they are built, meaning that each legal language is the product of a specific culture and history. Linguistically speaking, a translator can find difficulties in finding good equivalents, in maintaining the same style of the original and in correctly transposing legal content from one culture to another.

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<sup>2</sup>Cao, *Translating Law*, cit., pp. 13-15.

<sup>3</sup>Cao, *Translating Law*, cit., pp. 23-28.

Gotti (2016) in his literal production talks about legal translation more as a transposition than only a translation, since legal translator must overcome not only linguistic barriers but cultural ones as well, when reproducing a TL version of a text written for an SL audience.<sup>4</sup>

For all the reasons mentioned above, the most important feature of a good legal translation is the presence of a good level of adequacy, which means that, in some cases, the final result must be adapted to a new legal system, but most importantly must result comprehensible to a culturally new audience. This kind of formulations generally present a very precise a specific goal, that must be maintained throughout the translation process; the message that the original text aims to transmit to its readers must be equally effective and clear in the translated version, no matter how many linguistic contrasts there might be between TL and SL.

Recent translation studies developed by experts such as Hurtado Albir (2002), and Gerardo Vazquez Ayora (2002) proved the difference between translation methods, strategies and techniques. The term translation method refers to the general way in which a translation can be carried out, meaning an attitude that the translator adopts, depending on the topic, the aim and the target audience of the text he is working on. Whatever method the translator chooses, different problems and difficulties can be encountered during the translation process, and it is in those circumstances that he needs to possess some translation strategies. The translator needs to activate the best existing translation strategies, depending on the challenge he is about to face. In the light of the above, translation techniques are: *[...]procedures to analyse and classify how translation equivalence works. They have five basic characteristics:*

- 1) *They affect the result of the translation*
- 2) *They are classified by comparison with the original*
- 3) *They affect micro-units of text*
- 4) *They are by nature discursive and contextual*
- 5) *They are functional*<sup>5</sup>

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<sup>4</sup>M. Gotti, *The translation of legal texts: Interlinguistic and Intralinguistic perspectives*, in «Journal of English for specific Purposes at Tertiary Level», 4.1(2016), p.7.

<sup>5</sup>L. Molina and A. H. Albir, *Translation Techniques Revisited: A Dynamic and Functionalist Approach*, in «Meta Journal des traducteurs», 47.4(2002), pp. 507-509.

The main Translation techniques that have been used throughout the entire translation process, are now listed and individually explained.

First of all, a general attitude of “good faith”, which refers to the translator’s ability and effort in trying to convey the same meaning, especially when an exact correspondence is nowhere to be found. It is fundamental for a translator to remember, particularly in legal contexts, that the main goal is to stick as much as possible to the sense of the source text, since the final effect needs to be equal in both languages. This phenomenon is known as the act of “domestication“ of text “...where the former seeks to evoke a sense of the foreign” while the latter involves assimilation to the TL culture and is intended to ensure immediate comprehension”.

Generally speaking, the act of domestication or adaptation of the text is applied in three circumstances: firstly, when elements of the text that we are translating are unknown to the target culture, this issue can be solved by adding a classifier or changing terms into something more familiar to the target audience. Secondly, when we are talking about historical events, since history cannot be modified or influenced by cultural features. In this second case, the META journal des traducteurs suggests to stick to a more “letter by letter” translation, in order to avoid any cultural influence.<sup>6</sup> Finally, adaptation must be applied in case of translation of cultural processes, where the audience might also need the aid of explicating footnotes or appendixes to add some context to what he or she is reading.

One of the most famous and used translation techniques, especially in a legal context is the use of “frozen” terminology, particularly when the translation work needs to present the highest level of equivalence to the source text possible. The “frozen“ patterns or ”routines“ are fixed and well-known terms’ equivalents, globally accepted by the legal community, that translators often use when in front of specific terms or expressions. An example of routine, from Italian to English, is the translation of the expression ‘Salvo che la legge disponga altrimenti’, which is commonly translated as ‘Unless otherwise provided by law’.

The act of coining a calque can be useful as well, although it is mandatory to be

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<sup>6</sup>L. Biel, *Legal terminology in translation practise: Dictionaries, googling or discussion forums?*, in «SKASE Journal of Translation and Interpretation», 3.1(2008), pp. 24-25.

sure that the newly coined term is going to be entirely understood by the target audience. When finding an equivalent becomes complicated or the term that is going to be translated is probably unknown in the eyes of the general public, some explication strategies might be useful, for instance through the creation of footnotes or appendixes.

In conclusion, according to Venuti, American translator, professor and theoretical: “A translated text (...) is judged acceptable by most publishers, reviewers and readers when it reads fluently, when the absence of any linguistic or stylistic peculiarities makes it seem transparent, giving the appearance that it reflects the foreign writer’s personality or intention or the essential meaning of the foreign text – the appearance, in other words, that the translation is not in fact a translation, but the ‘original.’”<sup>7</sup>

## 3.2 Translation with Commentary

### 3.2.1 Introduction

The text that is going to be examined and translated from English into Italian in this project is the Marrakesh Declaration on the rights of religious minorities in predominantly Muslim Countries, put together in 2016 in Morocco by a series of religious intellectuals and scholars. The original document was drafted in Arabic, but both the Arabic version, together with the English, the Italian, and the Dutch one were officially published on the online website dedicated to the Declaration, shortly after it was drafted in 2016.

The aim of this project is to create a new Italian version, clearer in terms of adaptation and syntax and with a more in depth attention towards a proper and full comprehension of the content by the target audience. The entire translation process, complete with both the reasoning behind all adaptations and chosen translation techniques is then explained in a series of comments, linked to both the English and Italian version.

In his article on the prospects and problems of the Declaration of Marrakesh,

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<sup>7</sup>L. Biel, *Legal terminology in translation practise: Dictionaries, googling or discussion forums?*, in «SKASE Journal of Translation and Interpretation», 3.1(2008), p. 24.

Ahmed Salisu Garba (2018) identified in the document 6 main goals: the development of a new law, the equal treatment of every believer in multicultural Muslim societies, the promotion of religious minorities rights, the revival of the charter of Medina in all its features and the fight against bigotry and the vilification of people.<sup>8</sup>

Even if the declaration is an international legal document, the tone and terminology chosen for its drafting do not reflect all the features of a typical international legal production, such as a charter, a pact or a treaty. Differently from other international documents, this production reflects the need for its goal to be fully understood and for its audience to actively fight for change. This stylistic diversity may come from different factors. Firstly, the text is actually the result of days of discussions and speeches, which are generally more difficult to transport into formal written language, and secondly, the target audience, in order for the declaration to actually be effective needs to be understood by as many people as possible. Therefore the general structure, from both a linguistic and stylistic point's of view, needs to be suitable for all kind of readers. The text has been translated from English into Italian with the goal of maintaining, but at the same time adjust, all the previously mentioned features of the original text, to the new version as well.

Despite the fact that Italy is not a Muslim country, it still is important to consider the relevance of certain topics on a global scale. The condition of minorities in Muslim countries is a humanitarian emergency that puts in risk the lives of many people on a daily basis. Therefore, the declaration needs to be known and understood by as many people as possible, no matter which Country or religious background they come from.

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<sup>8</sup>A. S. Garba, *The Prospects and Problems of the Marrakesh Declaration on the Rights of Religious Minorities in Muslim Majority Communities*, Taylor's and Francis online, London (2018), p. 53.



### 3.2.2 The Translation process

“In the Name of God <sup>1</sup> , the All-Merciful, the All-Compassionate Executive Summary <sup>2</sup> of the Marrakesh Declaration on the Rights of Religious Minorities in Predominantly Muslim Majority Communities 25th-27th January 2016 WHEREAS <sup>3</sup> ,	Nel nome di Allah <sup>1</sup> , il Clemente e Misericordioso. Riassunto esecutivo <sup>2</sup> della Dichiarazione di Marrakesh sui Diritti delle Minoranze Religiose negli Stati a Maggioranza musulmana. 25-27 Gennaio 2016 CONSIDERATO CHE <sup>3</sup> ,
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<sup>1</sup> “In the name of God, the All-Merciful, the All-compassionate” is an Arab Divine Invocation, known as *Basmahla* or *Bismillah*. It is the most sacred sentence of the Islamic doctrine and not only does it give religious legitimacy to what is about to be written, but also proves that the speaker or writer is an active member of the Islamic community. The *Basmahla* can be found at the beginning of every Koranic Surah, with the exception of number IX, and its origin is considered to be at least as ancient as the first written version of the Holy Book. The invocation begins with the particle “bi-” (meaning “in” or “with”). The Koran begins with the same particle (ب), written according to the Arabic alphabet with a dot. That dot is considered to be the origin of everything.<sup>1.a</sup>

<sup>2</sup> The use of the term *executive* underlines the will of the participants to turn the document into something concrete, usable on a daily basis by all communities and capable of providing a real change and impact on all minorities groups. According to the Merriam Webster Dictionary, the term means: *designed for or relating to execution or carrying into effect*.

<sup>3</sup> The term *whereas* is a synonym for *while*, which could be translated in Italian as “mentre” or “al contrario di”. Nonetheless, this text has a legal background and according to the Oxford Lexico Dictionary the best term to convey the right meaning is “Considerato che”. *1.1(especially in legal preambles) taking into consideration the fact that*.

<sup>1.a</sup> [www.orientalistica.com](http://www.orientalistica.com)

conditions<sup>4</sup> in various parts of the Muslim World have deteriorated dangerously<sup>5</sup> due to the use of violence and armed struggle as a tool for settling conflicts and imposing one's point of view;

WHEREAS, this situation has also weakened the authority of legitimate governments and enabled criminal groups to issue edicts<sup>6</sup> attributed to Islam, but which, in fact, alarmingly distort its fundamental principles and goals in ways that have seriously harmed<sup>7</sup> the population as a whole;

lo stile di vita<sup>4</sup> in varie parti del mondo musulmano si è nettamente deteriorato<sup>5</sup> a causa dell'uso della violenza e della lotta armata, che vengono utilizzate come strumento per risolvere conflitti e imporre un'unica opinione sulle altre; CONSIDERATO CHE, tale situazione ha inoltre indebolito l'autorità dei governi legittimi e permesso a gruppi criminali di rilasciare editti<sup>6</sup> falsamente attribuibili alla comunità islamica, in quanto distorcono i suoi principi e obiettivi danneggiando<sup>7</sup> l'intera popolazione;

<sup>4</sup> The choice of the expression “stile di vita” in Italian is linked to its inclusive and wide meaning. Generally, it allows to convey in the target text, the fact that this kind of issue has an influence not only on the most common spheres of daily life, but on all of them, drastically changing and lowering the general well-being of many Muslim populations.

<sup>5</sup> “Dangerously deteriorated” syntactically works in English, but literally translating this expression into Italian might end up sounding redundant. That is the reason why the expression “nettamente” is preferred, since it makes the sentence lighter and easier to read and hear.

<sup>6</sup> In a legal context: *formal or authoritative decree, demand, or proclamation issued by king, queen, or other sovereign of a country. It is a legally binding command or decision inserted in the court record. An edict has legal force equal to that of a statute.*<sup>1b</sup>

<sup>7</sup> The use of gerund is common in Italian since it makes the sentence more fluid and easier to read, especially while translating longer clauses.

<sup>1b</sup> [www.definitions.uslegal.com/e/edict/](http://www.definitions.uslegal.com/e/edict/)

WHEREAS, this year marks the 1,400th anniversary of the Charter of Medina<sup>8</sup>, a constitutional contract between the Prophet Muhammad, God’s peace and blessings be upon him, and the people of Medina, which guaranteed the religious liberty of all, regardless of faith;<sup>9</sup>

WHEREAS, hundreds of Muslim scholars and intellectuals from over 120 countries, along with representatives of Islamic and international organizations, as well as leaders<sup>10</sup> from diverse religious groups and nationalities, gathered in Marrakesh on this date to reaffirm the principles of the Charter of Medina at a major conference;

CONSIDERATO CHE, l’anno in corso segna il 1400esimo anniversario della Carta di Medina<sup>8</sup>, un contratto costituzionale, garante di totale libertà religiosa a prescindere dalla Fede professata<sup>9</sup>, stipulato tra il profeta Maometto, possano la pace e la benedizione di Dio scendere su di lui, e il popolo di Medina;

CONSIDERATO CHE, centinaia di intellettuali e di studiosi Musulmani da più di 120 nazioni, insieme a rappresentanti di organizzazioni Musulmane ed internazionali e ai leaders<sup>10</sup> di diversi gruppi religiosi, si sono riuniti a Marrakesh in questo giorno per riaffermare i principi della Carta di Medina in una storica conferenza;

<sup>8</sup> The Charter was drafted by Muhammad and his followers, during his time in the city of Medina, also known as city of the prophet. The Document dates back to the VII century and it’s a symbol of collective responsibility, freedom and of a peaceful multi-religious environment. The document is well-known in Italian under the name of “Carta di Medina”.

<sup>9</sup> In the source text the relative clause “...which guaranteed the religious liberty of all, regardless of faith” is inserted at the end of the entire statement. Nonetheless, the relative pronoun *which* refers to the previously mentioned Charter of Medina, hence the translation choice to keep the subject close to its relative clause, in order to make the sentence generally more cohesive.

<sup>10</sup> “*Leader*” is a well-known term in the context of the target language, hence the decision to maintain the English word also in the target text.

*Leader; capo riconosciuto di un partito, di un’organizzazione, di un gruppo, di un movimento ecc.: un leader politico, sindacale*<sup>1c</sup>

<sup>1c</sup> [www.garzantilinguistica.it/ricerca/?q=leader](http://www.garzantilinguistica.it/ricerca/?q=leader)

WHEREAS, this conference was held under the auspices of His Majesty, King Mohammed VI of Morocco, and organized jointly by the Ministry of Endowment and Islamic Affairs <sup>11</sup> in the Kingdom of Morocco and the Forum for Promoting Peace in Muslim Societies based in the United Arab Emirates;

AND NOTING <sup>12</sup> the gravity of this situation afflicting Muslims as well as peoples of other faiths throughout the world, and after thorough deliberation and discussion, the convened Muslim scholars and intellectuals:

CONSIDERATO CHE, tale conferenza si tiene sotto gli auspici di Sua Maestà, Re Muhammad VI del Marocco, con la collaborazione del Ministero dei beni religiosi<sup>11</sup> e degli Affari Islamici e del forum per la promozione della Pace nei Paesi musulmani, stanziato negli Emirati Arabi Uniti;

CONSTATANDO<sup>12</sup> la gravità di questa situazione, che affligge la popolazione musulmana tanto quanto altri popoli di diversa fede e dopo una scrupolosa discussione, i suddetti intellettuali e scolari Musulmani:

<sup>11</sup> The Ministry of Endowment and Islamic Affairs is a governmental authority, responsible for the promotion of Islam and its principles on a global level. The term *Endowment* indicates, according to the Oxford Advanced Learner's Dictionary of current English, *an amount of money that is given to a school or another institution to provide it with an income*. Nonetheless, in this case, the concept needs to be adapted to a religious context. The source text does not refer to general kinds of endowments, but to funds or money, raised in support of projects, created specifically to spread the Islamic doctrine around the world, hence the addition of the adjective "religiosi". No Italian readers would be able to comprehend the term's meaning in its English version, therefore finding a suitable translation is mandatory to the understanding of the whole text.

<sup>12</sup> The verb *to note* in English is a synonym for "notice", "be aware of something", also in a sense of perceiving or feeling a certain situation or change in someone or something. On the other hand the Italian equivalent *notare* did not seem to convey the right impact for this sentence, hence the choice of "constatare", which underlines the fact that the issue is global, really affecting the everyday lives of many people.

DECLARE HEREBY <sup>13</sup> our firm commitment to the principles articulated in the Charter of Medina, whose provisions contained a number of the principles of constitutional contractual <sup>15</sup> citizenship, such as freedom of movement, property ownership, mutual solidarity and defense, as well as <sup>14</sup> principles of justice and equality before the law;

AND THAT, The objectives of the Charter of Medina provide a suitable framework for national constitutions in countries with Muslim majorities, and the United Nations Charter and related documents, such as the Universal Declaration of Human Rights, are in harmony with the Charter of Medina, including considerations for public order.

CON LA PRESENTE<sup>13</sup> DICHIARANO la loro completa dedizione nei confronti dei principi stipulati sulla Carta di Medina, le cui disposizioni includevano sia<sup>14</sup> parte dei fondamenti della cittadinanza contrattuale<sup>15</sup> e costituzionale, quali la libertà di movimento, il possesso di proprietà, la solidarietà e la difesa reciproca; sia<sup>16</sup> alcuni dei principi di giustizia ed eguaglianza di fronte alla legge; E CHE, Gli obiettivi della Carta di Medina forniscono validi elementi alle Costituzioni dei Paesi a maggioranza musulmana. Inoltre, la Carta delle Nazioni Unite con relativi documenti, quali la Dichiarazione Universale dei Diritti Umani, concordano con la Carta di Medina, includendo considerazioni sulla tematica dell'ordine pubblico.

<sup>13</sup> *Hereby* belongs to a specialised legal terminology. In this case it is used to introduce the purpose of the entire Document. According to Translegal.com, a multi-lingual dictionary specialised in legal terminology the term is often “used to emphasize something written in a document, or to say that something is now official”. Generally translated into Italian with the formulation “Con la presente...”.

<sup>14</sup> *As well as* is here been translated through the use of the form “Sia...sia”. This form is commonly used in the Italian language, in order to apply a good level of fluidity to the whole sentence, especially when dealing with longer phrases.

<sup>15</sup> In this case the use of the term *contractual* defines everything mentioned above as legally binding, which means that there is an actual document that regulates every element involved in the owning of a citizenship. “Contrattuale” conveys the same sense of obligation.

<sup>16</sup> See footnote 14.

NOTING FURTHER that deep reflection upon the various crises afflicting<sup>17</sup> humanity underscores the inevitable and urgent need for cooperation among all religious groups, we AFFIRM HEREBY that such cooperation must be based on a "Common Word",<sup>18</sup> requiring that such cooperation must go beyond mutual tolerance<sup>19</sup> and respect, to providing<sup>20</sup> full protection for the rights and liberties to all religious groups in a civilized manner that eschews coercion, bias<sup>21</sup>, and arrogance.

CONSIDERANDO INOLTRE che la profonda riflessione sulle diverse crisi che affliggono<sup>17</sup> l'umanità accompagna l'urgente ed inevitabile bisogno di cooperazione fra tutte le comunità religiose; CON LA PRESENTE NOI AFFERMIAMO che la suddetta cooperazione debba essere basata su un "Pensiero comune"<sup>18</sup>, che possa andare oltre il reciproco rispetto e la reciproca tolleranza<sup>19</sup>, assicurando<sup>20</sup> totale e civile protezione dei diritti e delle libertà a tutti i gruppi religiosi, evitando coercizione, stereotipi<sup>21</sup> ed arroganza.

<sup>17</sup> Taking into consideration that the target language of this translation is Italian, it might be difficult to find a good translation technique for the -ing forms (see *afflicting*). One of the most used translation techniques in this case is to transform the sentence into a relative clause with "che".

<sup>18</sup> Although in the source text the term used is "Word", the entire sentence to convey a sense of common action towards one common goal, hence the adaptation obtained through the use of the term "Pensiero". This form can better express the strong search for unity of actions and thoughts.

<sup>19</sup> The terms "rispetto" and "tolleranza" are respectively masculine and feminine, therefore the adjective is repeated twice, in its feminine and masculine forms, both for a matter of fluidity of the sentence and respect towards genres.

<sup>20</sup> (See footnote 17) In this case the -ing form of the verb "provide" was translated into the Gerund form of the verb "assicurare".

<sup>21</sup> Some difficulties have been encountered in the translation of the term *bias* into Italian. According to the Oxford Dictionary, the term can indicate a strong feeling in favour or against one group of people or a deep and deep interest in one thing, which ends up in not considering all the others. The best equivalent in this case is considered to be "stereotipo".

BASED ON ALL OF THE ABOVE <sup>22</sup>,  
we hereby:

Call upon <sup>23</sup> Muslim scholars and intellectuals around the world to develop a jurisprudence of the concept of "citizenship" which is inclusive of diverse groups. Such jurisprudence shall be rooted in Islamic tradition and principles and mindful <sup>24</sup> of global changes. Urge Muslim educational institutions and authorities to conduct a courageous review of educational curricula that addresses honestly and effectively any material that instigates aggression and extremism, leads to war and chaos, and results in the destruction of our shared societies;

PREMESSO TUTTO IL  
SOPRAMMENZIONATO<sup>22</sup>, noi:

Chiediamo formalmente<sup>23</sup> agli intellettuali e studiosi musulmani di tutto il mondo di sviluppare un sistema legale sul concetto di "cittadinanza", che possa includere diversi gruppi. Tali leggi dovranno comunque essere fondate sulla base della tradizione islamica, dei suoi principi e con consapevolezza<sup>24</sup> verso i mutamenti su scala globale. Esortiamo inoltre le Istituzioni ed autorità educative musulmane, ad intraprendere una coraggiosa revisione dei curricula educativi e del loro contenuto, con lo scopo di eliminare efficacemente qualsiasi elemento che istighi all'aggressione e all'estremismo, che porti a guerra e chaos e che possa essere fonte di distruzione per le nostre società condivise;

<sup>22</sup> *Soprammenzionato* is, in Italian, a very specific term, not very used in a daily context. Nonetheless, according to the Treccani Italian Dictionary, it fits in the translation of a legal/bureaucratic text. The definition states: *Soprammenzionato: Menzionato precedentemente, nel discorso o, più spesso, in uno scritto. Com. soprattutto nell'uso notarile e burocr.*

<sup>23</sup> Finding a good match for the term *mindful* was not easy. The term is a formal version of *conscious* or *aware* and it is generally recognised from an Italian audience for its connection with the mindfulness meditation practice. Nonetheless, the choice of "consapevolezza" fits the context better.

<sup>24</sup> The verb "eliminare" has been added in the translated text, and the linguistic form "Essere fonte di" has been preferred over the literal match "risultare in". Both choices aim to correctly adapt the content of the original sentence to a new linguistic system.

Call upon politicians and decision makers<sup>25</sup> to take the political and legal steps necessary to establish a constitutional contractual relationship among its citizens, and to support all formulations<sup>26</sup> and initiatives that aim to fortify relations and understanding among the various religious groups in the Muslim World;  
Call upon the educated, artistic, and creative members of our societies, as well as organizations of civil society<sup>27</sup>, to establish a broad movement for the just treatment of religious minorities in Muslim countries and to raise awareness as to their rights, and to work together to ensure the success of these efforts.<sup>28</sup>

Chiediamo formalmente ai politici, e agli altri detentori del potere<sup>25</sup>, di compiere quei passi politici e legali, necessari a stabilire una relazione contrattuale e costituzionale fra tutti i rispettivi cittadini, e di supportare i progetti<sup>26</sup> e le iniziative che puntino a fortificare le relazioni e la comprensione fra i vari gruppi religiosi del mondo musulmano;  
Chiediamo inoltre, ai membri più creativi, artistici e intellettuali delle nostre società, come anche agli Enti sociali no-profit<sup>27</sup>, di stabilire un'ampio movimento in difesa dei diritti delle minoranze religiose in paesi a maggioranza musulmana e di creare consapevolezza in merito, lavorando simultaneamente per garantire il successo di tali sforzi.<sup>28</sup>

<sup>25</sup> Some difficulties were found in the translation of the English form “Decision makers”. The expression refers to a specific group of people, which are those globally in charge of taking relevant decisions, in social, political and economical contexts. Hence the choice of the Italian formulation “detentori del potere”.

<sup>26</sup> The choice of the term “progetti” instead of a general equivalent like *formulations*, helps underlining the importance of supporting all kinds of attempts aiming to religious respect and equality in Muslim countries, no matter in which form they present themselves.

<sup>27</sup> According to the UN Guiding Principles Reporting Framework, the Organizations of civil societies are “*Non-State, not-for-profit, voluntary entities formed by people in the social sphere that are separate from the State and the market*”. In Italian, these kind of Organizations are generally referred as “No-profit”.

<sup>28</sup> The words order has been changed, in order to maintain both a formal style and the same meaning conveyed in the source text.



Call upon the various religious groups bound by the same national fabric<sup>29</sup> to address<sup>30</sup> their mutual state of selective amnesia that blocks memories of centuries of joint and shared living on the same land;<sup>31</sup> we call upon them to rebuild the past by reviving this tradition of conviviality, and restoring our shared trust that has been eroded by extremists using acts of terror and aggression;

Call upon representatives of the various religions, sects and denominations to confront all forms of religious bigotry<sup>32</sup>, villification, and denegration of what people hold sacred, as well as all speech that promote hatred and bigotry<sup>33</sup>;

Chiediamo formalmente ai vari gruppi religiosi, uniti sotto la stessa bandiera<sup>29</sup>, di discutere apertamente<sup>30</sup> del loro stato di amnesia nei confronti di secoli di condivisione e vita comune sullo stesso suolo;<sup>31</sup> Chiediamo inoltre, la ricostituzione dei rapporti passati tramite la ripresa del senso di convivialità e la ricostruzione della fiducia condivisa che è stata danneggiata dagli estremisti e dai loro atti di terrore e aggressione;

Chiediamo ai rappresentanti dei vari gruppi, sette e denominazioni religiose di affrontare qualsiasi tipo di fanatismo settario<sup>32</sup>, villificazione o denigrazione di ciò che è sacro al popolo, così come i discorsi che promuovano odio e bigottismo<sup>33</sup>.

<sup>29</sup> The expression “bound by the same national fabric” has been translated as “uniti sotto la stessa bandiera”, since this equivalent conveys in Italian the same meaning found in the source text, through the use of the “flag” as a symbol of “nation”.

<sup>30</sup> “Address” has multiple meanings and multiple functions in English. In this case, as a verb, the term means to “talk about something or begin to deal with an issue”. The best translation option, to maintain the same meaning, was to pair the main verb with an adverb. Hence the choice of “discutere” plus the adverb “apertamente”, in the sense of “clearly, completely or openly”.

<sup>31</sup> The syntactical structure of the sentence has been here completely changed, in order to make the general content “sound” more Italian.

<sup>32</sup> The term “settario” underlines that certain behaviours are actually linked only to a restrict group of people.

<sup>33</sup> “Bigotry” is repeated twice, hence the choice of two different synonyms (“bigottismo” and “fanatismo”).

AND FINALLY, AFFIRM that it is unconscionable to employ <sup>34</sup> religion for the purpose of aggressing upon the rights of religious minorities in Muslim countries.

<sup>35</sup> Marrakesh

January 2016 ,27th

ED INFINE, AFFERMIAMO che, l'utilizzo della religione come strumento<sup>34</sup> di aggressione verso i diritti delle minoranze religiose nei paesi musulmani, è irragionevole.<sup>35</sup>

Marrakesh

27 Gennaio 2016

<sup>34</sup> The English verb “employ” incorporates a strong sense of practical and concrete use of something. Therefore, the use of the Italian expression “utilizzare (come strumento)” helps in conveying the same message suggested in the source text.

<sup>35</sup> The main concept that the source text aims to underline in this last section is that an act, or a certain behaviour, is considered to be unconscionable. Changing the order of the different elements of the sentence is helpful in the process of translation, in order to make very clear to the readers that everything previously mentioned is, in the intellectuals’ opinion, unreasonably excessive.

### 3.2.3 Italian Versions Compared

#### ORIGINAL VERSION<sup>1</sup>

In nome di Dio, il Clemente, il Misericordioso

Sintesi della Dichiarazione di Marrakesh sui diritti delle minoranze religiose nelle comunità a predominante maggioranza musulmana

25-27 gennaio 2016

CONSIDERATO che le condizioni in varie parti del mondo musulmano si sono deteriorati pericolosamente a causa dell'uso della violenza e della lotta armata come strumento per la soluzione dei conflitti e per l'imposizione del proprio punto di vista;

CONSIDERATO che, questa situazione ha anche indebolito l'autorità dei governi legittimi e attivato gruppi criminali ad emettere editti che vengono attribuiti<sup>2</sup> all'Islam<sup>3</sup>, ma che, in realtà, distorcono in modo allarmante i suoi principi fondamentali e i suoi obiettivi, in modi che hanno seriamente danneggiato<sup>4</sup> la popolazione nel suo complesso

#### NEW VERSION

Nel nome di Allah, il Clemente e Misericordioso.

Riassunto esecutivo della Dichiarazione di Marrakesh sui Diritti delle Minoranze Religiose negli Stati a Maggioranza musulmana.

25-27 Gennaio 2016

CONSIDERATO CHE lo stile di vita in varie parti del mondo musulmano si è nettamente deteriorato a causa dell'uso della violenza e della lotta armata, che vengono utilizzate come strumento per risolvere conflitti ed imporre un'unica opinione sulle altre;

CONSIDERATO CHE, tale situazione ha inoltre indebolito l'autorità dei governi legittimi e permesso a gruppi criminali di rilasciare editti falsamente<sup>2</sup> attribuibili alla comunità Islamica<sup>3</sup>, in quanto distorcono i suoi principi e obiettivi danneggiando<sup>4</sup> l'intera popolazione;

<sup>1</sup> The declaration was translated into Italian by the Italian COREIS, which is a national association of Italian Muslims, created in the 90s with the goal of protecting and preserving the Arabic culture in Western countries.

<sup>2</sup> In this case the adverb “falsamente” helps in underlying that those actions do not belong to Islam.

<sup>3</sup> Adding “comunità”, instead of simply mention “Islam”, gives to the reader a stronger reference to the people, members of the Islamic community.

<sup>4</sup> The use of the gerund in Italian gives more fluidity to the sentence.

CONSIDERATO che, quest'anno ricorre il 1400 ° anniversario della Carta di Medina, un contratto costituzionale tra il Profeta Muhammad, la pace e la benedizione di Dio su di lui, e la gente di Medina, che garantiva la libertà religiosa di tutti, a prescindere dalla fede;

CONSIDERATO che, centinaia di studiosi musulmani e intellettuali provenienti da oltre 120 paesi, insieme con i rappresentanti delle organizzazioni islamiche e internazionali, così come i leader di diversi gruppi religiosi e nazionalità, riuniti a Marrakech in questa data<sup>5</sup> per riaffermare i principi della Carta di Medina in una grande conferenza;

CONSIDERATO che, questa conferenza si è tenuta sotto gli auspici di Sua Maestà, il re Mohammed VI del Marocco e organizzato congiuntamente dal Ministero della Endowment e degli Affari Islamici nel Regno del Marocco e dal Forum per la Promozione della Pace nelle Società Musulmane con sede negli Emirati Arabi Uniti;

CONSIDERATO CHE, l'anno in corso segna il 1400esimo anniversario della Carta di Medina, un contratto costituzionale, garante di totale libertà religiosa a prescindere dalla Fede professata, stipulato tra il profeta Maometto, possono la pace e la benedizione di Dio scendere su di lui, e il popolo di Medina;

CONSIDERATO CHE, centinaia di intellettuali e di studiosi Musulmani da più di 120 nazioni, insieme a rappresentanti di organizzazioni musulmane ed internazionali e ai leaders di diversi gruppi religiosi, si sono riuniti a Marrakesh in questo giorno per riaffermare i principi della Carta di Medina in una storica<sup>5</sup> conferenza;

CONSIDERATO CHE, tale conferenza si tiene sotto gli auspici di Sua Maestà, Re Muhammad VI del Marocco, con la collaborazione del Ministero dei beni religiosi e degli Affari Islamici e del forum per la promozione della Pace nei Paesi musulmani, stanziato negli Emirati Arabi Uniti;

<sup>5</sup> The adjective “storica” act as a reminder for the reader, of the importance and unicity of this gathering.

E RILEVANDO che, la gravità di questa situazione coinvolge i musulmani così come i popoli di altre fedi in tutto il mondo, dopo deliberazione approfondita e discussione, gli studiosi musulmani e gli intellettuali convocati:

DICHIARANO CON LA PRESENTE il proprio fermo impegno verso i principi articolati nella Carta di Medina, le cui disposizioni contenevano una serie di principi di cittadinanza contrattuale costituzionale, come la libertà di movimento, di proprietà, la mutua solidarietà e la difesa, nonché i principi di giustizia e di uguaglianza di fronte alla legge;

E CHE gli obiettivi della Carta di Medina forniscono un quadro adeguato per le costituzioni nazionali nei paesi a maggioranza musulmana, e la Carta e i relativi documenti delle Nazioni Unite, come la Dichiarazione Universale dei Diritti dell'Uomo, sono in armonia con la Carta di Medina, incluse le considerazioni relative all'ordine pubblico.

PRENDENDO ATTO INOLTRE che una profonda riflessione sulla varie crisi che coinvolgono l'umanità sottolinea l'inevitabile e urgente necessità della cooperazione fra tutti i gruppi religiosi<sup>7</sup>,

<sup>6</sup> The sentence has been built using “sia...sia” (“both..and”) for fluidity reasons.

<sup>7</sup> The term “comunità” (“community”) strengthens the sense of unity among a religious group, which is why it has been preferred over “gruppo”.

CONSTATANDO la gravità di questa situazione, che affligge la popolazione musulmana tanto quanto altri popoli di diversa fede e dopo una scrupolosa discussione, i suddetti intellettuali e scolari Musulmani:

CON LA PRESENTE DICHIARANO la loro completa dedizione nei confronti dei principi stipulati nella Carta di Medina, le cui disposizioni includevano sia parte dei fondamenti della cittadinanza contrattuale e costituzionale, quali la libertà di movimento, il possesso di proprietà, la solidarietà e la difesa reciproca; sia alcuni dei principi di giustizia ed eguaglianza di fronte alla legge<sup>6</sup>;

E CHE, Gli obiettivi della Carta di Medina forniscono validi elementi alle Costituzioni dei Paesi a maggioranza musulmana. Inoltre, la Carta delle Nazioni Unite con relativi documenti, quali la Dichiarazione Universale dei Diritti Umani, concordano con la Carta di Medina, includendo considerazioni sulla tematica dell'ordine pubblico.

CONSIDERANDO INOLTRE che la profonda riflessione sulle diverse crisi che affliggono l'umanità accompagna l'urgente ed inevitabile bisogno di cooperazione fra tutte le comunità religiose<sup>7</sup>;

AFFERMIAMO CON LA PRESENTE che tale cooperazione deve basarsi su una "Parola Comune"<sup>8</sup> che possa andare oltre il reciproco rispetto e la reciproca tolleranza assicurando<sup>9</sup> totale e civile protezione dei diritti e delle libertà a tutti i gruppi religiosi ed evitando<sup>9</sup> coercizione, stereotipi ed arroganza.

PREMESSO TUTTO QUANTO SOPRA, noi con la presente:

Chiediamo formalmente agli intellettuali e studiosi musulmani di tutto il mondo di sviluppare un sistema legale sul concetto di "cittadinanza", che possa includere diversi gruppi. Tali leggi dovranno comunque essere fondate sulla base della tradizione islamica, dei suoi principi e con consapevolezza verso i mutamenti su scala globale.

Urge<sup>10</sup> che le istituzioni educative musulmane e le autorità operino una revisione coraggiosa dei percorsi formativo

CON LA PRESENTE NOI AFFERMIAMO che la suddetta cooperazione debba essere basata su un "Pensiero comune"<sup>8</sup> richiedendo che tale cooperazione vada oltre la tolleranza e il rispetto reciproci, al fine di fornire protezione completa per i diritti e le libertà di tutti i gruppi religiosi in un modo civile che rifugga la coercizione, il pregiudizio e l'arroganza.

PREMESSO TUTTO IL SOPRAMMENTIONATO, noi:

facciamo appello agli studiosi musulmani e agli intellettuali di tutto il mondo per sviluppare una giurisprudenza del concetto di "cittadinanza", che sia comprensiva dei diversi gruppi. Tale giurisprudenza deve essere radicata nella tradizione e nei principi islamici e consapevole dei cambiamenti globali.

Esortiamo<sup>10</sup> inoltre le Istituzioni ed autorità educative musulmane, ad intraprendere una coraggiosa revisione

<sup>8</sup> "Pensiero" ("thought") involves the mind and stress out the importance of finding a common solution for a common goal.

<sup>9</sup> As previously mentioned, gerund is generally used in Italian to avoid a relative clause and give more fluidity to the sentence.

<sup>10</sup> According to the Treccani Italian dictionary "Urgere" is a synonym for "insist" or "put pressure on someone to do something", while "esortare" indicates urging someone to do something, but giving them good reasons to do so and explaining them why they should act in a certain way. Therefore "esortare" has been preferred.

che affronti onestamente e in modo efficace qualsiasi materiale che istighi l'aggressività e l'estremismo, conduca alla guerra e al caos, e conduca alla distruzione delle nostre società comuni;

Facciamo appello ai politici e a coloro che hanno potere decisionale affinché prendano le misure politiche e giuridiche necessarie per stabilire un rapporto contrattuale costituzionale tra i propri cittadini, e per sostenere tutte le formulazioni<sup>11</sup> e le iniziative che mirano a rafforzare i rapporti e la comprensione tra i vari gruppi religiosi nel mondo musulmano;

Facciamo appello alle personalità del mondo della cultura, dell'arte e ai membri creativi della nostra società, così come alle organizzazioni della società civile<sup>12</sup>, per stabilire un ampio movimento per il giusto trattamento delle minoranze religiose nei paesi musulmani e per aumentare la consapevolezza sui loro diritti, e per lavorare<sup>13</sup> insieme per garantire il successo di questi sforzi.

dei curricula educativi e del loro contenuto, con lo scopo di eliminare efficacemente qualsiasi elemento che istighi all'aggressione e all'estremismo, che porti a guerra e chaos e che possa essere fonte di distruzione per le nostre società condivise;

Chiediamo formalmente ai politici, e agli altri detentori del potere, di compiere quei passi politici e legali, necessari a stabilire una relazione contrattuale e costituzionale fra tutti i rispettivi cittadini, e di supportare i progetti<sup>11</sup> e le iniziative che puntino a fortificare le relazioni e la comprensione fra i vari gruppi religiosi del mondo musulmano;

Chiediamo inoltre, ai membri più creativi, artistici e intellettuali delle nostre società, come anche agli Enti sociali no-profit<sup>12</sup>, di stabilire un'ampio movimento in difesa dei diritti delle minoranze religiose in paesi a maggioranza musulmana e di creare consapevolezza in merito, lavorando<sup>13</sup> simultaneamente per garantire il successo di tali sforzi.

<sup>11</sup> The term "progetto" identifies in a clearer way something very practical. Moreover, it underlines the will of the project maker to achieve concrete results.

<sup>12</sup> The term is more comprehensible to an Italian audience.

<sup>13</sup> See note 4.

Facciamo appello ai vari gruppi religiosi legati dallo stesso tessuto nazionale per affrontare il loro stato reciproco di amnesia selettiva che blocca le memorie di secoli di vita comune e condivisa nella stessa terra<sup>14</sup>;

Ci rivolgiamo a loro per ricostruire il passato facendo rivivere questa tradizione di convivialità e ripristinare la nostra fiducia condivisa che è stata erosa dagli estremisti con atti di terrore e di aggressione;

Facciamo appello a i rappresentanti delle diverse religioni, sette e confessioni affinché affrontino tutte le forme di fanatismo religioso<sup>15</sup>, diffamazione e denigrazione di ciò che le persone hanno di sacro, così come tutti i discorsi che promuovano l'odio e il fanatismo;

E INFINE, Affermiamo che è inconcepibile impiegare la religione con scopo di aggressione ai diritti delle minoranze religiose nei paesi musulmani.<sup>16</sup>

Marrakesh

26 gennaio 2016

Chiediamo formalmente ai vari gruppi religiosi, uniti sotto la stessa bandiera<sup>14</sup>, di discutere apertamente del loro stato di amnesia nei confronti di secoli di condizione e vita comune sullo stesso suolo;

Chiediamo inoltre, la ricostituzione dei rapporti passati tramite la ripresa del senso di convivialità e la ricostruzione della fiducia condivisa che è stata danneggiata dagli estremisti e dai loro atti di terrore e aggressione;

Chiediamo ai rappresentanti dei vari gruppi, sette e denominazioni religiose di affrontare qualsiasi tipo di fanatismo settario<sup>15</sup>, villificazione o denigrazione di ciò che è sacro al popolo, così come i discorsi che promuovano odio e bigottismo.

ED INFINE, AFFERMIAMO che, l'utilizzo della religione come strumento di aggressione verso i diritti delle minoranze religiose nei paesi musulmani, è irragionevole.<sup>16</sup>

Marrakesh

27 Gennaio 2016

<sup>14</sup> “Essere uniti sotto la stessa bandiera” is an Italian expression which indicates the membership of a certain social group to a particular nation.

<sup>15</sup> Religious fanaticism is uncritical zeal related to one's own, or one's group's devotion to a religion. On the other hand “fanatismo settario” indicates an obsessive enthusiasm towards subgroup of a religious, political, or philosophical belief system.

<sup>16</sup> Putting the adjective “irragionevole” at the end, allows to convey a stronger message to the reader and to catch his attention.



# Chapter 4

## The International Press and Minority Issues

### 4.1 Religious Minority and the Media

Media has become an increasingly popular field of study as communication technology develops and our world becomes more and more interconnected. The analysis of the portrayal of religious minorities in international media can offer insights into how a minority community behaves and evolves, as it experiences the process of minorization. The relationship between minorities and media revolves around two specific aspects: first, the position minorities hold in national mainstream media, and second how they eventually handle and establish their own particularistic media. Surely, minorities do experience many pros in being involved into mainstream national media, although this process can eventually lead to assimilation and loss of cultural heritage. On the other hand, establishing their own dedicated media, be it a newspaper or a tv channel, can produce an isolating effect and the reduction of knowledge, on the minority community, available to the public spheres. This suggests that a marginalized group must strive for balance in its media strategy, in order to preserve its heritage, while playing a national role as active citizens.

Focusing on media and minorities in the Middle East, Arabic-speaking Christians had a pivotal role in the emerging of the press from the early 19th century. Cairo and Beirut were initially the two main centers for publishing, since many writers

from Syria and Lebanon migrated to Egypt to enjoy its greater freedom of expression. It is important to remember that these are years of development and modernization, therefore many Arab intellectuals, writers and leaders were aiming to redefine society through their written production. As part of the Tanzimat reforms, instigated by the Ottoman Empire, equal status was granted to minorities, as national subjects. Minorities did actually have a stronger voice and a deeper impact in public life, also thanks to their wider exposure to foreign cultures and languages, that allowed them to translate and transmit the writings of European philosophers and scientists. The first printing press reached Egypt in 1821, while the second one was brought by Pope Kyrilos IV around 1859 and became famous as the Coptic Community Press. The publications produced by this press were Church-focused (particularistic) and acted as a vehicle for Coptic participation in public life. Through this productions they were able to support their identity and the Christian faith and all challenges faced by the Copts were addressed as a challenges for Egypt itself.

Apart from Egyptian Christians, Jews around the Middle East as well saw the emerging press as an opportunity to be more involved in social and public life. Particularly in Baghdad, Iraq, Jews set up newspapers and worked as journalists for Muslim newspapers as well, in response to the Ottoman Empire's effort to promote tolerance and equality among all religious groups. In conclusion, both in Egypt and in Iraq, minorities were able to recognize the importance of media on a national level and they tried to use it in an effort to increase their visibility and affirm their belonging. After World War II, the post-colonial Middle East saw the birth of new regimes, which tented to squeeze heterogeneity in all forms, in order to promote more authoritarian approaches and radical Arab nationalism.

In Egypt, for instance, Nasser went so far as to nationalize the press in 1960, leading to the decline of one of the most important Coptic parties of the country, the *Wafd*, which was the main tool through which Copts could actively participate to public life. Therefore, to balance these circumstances, particularistic medias started to flourish in parallel to mainstream national media. There was one newspaper in particular, edited by Yusef Sidhom, called *Watani*, which persisted in trying to involve Copts issues in its production, since, according to Sidhom, the community was facing an high risk of social

isolation. The aim of the editor, was to avoid the reduction of mutual understanding between religious groups and to promote a good amount of knowledge on “the others” among the predominantly Muslim community. These last examples all point to the main dilemma regarding particularistic media, which is how to support and empower a marginalized group without bringing them to isolation or starting an assimilation process that could cause the disappearance of the minority’s heritage.

Very interesting is also the use and development of particularistic media carried on by the Yezidis community in Iraq. Especially from 2014, when the Islamic state (IS) began to target them, Yezidis have been subject to violent attacks and forced to flee their traditional territories. In response to this desperate situation, the community’s media have been evolving in two different ways: first, to act as a tool through which they could connect with international media and make their condition visible to the global public, and second as a resource to preserve the Yezidis community in its numbers and cultural practices while going through a proper diaspora.

Prior to the threat posed by IS, media strategies did not matter to the community, since they were a small group, mainly based in one territorial region. They did have newspaper, online media, books, TV channels, and their faith was taught in school, but with the government of Saddam Hussein, they were subject to a great assimilation campaign to impose Arab ethnicity over the others. During Hussein’s regime, independent sources of Yezidis media production were born, but not without a political agenda or a political purpose. The most famous was *Merkez Lalish*, which produced and printed newspapers through its twenty-eight offices in Yezidi towns. Its head, Sheikh Shamo, was a KDP (Kurdistan Democratic Party) deputy in the Kurdish parliament, fact that in many cases led the Yezidis identity to be politically and culturally linked to the Kurdish one, and that made of the *Merkez Lalish* not a fully independent and bias-free production.

This lack of independent media production has led to a rise of diaspora-based media, in the attempt of connecting members of a community that had been dispersed and isolated both within Iraq and on a global level. In the last decades Yezidis have managed to create their own media networks, specifically through the use of electronic tools and thanks to the arrival of the Internet. The *Ezidipress* was founded in 2013

in Germany, as self-financing, non-partisan blog, which led to the foundation of many other multilingual new sites, managed by Yezidis in Turkey, Syria, Russia, Georgia and Armenia. They now produce articles in six different languages and their goal is to build network among all diaspora groups.

What we understand from these example cases is that minorities need to develop a well-balanced and efficient media strategy, which can handle both specialist media and mainstream national media, in order to support the community, while correcting stereotypes and keeping minority knowledge circulating and accessible to the general public. The correction of bias and stereotypes is clearly vital for communities that perceive itself as excluded or misrepresented, since to a religious or ethnic group, misrepresentation can be more dangerous than direct exclusion and can, in some cases, also exacerbate or prolong conflicts. Studying the media and its development among marginalized ethnic or religious groups has the potential to provide an enormous amount of information on how they perceive themselves within their own communities, but also towards the national majority. Moreover, the increased use of online media acts as a solution for the dilemma of particularistic media being possible sources of isolation, since online production are often accessible to most of the global population. The power and impact of the Internet on these communities daily life has the potential to make them more impactful on a political and social level while having a real effect on inter-groups and intra-group relations of the Middle East.

## **4.2 The American Press and the Issue of Religious Ignorance**

In the last few decades, a growing number of experts have expressed concern about the role of certain mainstream media in building narratives which eventually picture marginal groups or faiths as something sinister, pathological or harmful to both their own members and society. To what can we attribute this growing phenomenon? Is it a question of general religious illiteracy? or is it for inadequate resources or time constraints?. ABC's editor of the World News Tonight, Peter Jennings, in an essay that appeared in a Harvard Divinity school publication stated that: *Peter Steinfels of*

*the New York Times, and others who cover religion much more thoroughly than I do, know and have said in various forums that ignorance, incompetence and insufficient resources are serious inhibitions to understanding the role that religion plays in the world. I would venture that in the overwhelmingly majority of newsrooms in America there is an appealing ignorance of religion and faith.*<sup>1</sup>

The issue seems to come from the fact that the majority of journalists do not search for direct contact with marginalized religious groups, especially with the newest one. Moreover, journalists face deadlines and time constraints on stories, which lead to not having enough time and resources to investigate a religious group through field research. In the absence of these resources or any kind of empirical study, journalists tend to write stories based on their impression drawn from a “common stock of knowledge”, which is really likely to reflect cultural stereotypes and bias, picturing events in a condensed and reduced way. Lack of knowledge about religion is not the only source of issues in the American media coverage. Stuart A. Wright, American Professor of Sociology and Director of Research in the Office of Research at Lamar University in Beaumont, Texas, identified five other different factors. They are as follows: 1. journalists familiarity with religion matters, 2. the degree of cultural accommodation of a specific religious group, 3. economic resources available to reporters, 4. time constraints, 5. journalists’ sources of information.

First of all it must be mentioned that religion is never been a priority in the reporting of American Mass Media, in fact only ABC, among other major television networks, hired a full-time religion reporter. Moreover, religion experts come to their occupation from many different avenues and backgrounds, for instance following seminars, but theological training does not necessarily translate into increased tolerance of nontraditional religion, on the contrary it can actually point to the presence of a priori assumptions in their writings. The tenor of media coverage is then bound to the degree of cultural accommodation of a specific religious or ethnic group, meaning that media do reflect in what measure a country honestly accept and understand the presence of a certain group on national ground. Religious dissent is a long-standing tradition and a

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<sup>1</sup>S. A. Wright, *Media Coverage of Unconventional Religion: Any “Good News” for Minority Faiths?*, in *Review of Religious Research*, 39.2 (1997), pp. 101-107.

cherished right in American culture, articulated both in the Constitution and the Bill of Rights, although today, as in the past, marginalized groups receive less favorable treatment from society than mainstream religious organizations.

The structure of news production necessitates of resources and time in order to fulfill the output of news. Despite this, news production needs to be fast, stories face deadlines and reporters rarely have enough time and resources to deeply investigate a story. This phenomenon causes facts to be described in a superficial way, skimming only the surface of events and creating the illusion of being informed, when in fact we are missing all the important details. A case in point could be the widely reported by printed media spread of satanic cults in the U.S. during the 80's, which was then brutally questioned by careful science research that proved them to be unsupported. In some cases, cults "experts" possess no formal education, training or credential to qualify them as reliable sources in religious matters, so these sources, if abused, can lead to the birth of bias, discrimination and inequality among religious groups.<sup>2</sup>

The media have been a prominent source of information about Muslims, with more Americans learning about Muslims from the media than from any other source. In addition, experimental and survey evidence has demonstrated that media exposure to Muslims is linked not only to negative perceptions, but also to greater support for civil restrictions of Muslim Americans as well as military action in Muslim countries. In 2018, Professor Erich Bleich built a comparative sentiment analysis of American newspapers in the years between 1996 and 2015. The project was entirely computer-assisted through lexicon-based, coding to over 850,000 articles that mention Muslims, Hindus, Jews, or Catholics in 17 national and regional US newspapers and compare them to a representative baseline of articles. Final data demonstrate that the tone of articles mentioning Muslims is substantially more negative than the tone of average newspaper articles. The same cannot be said about coverage of Hindus, Jews, or Catholics, where the overall tone is similar to or modestly above that of the general representative corpus of articles. Based on these data, it has been estimated that the average article about Muslims has a more negative tone than over four-fifths of all

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<sup>2</sup>S. A. Wright, *Media Coverage of Unconventional Religion: Any "Good News" for Minority Faiths?*, in *Review of Religious Research*, 39.2 (1997), pp. 107-115.

articles published in leading US newspapers during the two decades from 1996 to 2015.

Most importantly, it has been discovered that controlling for all of the factors known to be associated with negativity still does not eliminate the negative tone of articles mentioning Muslims. The average story identifying Muslims is more negative than 81% of articles in the representative corpus. Even articles mentioning Muslims that contain no reference to extremism and are not set exclusively in a foreign location, that are in conservative papers and not in a tabloid newspaper, and that were published after 9/11 still have a tone more negative than 63% of all articles and are even more negative relative to the tone of comparable articles mentioning Hindus, Jews, and Catholics. Furthermore, studies have demonstrated that media exposure reinforces racial stereotypes and that it is associated with higher racism scores. Further studies have shown that consuming media about Muslims in the United States is connected to stereotypical beliefs, negative emotions, and support for policies that are harmful to Muslims.

These observations provide reasons to believe that systematic, long-term associations between Muslims and negative words have a substantial impact on newspaper readers' beliefs, emotions, and policy preferences. While future scholarship may reveal factors that attenuate the "Muslim gap", its robustness across a wide swath of US newspapers indicates that it is an enduring and consequential part of the American landscape<sup>3</sup>.

### 4.3 The Portrayal of Religious Minorities in the British Press

It is the daily national press based in London that dominates the UK newspaper market, and British people are among the most avid British newspaper's reader in the world. It was estimated that 84 percent of all British adults (40 million people) read a regional newspaper, while 68 percent read a national one. Britain presents a unique overtly partisan press, meaning that newspapers are expected to adopt an explicit po-

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<sup>3</sup>E. Bleich, *Media portrayals of Muslims: a comparative sentiment analysis of American newspapers, 1996–2015*, in *«Politics, Groups, and Identities»*, (2018).

litical line, which tends to be expressed in a more subtle way at the time of general elections. Moreover, partisanship is not rigid, but changeable, since it is influenced by several factors like the newspaper's history, ownership and readership.

Although the representation of minorities in media has in many cases gained a lot of space internationally, in the UK they have been rare, especially in the last three decades. One of the most important studies on press representation of difference, which was led by Hartmann and Husband (1974), did reach some very important conclusions: minorities in British press are often stigmatized and associated with negative images, they over-appear in crime stories (phenomenon probably linked to the most recent episodes of terrorism), and their general representation in British media is limited.

In 2015, Erik Bleich, Hannah Stonebraker, Hasher Nisar and Rana Abdelhamid together with a group of experts and research assistants based at the University of Leeds and the University of Bradford, conducted a study on Muslims in British Newspaper Headlines in the years between 2001 and 2012. For the aim of this study, the team analysed a sample of four newspapers, two tabloids and two broadsheets, representing the left and right leaning press. The Telegraph and The Sun represent the broadsheet and tabloid rightwing press respectively, and The Guardian and The Mirror represent the leftwing broadsheet and tabloid respectively. The majority of articles they analysed fell into four newspaper sections: 31% supplements, 15% mixed news, 13% opinion and 11% national affairs. Of the 538 relevant articles analysed through the four phases of the study (8% of all articles), 513 have a headline.

The focus is on headlines because, while most news consumers do not read most articles, media studies have demonstrated that even casual readers are drawn to headlines, which serve as cognitive shortcuts that impact a large number of readers. Headlines do also have a stronger influence on readers who do not already have a definite opinion on a specific topic. Whoever the editor who composes headlines is, he typically cannot convey all nuances found in the whole article into the title, so he simply tries to come up with a statement that can capture the attention of the reader by tapping into prevailing feelings about a topic. Tracking the tone of headlines is a tool through which we can understand how certain communities are portrayed, as well as whether the portrayals have changed across time. In addition, the experts also examined head-



lines about Jews and Christians from the same time period and from the same array of newspapers. These groups provide reference points that allow to create a clearer picture on how Muslims are portrayed if compared to analogous groups. If portrayals of Muslims in newspaper headlines are similar to those of comparable groups, there is little reason to believe Muslims are unduly stigmatised. On the other hand, if depictions of Muslims are systematically more negative than those of analogous groups, it may constitute evidence that Muslims have a lower status.

Each headline was coded in one of five frame categories: victim, beneficial, problem, other and ambiguous. Although some scholars have suggested that victim frames may cast groups as lacking agency, experts have argued convincingly that they are more often identified as having a positive tone because they tend to generate sympathy for the victim group. Beneficial frames have a positive tone in portraying groups as contributing to society, while also generating support for the group. Problem frames have a negative tone because they evoke fear or animosity. The other category captures headlines that have a frame that is neither positive nor negative, such as those that identify a group as distinctive without showing any specific valence to it ('Let's shed more light on Islam'). The ambiguous category includes headlines that are too unclear to code ('Cam's claim is slammed; Islam'), those where readers could interpret it as having either a positive or a negative tone ('Islam group drops troop town march') and those where positive and negative elements make the headline internally contradictory ('Both Muslim boys, born in the same year. One died serving his country ... the other died trying to destroy it').

The study led the experts to three main conclusions: First, British pres headlines do not portray the Muslim minority in a consistently negative light, although headlines coming from the most widely read right-leaning tabloids clearly presented a more negative attitude. This fact causes the largest portion of readers to be exposed to headlines that were more negative. Moreover, the comparison between the portrayal of Christians/Jews and Muslims revealed that Muslims are systematically portrayed in a more negative way. There are substantial differences in the percentage of victim and problem frames across the three groups. Jews are very infrequently identified as posing societal problems, and when they are, it tends to be based on events that take

place outside of British borders. Headlines about Christians as victims tend to be about repression of Christians around the world (such as in Iraq, Nigeria, Pakistan or China) or about unfair treatment of Christians in Britain.

So, even if the British press in the years between 2001 and 2012 did not identify the Muslim minority in a negative way, the most widely read newspapers still depict them in a more negative way, causing the British media portrayal of Muslims to be perceived as negative from the majority of the population.<sup>4</sup>

Based on what has been mentioned so far, the following sections will provide an analysis of certain selected articles published by mainstream English and American newspapers, on the creation of the declaration of Marrakesh. The analysis has been conducted in the attempt to understand how the declaration has been received by the international non-Muslim community and how these news organizations portray such an important religious event.

#### **4.3.1 *The Washington Post and The New York Times***

*The Washington Post* (WaPo) is one of the most widely known daily newspapers in the USA, mainly famous in the Washington metropolitan area. The news organization was founded in 1887 by Stilson Hutchins and was then bought in 1933, after a difficult financial period, by Eugen Meyer. Mr Meyer decided to publicly established 7 principles, on which the newspaper is still currently based, and write them on the entrance wall of its headquarter in Washington DC. According to the Washington Post website, these seven principles are:

1. The first mission of a newspaper is to tell the truth as nearly as the truth may be ascertained.
2. The newspaper shall tell ALL the truth so far as it can learn it, concerning the important affairs of America and the world.
3. As a disseminator of the news, the paper shall observe the decencies that are obligatory upon a private gentleman.
4. What it prints shall be fit reading for the young as well as for the old.

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<sup>4</sup>E. Bleich, H. Stonebraker, H. Nisar & R. Abdelhamid, *Media Portrayals of Minorities: Muslims in British Newspaper Headlines, 2001–2012*, in «Journal of Ethnic and Migration Studies», 41.6 (2016), pp. 942–962.

5. The newspaper's duty is to its readers and to the public at large, and not to the private interests of its owners.
6. In the pursuit of truth, the newspaper shall be prepared to make sacrifices of its material fortunes, if such course be necessary for the public good.
7. The newspaper shall not be the ally of any special interest, but shall be fair and free and wholesome in its outlook on public affairs and public men. <sup>5</sup>

On January 27 2016, the Post published an article written by Aida Alami, entitled *Morocco summit pushes Muslim clerics to improve the lot of religious minorities*.

Aida Alami is a Marrakesh-based freelance journalist, often displaced all around the world, specialised in foreign policies, human rights, anti-terrorism practices and case of police violence.

The article begins with the author giving some details on the creation process of the declaration, explaining who took part to it, when, where and which ones are the hopes for its future implementations. An important element that stands out is the concept of Islamophobia: "Mohamed Magid, executive imam of the All Dulles Area Muslim Society, a mosque in northern Virginia, said that it is necessary for religious minorities to be treated well in Muslim countries but also that the world needs to be aware of the rise of Islamophobia, too. "We have a lot of kids that are bullied at school," he said. "The threat is serious all over the world," added Magid. "We have to stop it and we also have to take preemptive measures. I look forward to the implementation of the declaration at a grass-roots level."<sup>6</sup>

Islamophobia is a fairly new concept in social studies, that includes in its meaning both a political issue and strong anti-Islamic and anti-Muslim feelings. Despite the fact that the term is still hard to properly define, it clearly shows how strongly, in the perception of the general public, the term Muslim and Islam can be, in some cases incorrectly, intertwined. In the US, especially after 2001, Islamophobia has grown stronger and stronger, but the reason why Magid links the presence of Islamophobia with the protection of minorities in Muslim countries might result unclear in the eyes of

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<sup>5</sup>[www.washingtonpost.com/news/ask-the-post/wp/2016/01/01/policies-and-standards/](http://www.washingtonpost.com/news/ask-the-post/wp/2016/01/01/policies-and-standards/)

<sup>6</sup>All quotes of this section are directly taken from the following article: A. Alami, *Morocco summit pushes Muslim clerics to improve the lot of religious minorities* in «The Washington Post», Washington (2016).

a general reader, not deeply informed on the topic. Moreover, Islamophobia starts from negative attitudes or emotions, which can be both connected to prejudice or actions linked to the Muslim culture that are considered to be unfair or wrong from a western perspective. Under this light, the protection of minority rights in Muslim countries and the change of attitude towards Human rights issues might be the perfect weapon also against the spreading of Islamophobia. According to Erick Bleich, professor of political science at Middlebury College in Vermont, there's still no social evaluated element that can prove Islamophobia to prevail in dimension and intensity if compared with other forms of intolerance.<sup>7</sup>

The article than further develops through the presentation of different opinions on the actual feasibility of the document in the social context of Muslim countries, underling that Morocco in the first place can be considered as a good example of tolerance. In Alami's words: "Some participants pointed to Morocco as a successful example of tolerance and hoped it could serve as a model for other Muslim countries: Moroccan law specifically protects its Jewish population of around 6,000 people, according to 2010 estimates. "We in the kingdom of Morocco will not tolerate the violation of the rights of religious minorities in the name of Islam," said King Mohammed VI in an opening statement read by the minister of religious affairs, Ahmed Toufiq. "I am enabling Christians and Jews to practice their faith and not just as minorities. They even serve in the government.". Surely Morocco, especially thanks to its latest King, has become a great example of tolerant country, but as the author herself affirms later on, the country still needs to legally improve many aspects of the so called religious tolerance: "...while Morocco may be held up as a model for the region, Moroccan converts to Christianity live in secrecy out of fear of punishment from the authorities. It is illegal to attempt to convert Muslims to other faiths, and those who do convert often face prejudice. Christians worship in private homes and secret congregations exist where Christian converts gather to practice their faith, said conference attendee Anne Marie Teeuwissen, 63...".

What stands out in the content of the article is the presence of different perspec-

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<sup>7</sup>E. Bleich, *What Is Islamophobia and How Much Is There? Theorizing and Measuring an Emerging Comparative Concept*, in «American Behavioral Scientist», (2011).

tives and opinions, which underline Alami's attempt to maintain an inclusive attitude. Every idea finds its own space to the point that the end seems almost to be left open for the readers to honestly form their own idea on the true purpose of the declaration and all the vital discussions that came with it. Generally, the article gives all necessary information for the reader to understand all main events that led to the creation of the document and seems to be neutral in the language and inclusive in the content.

Very interesting is Annelle Sheline's take on the topic in her article *Middle East regimes are using 'moderate' Islam to stay in power*. The article was published on the Post on March 1, 2017. The author is a American Phd student, who moved for a period of time to Yemen and Egypt to work as a journalist. After a long time abroad, she decided to write her dissertation on "moderate Islam" and on the techniques that the Arab monarchies use to promote it in their countries. About moderate Islam Sheline affirms in the article, that "There is no real agreement on the meaning of moderate Islam, of course. Muslim-majority governments that wish to be labeled moderate generally need to comply with the agenda of the United States [...] According to the "inclusion- moderation hypothesis," Islamist groups that participate in the democratic process typically merit the label of moderate. However, since the Sept. 11, 2001, attacks, and particularly since the rise of the Islamic State, moderation has more specifically corresponded to the rejection of violence."<sup>8</sup>

Throughout Sheline's article, the concept of moderate Islam and how Muslim countries themselves use it to preserve their position in the eyes of powerful Western countries, presents itself as an enlightening concept. The fact that there is no firm definition of what moderate Islam is, comes from the issue of the constant adaptation that Muslim countries need to show to the agenda of the United States in particular. Surely, the 2001 attack at the World Trade Center played an important role as well, in finally defining what being moderate, within an Islamic context, really means. After the destruction of the large complex of seven buildings in the financial district of Lower Manhattan in New York City, the States policy determined that 'being moderated'

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<sup>8</sup>All quotes of this section are taken from the following article: A. Sheline, *Middle East regimes are using 'moderate' Islam to stay in power*, in «The Washington Post», Washington (2017).

eventually means to reject the violent extremism linked to certain organizations.

This is the main reason why Egypt earned the title of moderate in 1973 signing a peace agreement with Israel in the White House and writing the word end on three decades of hostility between the two countries<sup>9</sup>, while Jordan gained the same title in 1994 for the Israel-Jordan peace treaty. "When a regime like the UAE claims to represent moderate Islam and paints any alternative expression of Islam as extremist, the United States is more likely to ignore human rights violations against "terrorists" and continue offering military and financial partnership", which explains why, according to Sheline, every move is made for Muslim countries own gains and why Muslim countries themselves do not hold back from exploiting confused mass information and power games in order to maintain their status and their position in the eyes of the most influential Western countries.

Nonetheless, as the author herself points out in the article, the joining of extremist groups "is actually rooted in youthful desires for excitement and significance rather than religious belief", plus "violent extremism remains a path chosen by a tiny fraction of the population. Individual acts of violence pose a less significant threat to the regime than did the Arab Spring protests of 2011 in Morocco<sup>10</sup>. The author also underlines that there is no need for Islamism to be somehow moderated and that not enough efforts are put into showing and explaining to the masses that behind the joining of extremists groups there might also be political frustration and exploitation of poor conditions: "Yet efforts to counter violent extremism have failed to address underlying sources of religious manipulation or economic and political frustration."

According to Sheline, speaking about the promotion of moderation among Muslim countries, Morocco probably has "the most developed strategy", since "King Mohammed VI of Morocco opened an international Imam Training Center to educate religious leaders from around the globe in Moroccan Islam". Aim of the training center is to involve as many Moroccan religious leaders as possible in this new moderate form of Islam by training them on specific rites and religious practices. Since late 2013, Mo-

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<sup>9</sup>[www.history.com/this-day-in-history/israel-egyptian-peace-agreement-signed](http://www.history.com/this-day-in-history/israel-egyptian-peace-agreement-signed)

<sup>10</sup>Series of protests occurred between 2011 and 2012, organized by the 20 February Movement. The demands that Moroccans had involved political reforms, solutions to unemployment rates and less police brutality.

rocco has signed accords to train imams from a number of countries across Africa and Europe, including Mali, Libya, Tunisia, Cote d'Ivoire, Gabon, Guinea, the Maldives, and most recently Belgium. In addition to the Moroccan students enrolled, including 150 imams and morchidines and 100 morchidates, the Institute currently hosts 447 foreign students. 212 are from Mali, 37 from Tunisia, 100 from Guinea Conakry, 75 from Côte d'Ivoire, and 23 from France.<sup>11</sup>

Yet, according to the author, this attempted internationalization of Moroccan Islam abroad acts only as distraction to the soft political measures adopted inside the borders. Generally, the article presents itself as well structured and objective in the content, although the reader can definitely sense some irony in certain sections, such as the one speaking about the Moroccan training center or the one dedicated to the research of a definition to the concept of moderate Islam.

Some elements could also bring the reader to think that the author actually does not believe in the capability of the declaration to be implemented and put into practice since she states that “And as long as moderate Islam remains a state-led project, it is unlikely to be seen as credible by citizens.”

The NYT was founded in 1851 as a penny paper, interestingly already with the idea of aiming to a very specific target, which was not the mass audience but a cultured and intellectual readership. Adolph Simon Ochs, American publisher and former owner, was the one who made of the news organization internationally respected and famous, through the introduction of an international news section and and the reduction of the paper's price back to a penny. Throughout its activity the paper was often involved in controvert issues as well in spectacular recognition. When the Titanic sank in April 1912, the NYT's deep research and exploitation of all possible resources confirmed it to be the first news organisation that gave to the public a detailed and in depth description of the events and issues that led to the death of thousand of passengers. A few decades later, in 1971, the NYT published a number of reports allegedly based on the Pentagon's secrets. Most of the information that were made public were about the

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<sup>11</sup>[www.globenewswire.com/news-release/2015/03/27/1306539/0/en/King-Mohammed-VI-Inaugurates-International-Imam-Training-Center-in-Rabat-in-Push-to-Promote-Moderate-Islam.html](http://www.globenewswire.com/news-release/2015/03/27/1306539/0/en/King-Mohammed-VI-Inaugurates-International-Imam-Training-Center-in-Rabat-in-Push-to-Promote-Moderate-Islam.html)

Vietnam war, but the US Supreme Court discovered that the content was protected by the first Amendment of the American constitution and a year later those reports earned to the Times a Pulitzer Price. The NYT ended up on the Internet in 1995, launching in 2006 also an electronic version, which allows the readers to download and print the journal daily.<sup>12</sup>

On February the 2nd, 2016 the NYT published an article entitled *Muslim Conference Calls for Protection of Religious Minorities*, written by Aida Alami. After a brief introduction on the Declaration and the content of the Charter of Medina, the author included in her work different authoritative opinions on the future of the document, giving some interesting cuts on the topic. Worthy of mention is the issue of the left out extremist movements: “Some experts said they doubted that the meeting would have lasting impact because it did not include representatives of more extremist movements, like the Muslim Brotherhood. They also said the groups that did attend do not have great sway over young people.

“These efforts are compromised from the get-go because of their association with states that don’t have legitimacy among young, angry, frustrated Muslim youths in the Arab world,” said Shadi Hamid, a senior fellow at the Brookings Institution in Washington and the author of “Islamic Exceptionalism: How the Struggle Over Islam is Reshaping the World,” who did not attend the conference. “It’s something that appeals to Western governments, but what’s the follow-up?” “The targeted audience should be people who are predisposed to radicalism,” he continued. “A young Muslim who is intrigued by the Islamic State of Iraq and Syria would be more likely to listen to a Salafi<sup>13</sup> scholar than a traditionalist scholar.”

The extremist group mentioned by Alami in the article, known with the name of Muslim Brotherhood, is a religio-political organisation founded by Ḥasan al-Bannā<sup>14</sup>. The Brotherhood spread rapidly throughout Egypt, Sudan, Syria, Palestine, Lebanon,

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<sup>12</sup>[www.britannica.com/topic/The-New-York-Times](http://www.britannica.com/topic/The-New-York-Times)

<sup>13</sup>The Salafi movement or Salafism, which dates back to the late XIX century, is a revivalist branch within Sunni Islam. The movement aims to return to an authentic interpretation of the Koran and the Sunna, recreating the same conditions where Muhammad lived and acted.

<sup>14</sup>Egyptian religious leader (1906-1949), who founded this new movement called the Muslim Brotherhood in Egypt in 1928.



and North Africa. Although numbers are extremely unstable and difficult to determine for sure, it is estimated that at its height in the late 1940s the brotherhood may have counted around 500,000 members. Goal of the entire organization is to promote a return to the Hadith<sup>15</sup> and the traditional content of the Koran as guides for modern Islam, which basically would bring to the defeat of democracy and the absolute disregard of basic human rights, corruption and injustice.<sup>16</sup>

Furthermore this extremist group represents everything that the Declaration and its founders are trying to fight through its creation and spreading, which means that their absence certainly did not come as a surprise to neither the other participants nor the King of Morocco himself. Is their lack of participation a good enough reason to state that “these efforts are compromised from the get-go”? In dealing with issues that involve multiple countries, cultures and social groups, there are always going to be multiple perspectives and opinions. The absence of representatives of an extreme vision, such as the one pursued by the Muslim Brotherhood, cannot prevent hundreds of other scholars from getting together and work towards a solution, otherwise no global issue would even stand a chance at being solved.

Later on in the article the author reports Shadi Hamid’s take on the topic.<sup>17</sup> Hamid declared 99to be a firm non-believer on the work done in Marrakesh and on its implementation. The main issue, according to Hamid, is linked to the inability of the declaration to involve young people, especially those fascinated by extremist movements. The reasons behind this claim are comprehensible, but as previously mentioned, hundreds of different nations gave their contribution to the creation of the final document. These states all present different backgrounds in terms of human rights issues and the protection of religious minorities rights: Some, like Morocco for instance, are on a good path but still need to improve their legal systems in order to reach equality between religious groups on their grounds, while others, like Pakistan or Iraq,

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<sup>15</sup>The Hadith summons a series of anecdotes on the life of the prophet Muhammad. The document also presents a much more important meaning as a constitutive part of the so-called Sunna, the second source of Islamic law after the Koran itself.

<sup>16</sup>E. Mohamed and B. Momani, *The Muslim Brotherhood: Between Democracy, Ideology and Distrust*, in «Sociology of Islam», 2.3(2014), pp. 197-200.

<sup>17</sup>Shadi Hamid is a senior fellow in the Project on U.S. Relations with the Islamic World in the Center for Middle East Policy.

seem to be incapable to even recognise the issue on a human rights perspective.

Despite their differences, they all agreed to meet in Marrakesh in order to give a chance at inter-faith dialogue and confrontation between different nations and religious communities. The fact that there is still much work to do to ensure to the Declaration its proper implementation in the next decades remains true, but not to even recognise the effort that has been made thanks to the contribution of many, would be extremely

Despite what has been mentioned so far, the article ends on a positive note, reporting the words of Susan Hayward, director of religion and inclusive societies at the United States Institute of Peace and a minister in the United Church of Christ, who believes the declaration to be “a call for action and to set standard for accountability”. The author also underlines how President Obama himself also quoted the Declaration in one of his latest public speech, during the Washington Among the Nations Awards, “which honor non-Jews who rescued Jews during the Holocaust.” All in all, the author’s real thoughts on the declaration remain unclear and the strength of her theories do not seem supported enough and are incomplete from a contextual perspective.

### **4.3.2 The Times**

*The Times* is the oldest national English newspaper, since it was founded in 1785 by John Walter. The News Organization took up its name only in 1788, while before it was called *Daily Universal Register*. In Walter’s words, the newspaper should “contain something suited to every palate” including politics, foreign affairs, matters of trade, legal trials, advertisements and amusements”, together with the chance “to censure or applaud either political party”, although remaining faithful and respectful towards every subject. These values still survives today, in fact in recent years *The Times* has openly supported both New Labour and the Conservatives.

The most important feature to the current owner of the organization, which is News UK, is to maintain *The Times* editorial independence and this is the main reason why the daily journal is currently governed by both a board of independent directors and a set of legal undertakings, which aim to protect its content’s independence. For being the best printed newspaper in Great Britain, in 2018 *The Times* was named Britain’s most trusted national newspaper by the Reuters Institute for Journalism at Oxford

University, while in 2019 the newspaper was rewarded with the Daily and Sunday newspaper of the year categories at the British Press Awards.<sup>18</sup>

In February 2016, *The Times* published an article, written by Michael Binyon, with the title *Muslim scholars confront Isis in battle over ideas*. The author, Michael Binyon, is a leader writer for *The Times*, who is been displaced internationally for most of his career. He spent fifteen years in Russia, for which reports won the British journalism prizes both in 1979 and 1980. Among all the articles analysed up until this point, Binyon is the first one to clearly underline the importance and the substance of the event: “It is almost the first time that Muslim leaders have tackled the threat of extremist ideology head-on. [...] Few have tackled the ideological challenge posed by Isis, and until now almost no Muslim leaders have spoken out publicly against the narrow, puritanical interpretation of the faith that dominates religious teaching in the Middle East.” Despite the fact that it is honorable for a group of intellectuals to gather together and promote a less aggressive kind of theology, the writer puts a spotlight also on two main critiques made to the content of the declaration and to the concept of extremism itself: the first one was made from President Sisi of Egypt, while the second one by Jamal al-Suwaidi.

During a speech at the Al-Azhar University of Cairo, President Sisi of Egypt openly rejected the ideology of Sunni Islam<sup>19</sup>. The core of the speech was focused on the importance of religious reforms, in order to adapt them to the current social atmosphere and on the duty, that religious leaders have, to pursue these reforms and start a new *Ijtihād*.<sup>20</sup> Both members of the Salafi and puritanical sects saw President Sisi’s speech as threat to their ideology, although there has been no public answer from their parts.

Jamal al-Suwaidi, director of the Emirates Centre for Strategic Studies and Research has firmly stated in his book “Mirage” that “Islamism is an illusion sold by

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<sup>18</sup>[www.thetimes.co.uk/static/about-us/?region=global](http://www.thetimes.co.uk/static/about-us/?region=global)

<sup>19</sup>Sunni is one of the three branches of Islam (Sunni, Shi’a and Kharijites). It involves almost 90 percent of the religion’s adherents. ([www.britannica.com/topic/Sunni](http://www.britannica.com/topic/Sunni))

<sup>20</sup>The Arabic term literally means *effort*. According to the Islamic law, it indicates the right to apply original thinking on the interpretation of some problems not precisely covered by the Koran. ([www.britannica.com/topic/ijtihad](http://www.britannica.com/topic/ijtihad))

political and religious groups who exploit it for partisan and personal interests”.<sup>21</sup> What Al-Suwaidi tries to demonstrate is the fact that religion and religious belief are struggling, simply because they seem not to be able to cope with modernity. In fact, historically, high level of hatred, bloodshed, terrorism and fanaticism, have always been accompanied by scientific stagnation and a general decline in the social progress.

Apart from both critiques that the author decides to make public through his work, the piece seems to end on a positive note stating that “the scholars arguing in Marrakesh for greater freedom and pluralism in Islam, are determined not to yield to the blandishments of Isis or to allow the Islamists narrow views to win the day by default in the Muslim world”.

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<sup>21</sup>All quotes in this section are taken from: M. Binyon, *Muslim scholars confront Isis in battle over ideas* in «The Times», London (2016).

# Chapter 5

## Conclusion

This research aimed to put a spotlight on one of the most critical social issues of our time, which is the discrimination of religious minorities in Muslim countries. What has been promoted in Marrakesh by the King of Morocco and many other previously mentioned institutions and organizations represents an encouraging step forward, towards the creation of a more equal and accepting social environment among Muslim communities. The declaration deals with false information globally distorting world's perception of Islam and how the intellectuals community is determined to reaffirm the content of the Charter of Medina (VII cent.) on a legal level and how Muslim countries can eventually find new and concrete ways to apply it and use it as a catalyst for change. As proved throughout this work, this gathering symbolises the first real attempt to create inter-faith dialogue in decades, although the result surely presents some deficiencies and can be considered in a way as not completely satisfying.

Unfortunately, how the declaration is going to improve its legal effect, especially in the most socially convoluted Muslim countries, still remains unclear and difficult to foresee. All the obstacles linked to the spreading of the declaration and how religious leaders are going to obtain some concrete social improvements out of it, strengthen the importance of the effort made by a legal translator in making sure to always transpose a text, especially if legal, in the most precise and effective way possible. Especially considering legal documentation, such as the declaration of Marrakesh, intertwined with human rights and dealing with matters of life and death, the translator represents the vehicle through which the message possibly finds the opportunity to reach a brand new

audience and become part of a new culture as well. This represents exactly what has been attempted through this thesis: to make the content declaration as much visible and comprehensible as possible in the eyes of an Italian audience.

Chapter four is a reminder of how important it is for each and everyone of us to wisely choose the channels through which we keep up with everything that happens globally. It is important to consider that every news organization follows some politics, every reporter has his own opinion and every article can go down a path that does not fully represent the reality of the circumstances. Studying how media interact with minorities and how minorities handle media has allowed the creation of a picture of how marginalized groups are actually perceived by mainstream media but also by the general society. Data have shown how impactful and in some cases even damaging media production can be to a marginalized group, which nowadays need to come up with a well structured media strategy for both preventing its heritage to die and avoid the spread of bias and prejudice.

With regard to the last section of this thesis, some considerations can be made on both the American and British reaction to the topics touched by the declaration. Undoubtedly, all four articles were published by respectable and noteworthy news organization and written by influential authors, well prepared and interested in conveying quality mass media information.

Both *The New York Times* and *The Washington Post* heavily criticised the declaration and the process that has led to it, both for who took part to its drafting and for Morocco's policy, which was all in all not considered to be the best example to follow in terms of respect and tolerance towards religious minorities. In *The Washington Post* Alami underlined how Christians living in Morocco still are forced to worship in private, while in her piece for *The New York Times* she also underlined how at the conference nobody addressed all tensions within Islam itself or the persecution of Muslims towards other Muslims. The biggest critique was moved by Sheline, expert on the concept of Moderate Islam, who treated the document just as another example of how Muslim countries desperately try to accommodate the United States agenda, in order to maintain their position of power and safeguard their benefits. Generally speaking, this pieces published by the American press did not welcome the declaration

with a positive and hopeful attitude, but mainly focused on its many shortcomings, leaving aside possible suggestions on future implementations or any general discussion on what is to come for the declaration.

It must be mentioned, that the British press, especially if compared with the American one, for sure let less space to the topic. Some of the most important English news organizations, such as the *Mirror*, the *Telegraph* and the *Guardian* let the Declaration of Marrakesh and all the events linked to it, go unnoticed.

Nicely written is also the work of Micheal Binyon for *The Times*. Through his work, Binyon points out how hard some political and religious members of mayor Muslim communities are fighting against extremism, in order to promote a less aggressive theology that can live comfortably with the modern world. In addition to that the author also conveys to the public a very important message: terrorism, bloodshed, fanaticism, violence and confusion, have always been linked in history with a deep and rooted cultural decline and sense of ignorance. The real issue maybe hides beyond the pure treatment that minorities receive from Muslim governments and communities, and some representatives of Islamism need to be more accepting towards what is different from their own narrow interpretations.

In conclusion absolute religious dictatorship, based on excluding, rejecting or even killing the “others”, is not the right path to follow in the building of a more equitable and free future for all communities, and this ideology does not involve Muslim countries only, but us all, as human beings and as members of a unique global community.





# Appendices



# Appendix A

## The history of Morocco from 1912 to the present day

In order to fully understand the reasons behind the creation of the Declaration and why Morocco was the country that decided to host and guide its creation process, it is fundamental to have an insight on what has been happening historically in Morocco in the last few decades. Generally, the country presents a population of almost 36 million members, making it the 11th most populous African state. From the cultural point of view, also thanks to its geographical position, Morocco is a blend of Arabo-Islamic, Amazigh (Berber), Saharan-Hassanic cultures, together with Andalusians and Mediterranean influences.<sup>1</sup>

In 1912, Morocco's government signed the Treaty of Fez, officially becoming a French protectorate. After the end of the Second World War, the people of Morocco began to call for independence and the sultan of that time, Mohammed Ben Youssef, supported by Franklin Roosevelt as well, started to plan how to achieve Morocco's independence, together with the Arab league and the Independence Party. The French protectorate in Morocco allowed no freedom of speech and a limited political expression, in an everlasting attempt to defeat opposition. This regime surely caused an unprecedented amount of social and educational issues, censorship in press, journalism and information included, but in 1930, with the "Berber Dahir", the opportunity came to officially and openly fight this oppressive administration.

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<sup>1</sup>[www.populstat.info/Africa/moroccog.htm](http://www.populstat.info/Africa/moroccog.htm)

The Berber Dahir was a decree, inspired by France and signed on May 1930 by the Sultan of Morocco (then under French Protectorate), which aimed to apply the concept of "Berber separatism" into the social system of the time. The Berbers (in their own language, "Imazi en" or "Imazighen"), meaning "free men", represent the native populations of those North African territories known by the name of "Tamaz a", which includes Morocco, Algeria, Tunisia and Libya. The concept of "Berber separatism" is based on the idea that Arabs and Berbers are not only different, but two distinguished "races" with completely different features. The division created by the Decree was not only meant for a linguistic perspective, but also for a social, mental and physical one. Protectorate officials in Morocco tried their best to re-categorize the entire social framework of the country according to this principles, without caring about any ethnic and cultural varieties. Such practises of separation became common features in all countries under the protectorate policy, creating divisions and a lot of misjudgment.

Protest and revolts exploded almost immediately, starting from the city of Salè and reaching Rabat, Fez and Tangier. Crowds were literally spilling into the street to join demonstrations and fight against the separation with their Berber brothers. Thanks to the contribution of intellectuals as The Emir Shakib Arslan, a pan-Islamic activist resident in Geneva, and many Arab newspaper publicly sending messages of protest throughout all the Arab world, the concept of Berber separatism was discreetly reduced by 1934, when all National movements gained quite a boost.

Already in 1930 a group of activists from different Moroccan cities had formed an Organization of nationalist leaders called "Zawiya", a clandestine association built to fight the protectorate Administration and promote Nationalism. It is fundamental to remember that, at that time, a future without France was still unthinkable. Zawiya's goal, as well as that of many other organizations across the country, involved mainly two tasks; First of all, to push masses together and mobilize them against the Dahir and second, to develop new ideas and plans of actions, capable of communicating and compromising with the French Protectorate.

Another important step in the fight for Morocco's independence was the publication of a widely elaborated Plan of Reforms, known as Plan de Réformes marocaines. The document was written in Fez in 1934 by a small group of activists, first in Ara-

bic and then translated into French. Made up of one hundred thirty-four pages, the Plan's goal was to find compromises with the French Protectorate regime, by submitting complaints and suggesting more even alternatives to its Administration. Among all, the plan proposes a new judicial system, based on both Shariah and Western law, compulsory primary education for all citizens, with no kind of distinction, new social policies for both aged and unemployed people and a land reform, to better handle feudal ties. According to the plan, Arabic had to be reinserted in every single public space, balancing the usage of both French and Arabic. Indeed, the document did not aim at Morocco's independence, but instead at "restoring confidence in the work of France in Morocco"<sup>2</sup> plus demanding more cooperation and more participation within the Government. In December 1934, the plan was presented to the Foreign minister Pierre Laval in Paris, but was rejected and failed.

In the eyes of the Protectorate's lobby, the Plan represented a clear attempt at pro-national reform, therefore the only legal paper capable of showing some concerns without directly attacking the whole regime, was promptly rejected and forgotten by history. After this tremendous failure, all nationalist parties knew they had to find new ways to extend their view and beliefs in order to gain consensus throughout the entire Country. Starting from the 30's and then until the day Morocco became independent, the movement experienced a vigorous expansion, spreading to rural population, forming new alliances and organizations and boosting the number of its members to six thousand, although the nationalist cause was completely radicalized only after the II World War.

Almost at the end of the War, on January 11, 1944, The independence Party promoted a "Manifesto of independence", which officially and directly called for the independence of Morocco. The manifesto urged the Sultan to start negotiating with any Nation, that could have been possibly interested in pursuing Morocco's independence and it openly called Moroccan citizens to be the change the protectorate could not be. Confused by wartime, the Administration did not handle the issue in the best possible way, arresting people involved in the creation of the manifesto and creating therefore

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<sup>2</sup>S. G. Miller, *A History of Modern Morocco*, Cambridge University Press, Cambridge 2013, pp. 88-119.

a wave of protests and riots. The Nationalist movement became a well-known fact. In this atmosphere of open conflict between the protectorate Administration and the Nationalists, the relationship between the sultan and all nationalist movements grew tighter and tighter. In 1952 a UN mission was sent to Morocco in order to objectively investigate the situation and report it to the UN. The result surely gave a lot of attention to Morocco's independence issue worldwide, and the movement took advantage of it by sending messages, advertising enormous demonstrations and spreading their new political vision, always hoping for a favourable resolution. The panic level the French Protectorate had was so high, that they decided to send the Sultan into exile.

On August, 20 1953, the entire royal family was sent to Madagascar, shocking to the core the entire Moroccan population, together with the national Movement. Not even the French opinion was united on this front; Many saw the exile as pure stupidity, a decision taken without properly thinking about the consequences, driven by the fear of losing both power and legal control on the territory. The departure of the Sultan unleashed an enormous series of protest and riots throughout the entire country. The radio, new instrument of insurgency, started to broadcast a call for arms and fight in honour of their beloved Sultan, factories and farms were set on fire and secret cells planned violent attacks all over the country. In the north side of Morocco, a Moroccan army of liberation was formed, with the aim of destroying french military basis and forcing the Administration to negotiate with the nationalists. The French response arrived immediately and brutally, killing around five hundreds Moroccans through the use of tanks, airplanes and heavy weapons. The French regime, unable to find any alternative solution to restore some peace in the country, decided to allow the Sultan to come back in Morocco.

A few days later, His majesty left a Madagascar to reach Paris, and from there he spoke to the nation, promising the beginning of a new Era and to turn Morocco into "a democratic state based on a constitutional monarchy". The Sultan landed in Morocco on November 16, 1955 and that day marked the beginning of a long and complex process to rebuild the nation after years of war, fights and destruction and finally make the transition to independence complete. Further negotiations for full independence led to the Franco-Moroccan Agreement signed in Paris on March 2, 1956 and on April

7, 1956 France officially renounced the protectorate on Morocco.<sup>3</sup>

The country the Sultan went back to, was definitely not the same as the Country he left for exile almost three years prior. Morocco's economy and society had been transformed by the harsh presence of the French Protectorate. In the cities the population was either extremely poor or lucky enough to belong to the small group of wealthy landowners; illiteracy had touched the never seen before level of 90 percent and all fake attempts to introduce modernity into the economical system had only brought poverty and lack of advancement. A real monarchy was established in the Country only by 1957 when Mohammad V took the title of King instead of Sultan. Mohammed V immediately put a lot of effort into giving to Morocco a democratic institution, by drawing up the first Constitutional draft with particular attention to the modernization of the country and to the diffusion of education and culture. Morocco joined then the UN and the Arab League, openly declaring its solidarity and giving political support to Algerians fighting for independence. This certainly did not mean a break in ties with France, even if it signed the beginning of a solid and cordial relationship between the United States and Morocco.

On February 26, 1961, King Mohammed V suddenly passed away, allowing his son Hassan II to succeed him to the throne. The first challenges that the new King had to face immediately were not easy to tackle, not even for a boy who had been closed to his father since a young age, learning and participating in Morocco's political life. Firstly, Hassan II needed to find a quick and efficient way to establish the monarchy as new form of government. After years of conflicts and wars, finally in December 1962 the first Moroccan Constitution was drafted behind closed doors only by Hassan's appointees and approved from the 85 percent of the population thanks to a popular referendum.

The Kingdom of Hassan II is also remembered in history for his hard work on foreign politics and diplomatic relationships, especially in creating a fresh new tie with France, which was fundamental for the country at the time. The King's main goal was to show himself as firm supporter of the West by improving Franco-Moroccan relations and most importantly creating new ones with rich and powerful western countries, such as

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<sup>3</sup>Miller, *A History of Modern Morocco*, cit., pp. 120-161.

the USA. Data shows that actually, relations between France and Morocco improved in the years between 1962-1965, at the expense of those with Morocco's neighbour, Algeria. The conflict with Algeria, that culminated eventually in the so called "Sands war", started for territorial reasons. The conflict broke out because of a territorial dispute that arose between the two states, specifically regarding the border areas of Béchar and Tindouf.

After weeks of threatening messages, on September 25, the Moroccan forces launched a great offensive beyond the border with Algeria, putting in serious difficulty the poorly equipped and trained Algerian troops. The cease-fire was negotiated in November 1963 but the issue regarding this southeast portion of land remained unsolved. The period of severe dictatorial system, led by Hassan II, from the 60s to the early 90s, is defined in history as "years of lead". During his time as King, strong political repression was exercised, and hundreds of dissidents were killed, arrested, or exiled. On 29 October 1965, the kidnapping of the Moroccan democratic leader, Mehdi Ben Barka, was carried out in Paris in the light of day, and no trace of him was ever found.

In November 1975, the Green March organized towards the territories of the ancient Spanish colony of Western Sahara gave the King the opportunity to rebuild some sense of unity around him, in an attempt to establish a sort of personality cult. His portrait was affixed in every public place of every city and village, with the police ready to intervene for whatever reasons the King decided to. Hassan's regime was entirely built on the support he received from the army and the police, although at a certain point even some ranks of the military started to feel disgusted by the political and economical climate in the Country. The life of the entire royal family was threatened multiple times and an attack to kill them all was planned by some of his officers during the King's forty-second birthday party, attack that they luckily survived sneaking away from the building. The political crisis was the automatically followed by the economical one. Indicators show a steady decline from 1956 onward, caused by low productivity and employment plus weak investments, strong signs of the fact that a fake democracy was been used to cover a proper dictatorial regime.

Hassan II spent the last years of his kingdom trying to solve the problems he caused at the beginning of it, by starting a new dialogue with the opposition and especially



creating new ties with the conservative Islamic establishment. As a matter of fact the years of lead definitively ended only with the ascent to the throne of his son Mohammed VI, in 1999.<sup>4</sup>

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<sup>4</sup>Miller, *A History of Modern Morocco*, cit., pp. 162-186.



# Appendix B

## The Press: Full-length articles

### B.1 The Washington Post: *Morocco summit pushes Muslim clerics to improve the lot of religious minorities*

By Aida Alami

Religion News Service January 27, 2016

Marrakesh, Morocco

After the Prophet Muhammad established the first Muslim state, he wrote the Charter of Medina to make sure his subjects lived in harmony, whether they were Muslims, Jews or people of other faiths. Nearly 1,400 years later, hundreds of religious scholars met in Marrakesh in a bid to revive the charter to protect religious minorities in Muslim communities today.

The scholars recognize a worldwide crisis: The so-called Islamic State is killing Christians, Yazidis and others and imposing its harsh orthodoxy on millions in Iraq, Syria and elsewhere in the Middle East and North Africa. Tensions between Sunni and Shiite leaders throughout the region are escalating, too.

Sponsored by Moroccan King Mohammed VI and the United Arab Emirates-based Forum for Promoting Peace in Muslim Societies, the Jan. 25-27 conference included 300 prominent Islamic clerics and experts from Morocco to Indonesia.

Participants called for more tolerance for minorities and unveiled the Marrakesh

Declaration, an updated bill of rights for religious minorities, inspired by the Charter of Medina. The goal was to prepare clerics, judges and others to return home and sensitize their communities about the Prophet Muhammad's message of peace, said attendee Mohamed Elsanousi, the Washington, D.C., director of the Network for Religious and Traditional Peacemakers.

"Freedom of religion is inscribed in the Koran," Elsanousi said. "We need to get the message out and refute the ideas that Daesh (or the Islamic State) and al-Qaida are spreading." Conference participants included Iranian muftis, Pakistani judges and other Muslim authorities. "Enough bloodshed," said Abdallah bin Bayyah, a Mauritanian religious scholar and professor of Islamic studies based in Saudi Arabia. "There is a sickness right now in the world but we have treatments for it within Islam."

Some participants pointed to Morocco as a successful example of tolerance and hoped it could serve as a model for other Muslim countries: Moroccan law specifically protects its Jewish population of around 6,000 people, according to 2010 estimates. "We in the kingdom of Morocco will not tolerate the violation of the rights of religious minorities in the name of Islam," said King Mohammed VI in an opening statement read by the minister of religious affairs, Ahmed Toufiq. "I am enabling Christians and Jews to practice their faith and not just as minorities. They even serve in the government." Andre Azoulay, a Jewish adviser to King Mohammed, said the conference was a small but important step in changing attitudes as well as government policies.

"The exercise is not just academic," he said in a phone interview. "Many are siding with diversity and are resisting going backward. A lot is at stake: There are many risks and challenges but also much promise." Azoulay said he has never felt like a minority in Morocco, a country where the monarch's grandfather — King Mohammed V — didn't surrender its Jews during World War II when it was controlled by France's pro-Nazi Vichy government.

Mohamed Magid, executive imam of the All Dulles Area Muslim Society, a mosque in northern Virginia, said that it is necessary for religious minorities to be treated well in Muslim countries but also that the world needs to be aware of the rise of Islamophobia, too. "We have a lot of kids that are bullied at school," he said. "The threat is serious all over the world," added Magid. "We have to stop it and we also have to

take pre-emptive measures. I look forward to the implementation of the declaration at a grass-roots level.”

But others cautioned that a three-day conference wouldn’t solve the profound problems facing the Muslim world. Farid Esack, president of the International Koranic Studies Association in South Africa and a professor of Islamic studies at the University of Johannesburg, said profound political and theological reforms need to take place to change how Muslims treat minorities. He didn’t believe the conference would accomplish much. “This issue has become an issue of huge embarrassment for Muslim governments,” said Esack, who did not attend the conference and spoke via a phone interview. “But the embarrassment factor isn’t sufficient enough to address the problem. Religious minorities lead horrendous lives of marginalization and persecution.”

The positions taken by clerics wouldn’t impact most Muslims, he added, because most religious authorities in Muslim countries are more concerned with supporting their governments than engaging in dialogue.

And while Morocco may be held up as a model for the region, Moroccan converts to Christianity live in secrecy out of fear of punishment from the authorities. It is illegal to attempt to convert Muslims to other faiths, and those who do convert often face prejudice. Christians worship in private homes and secret congregations exist where Christian converts gather to practice their faith, said conference attendee Anne Marie Teeuwissen, 63, a Protestant French citizen who has lived in Morocco for more than 30 years and is married to a Moroccan man. Refusing to convert to Islam disadvantages her, she said. Under Moroccan law, she cannot inherit her husband’s assets, and her children cannot inherit anything from her. “When spouses of Muslim Moroccans are naturalized, there is a pressure for them to convert to Islam,” she said. “I chose to not convert, and I am accepting the consequences.”

### ***B.1.1 Middle East regimes are using ‘moderate’ Islam to stay in power***

By Annelle Sheline

March 1, 2017

Muslim clerics from around the world gathered in Morocco in January 2016 to

draft the Marrakesh Declaration on religious tolerance. A reaction to the Islamic State's highly public brutalization of religious minorities, the document harked back to the prophet Muhammad's constitution of Medina, which enshrined the rights of non-Muslims in the first Muslim community in 622 CE.

While sponsors presented the declaration as an official form of moderate Islam to counter extremism, other domestic and international political goals also drove it. My interviews with government officials and religious leaders in the Middle East shed light on the murky politics surrounding regimes' strategic use of "moderate" Islam.

There is no real agreement on the meaning of moderate Islam, of course. Muslim-majority governments that wish to be labeled moderate generally need to comply with the agenda of the United States. Therefore, the definition changes with U.S. policy goals. Willingness to negotiate peace treaties with Israel earned Egypt the unofficial designation of moderate in 1979, followed by Jordan in 1994. According to the "inclusion- moderation hypothesis," Islamist groups that participate in the democratic process typically merit the label of moderate. However, since the Sept. 11, 2001, attacks, and particularly since the rise of the Islamic State, moderation has more specifically corresponded to the rejection of violence.

This definition has drawn criticism from non-Muslims and Muslims alike. Some argue that religion offers no solution to violent extremism, which is actually rooted in youthful desires for excitement and significance rather than religious belief. On the other end of the spectrum, Islamophobes assert that moderate Islam is futile because the religion cannot be moderated. Many Muslims criticize the concept for implying that the faith is in need of moderation at all and for implicitly linking Islam with violence.

Its ambiguity has made "moderate Islam" a useful banner for conservative Arab regimes to pursue their agendas at home and abroad. By buying into assumptions that moderate Islam offers solutions to violence, governments can avoid responsibility for the repercussions of their own policies. By buying into the notion that religion is to blame for extremism, political elites can justify increased crackdowns on Islamist groups, which often represent one of the few outlets for political opposition.

The United Arab Emirates illustrates this moderation rhetoric. In addition to co-

sponsoring the Marrakesh Declaration, the UAE established the Forum for Promoting Peace in Muslim Societies in 2014 and appointed a minister of tolerance in 2016. Simultaneously, the UAE has vigorously decried the Muslim Brotherhood, labeling it a terrorist organization in 2014, a move the United States may soon emulate. When a regime like the UAE claims to represent moderate Islam and paints any alternative expression of Islam as extremist, the United States is more likely to ignore human rights violations against “terrorists” and continue offering military and financial partnership.

While many countries in the Middle East have appropriated moderate Islam, Morocco has perhaps the most developed strategy. In 2015, King Mohammed VI of Morocco opened an international Imam Training Center to educate religious leaders from around the globe in Moroccan Islam. The king has also launched an initiative to train female religious leaders, or *mourchidates*, and established the League of Moroccan Religious Scholars. Moroccan religious and educational institutions emphasize religious moderation as part of the Moroccan way of life, engendered by its heritage of religious toleration and its role as a geographic conduit between Europe and Africa. Other countries appear to agree: Mali, the Ivory Coast, France and others have sent students to study Moroccan Islam.

This discourse on moderation expanded in the wake of terrorist attacks that shook Morocco in 2003 and in 2011. Yet efforts to counter violent extremism have failed to address underlying sources of religious manipulation or economic and political frustration. More than 1,000 Moroccans have been identified as fighting for the Islamic State.

While it attracts substantial attention, violent extremism remains a path chosen by a tiny fraction of the population. Individual acts of violence pose a less significant threat to the regime than did the Arab Spring protests of 2011, to which the king responded with largely meaningless constitutional reforms. Morocco has sought to publicize its promotion of moderate Islam abroad in part to distract from the lack of political reform at home. For an international audience more concerned with security than democracy, a PR campaign dedicated to promoting moderate Islam is an effective way to enhance the Moroccan government’s soft power.

Jordan has similarly sought to portray itself as a champion of moderate Islam and religious toleration. It sponsored the Common Word initiative to emphasize similar-

ties between Christianity and Islam and lobbied for World Interfaith Harmony Week. Jordanian textbooks, sermons and statements by the Ministry of Religious Affairs assert that Islam is a moderate religion, citing verse 2:143 of the Koran, “Thus We have made you a middle [centrist] nation,” a passage often noted by proponents of moderate Islam. The religious narrative in Jordan emphasizes that Islam is itself moderate, so any use of religious discourse for violence is inherently un-Islamic.

Jordan has also experienced violent extremism, with a major bombing in 2005. An estimated 2,500 Jordanians have joined the Islamic State, and the December 2016 attack on tourists highlighted the kingdom’s vulnerability to the group. When I asked him to explain acts of violence allegedly committed in the name of Islam, Jordan’s former minister of religious affairs, Hayel Dawud, replied, “Those who kill, or burn, or bring war to the world, this is not Islam.” Yet when I interviewed less senior members of Jordan’s religious and educational establishments, many expressed frustration with the government’s promotion of moderate Islam. From their perspective, Islam is already a religion of centrism, making efforts to encourage moderation unnecessary. Many see the focus on moderate Islam as simply an attempt to appease powerful allies like the United States.

From the Jordanian regime’s perspective, appeasing powerful allies has long been the most effective strategy to ensure the kingdom’s survival. Facing war just over its border in both Syria and Iraq, and burdened with millions of refugees, the Jordanian regime relies on continued goodwill from Western governments who see it as moderate.

Promoting a vague moderate Islam — through international declarations, religious training centers or interfaith initiatives — has not proven an effective antidote to violent extremism. And as long as moderate Islam remains a state-led project, it is unlikely to be seen as credible by citizens. Yet for many governments, focusing on moderation offers real benefits for regime survival: the opportunity to target political opposition, enhance international standing and ensure foreign support. Statements made during Rex Tillerson’s confirmation hearings indicate U.S. sponsorship of “moderate Muslim partners” is likely to continue.



## B.2 The New York Times: *Muslim Conference Calls for Protection of Religious Minorities*

By Aida Alami

Feb. 2, 2016

Marrakesh, Morocco

At a recent conference held by Muslim scholars to confront violence in the Islamic world, a representative of the Yazidi religious minority in Iraq and Syria said his people desperately needed protection from the Islamic State.

“Please help us,” said Hadi Baba Sheikh, the Yazidi representative. “They are killing us and kidnapping our women and children.” The gathering here of about 300 muftis, theologians and scholars last month responded far more broadly by issuing the Marrakesh Declaration, which calls for Muslim countries to tolerate and protect religious minorities living within their borders — among them Christians, Jews, Hindus and Bahais as well as Yazidis and Sabians.

They cited the Charter of Medina, established by the Prophet Muhammad after he fled to Medina, in what is now Saudi Arabia, from Mecca in the seventh century to escape an assassination plot.

“The Medina Charter established the idea of common citizenship regardless of religious belief,” said Sheikh Abdallah bin Bayyah, a Mauritanian religious scholar and a professor of Islamic studies in Saudi Arabia who helped convene the meeting, in a speech. “Enough bloodshed. We are heading to annihilation. It is time for cooperation.”

Since it was issued last Wednesday, the declaration has been welcomed by many, though with some skepticism, and it is only now beginning to gain wider circulation. Some experts said they doubted that the meeting would have lasting impact because it did not include representatives of more extremist movements, like the Muslim Brotherhood. They also said the groups that did attend do not have great sway over young people.

“These efforts are compromised from the get-go because of their association with states that don’t have legitimacy among young, angry, frustrated Muslim youths in

the Arab world,” said Shadi Hamid, a senior fellow at the Brookings Institution in Washington and the author of “Islamic Exceptionalism: How the Struggle Over Islam is Reshaping the World,” who did not attend the conference. “It’s something that appeals to Western governments, but what’s the follow-up?”. “The targeted audience should be people who are predisposed to radicalism,” he continued. “A young Muslim who is intrigued by the Islamic State of Iraq and Syria would be more likely to listen to a Salafi scholar than a traditionalist scholar.”

Yet for the representatives of persecuted religious minorities who attended the meeting or followed the proceedings from afar, the gathering and the document it produced were a hopeful sign that influential Muslim leaders and scholars were grappling with a serious problem. “I think the declaration is important because it sets a standard for accountability,” said the Rev. Susan Hayward, director of religion and inclusive societies at the United States Institute of Peace and a minister in the United Church of Christ, who attended the conference. “This is a call for action.”

She said those who took part in the conference had the clout to cultivate sustainable peace efforts in their homelands. Muslim participants came from 120 countries, and the conference also drew representatives of many other faiths. It was sponsored by King Mohammed VI of Morocco and the Forum for Promoting Peace in Muslim Societies, which is based in the United Arab Emirates.

“Conditions in various parts of the Muslim world have deteriorated dangerously due to the use of violence and armed struggle as a tool for settling conflicts and imposing one’s point of view,” the declaration said. “This situation has also weakened the authority of legitimate governments and enabled criminal groups to issue edicts attributed to Islam, but which, in fact, alarmingly distort its fundamental principles and goals in ways that have seriously harmed the population as a whole.”

President Obama hailed the conference last Wednesday at a ceremony held in Washington to honor recipients of the Righteous Among the Nations Awards, which honor non-Jews who rescued Jews during the Holocaust. “We know that there were Muslims — from Albanians to Arabs — who protected Jews from Nazis,” Mr. Obama said. “In Morocco, leaders from Muslim-majority countries around the world just held a summit on protecting religious minorities, including Jews and Christians.”

The conference did not address tensions within Islam itself, or the discrimination and persecution Muslims sometimes face at the hands of other Muslims. It also did not address the concern that many of the participants represented countries with poor human rights records.

Hatem Bazian, a lecturer in Near Eastern studies at the University of California, Berkeley, and editor of *The Islamophobia Studies Journal*, was doubtful that the declaration would amount to much. He did not attend the conference, but followed it closely via the Internet.

“Overwhelmingly, Muslim populations will be in agreement with this declaration,” he said. But “the overall picture is that civil society discourses have been captured by extremists across the board.”

### **B.3 The Times: *Muslim scholars confront Isis in battle over ideas***

The Marrakesh declaration calls for a less aggressive theology that can live comfortably with the modern world, writes Michael Binyon.

Muslim scholars from around the world have recently published a strongly worded demand that Christians and other minorities should be free to worship in Muslim countries, denouncing intolerance and extremism. It is almost the first time that Muslim leaders have tackled the threat of extremist ideology head-on.

Most Arab governments understand the threat to their rule by the so-called Islamic State (Isis). Most have committed themselves to the fight against terrorism and have outlawed Islamist militant movements. Few have tackled the ideological challenge posed by Isis, and until now almost no Muslim leaders have spoken out publicly against the narrow, puritanical interpretation of the faith that dominates religious teaching in the Middle East.

Yet, as scholars and reformers admit in private, unless social and religious leaders denounce the basis of extremist ideology and refute the seductive media messages of extremism, Isis will continue winning support from young Muslims across the Arab

world.

There have been signs recently, however, that more and more Muslim leaders understand the threat to Islam itself from association with the violence, intolerance and extremism of Isis and are determined to reassert a less aggressive theology. Last month, a conference of scholars meeting in Morocco issued the Marrakesh declaration, calling for the rights of religious minorities in Muslim communities and basing their demand on the Medina charter of 1,400 years ago, which guaranteed the religious liberty of all. The scholars, from 120 countries, were joined by Christian leaders from Iraq and other countries where Christians face persecution.

They declared that “conditions in various parts of the Muslim world have deteriorated dangerously due to the use of violence and armed struggle as a tool for settling conflicts and imposing one’s point of view”. This had enabled criminal groups to issue edicts that alarmingly distort Islam’s fundamental principles and goals. The declaration added: “It is unconscionable to employ religion for the purpose of aggressing upon the rights of religious minorities in Muslim countries.”

Some political leaders are also becoming impatient. Last year, President Sisi of Egypt delivered a sharp rebuke to Sunni Islam when he told al-Azhar university in Cairo that there had to be a revolution in Islam. Religious scholars, he said, had a duty to reform a “discourse that has not changed for 800 years”. He was referring to a decree of 1258, which ended the practice of *ijtihad* — the right of scholars to interpret the Koran in the light of current thinking and circumstances.

President Sisi’s speech was not well received by conservative clerics. Some saw it as a challenge, especially to the Salafists, the puritanical sect that is dominant in Saudi Arabia and underpins the philosophy of the Muslim Brotherhood and other Islamist movements. Al-Azhar made no response, but two months later signed an agreement with the head of the British Council to step up the teaching of English to young imams training at the university. Some hoped this would encourage younger scholars to tweet and blog in English to rebut media-savvy messages put on social media by Isis.

A more radical and devastating critique of fundamentalism and the threat this posed to Islam has recently been published by the main state-funded think-tank in Abu Dhabi. Jamal al- Suwaidi, director of the Emirates Centre for Strategic Studies

and Research, says in a book called *Mirage* that Islamism is an illusion sold by political and religious groups who exploit it for partisan and personal interests.

“Turning a blind eye to extremism in its early stages,” he said, “has ultimately led to astonishing levels of violence and bloodshed at the hands of members of political religious groups and extremist organisations in various regions of the Arab world, who have no respect for the sanctity of life or human honour”.

More controversially, he compared Islam today to Europe in the Dark Ages, and suggested that the religion is heading down a blind alley because of its inability to come to terms with modernity. “Why is modernity viewed as the antithesis of religiosity — an implicit rejection of religion and its teaching? Why do some groups in Arab and Muslim societies think that talk about religion ends where talk of progress and development begins?”

Dr Suwaidi goes further. He argues that religion must be put in its proper place and not be associated with “backward practices, stained by ignorance” and used by groups trying to blame outsiders for failures in their own countries, instead of asking where they were going wrong.

He says that high levels of terrorism, bloodshed, fanaticism, violence and confusion, as witnessed today, had historically occurred during periods of cultural decline, intellectual weakness and scientific stagnation. This age-long intellectual debate was in fact a debate between Islam and modernity. “Is there a problem in pairing between religion and the sources of modernity?” he asks. The real problem was the way political religious groups practised absolute dictatorship, their political behaviour taking “an overpowering totalitarian nature, based on rejecting, excluding and killing the others, no matter who they are”.

He compared the way Islamists acted as “referee, watchman and judge” on any alternative thought to the Inquisition in Europe, which applied the text of the Bible according to their own narrow interpretations. In a clear attack on the prevailing puritanism of the Salafists, he concluded: “This is exactly what has been and still is done by political and religious groups in the Arab and Muslim worlds, which seek to limit history to one version and thought to one school.”

Conservative critics will dismiss him as a western-educated academic. However, it

is clear that the scholars arguing in Marrakesh for greater freedom and pluralism in Islam, are determined not to yield to the blandishments of Isis or to allow the Islamists' narrow views to win the day by default in the Muslim world.

## Riassunto in lingua Italiana

L'intero elaborato si propone di mettere in luce una delle questioni sociali più sottostimate e meno trattate della nostra storia contemporanea: la condizione ed il rispetto dei diritti delle minoranze religiose negli stati a maggioranza musulmana, assenza della Dichiarazione di Marrakesh del 2016. In particolar modo nel corso degli ultimi decenni, le minoranze religiose sono state assassinate, intimidite e costrette all'esilio da governi e autorità religiose di tutto il mondo. In questo clima culturale, Sua Altezza, il Re Mohammed VI del Marocco, insieme al Ministro internazionale degli affari islamici, Ahmed Toufiq di Rabat, e il Forum per la promozione della pace nelle società musulmane con sede negli Emirati Arabi Uniti, ha ospitato, dal 25 al 27 gennaio 2016 a Marrakesh, una conferenza dal titolo "Le minoranze religiose nelle terre musulmane: Quadro giuridico e invito all'azione".

Dopo varie dichiarazioni, interventi ed opinioni, la conferenza ha portato alla nascita della Dichiarazione di Marrakesh sui diritti delle minoranze religiose nelle comunità a maggioranza Musulmana. Molte organizzazioni e gruppi di intellettuali hanno cooperato all'analisi di una delle questioni religiose e sociali più critiche del nostro tempo, impegnandosi a rispettare i valori dettati dal Corano e promettendo di lavorare insieme verso il raggiungimento del pluralismo religioso. Il contenuto della Dichiarazione tocca diverse criticità legate sia al mondo Islamico che alla sua percezione, comunemente distorta da stereotipi e falsi miti. La Dichiarazione si identifica anche come un chiaro tentativo da parte della comunità musulmana di riportare in vita i valori ed i principi dettati dalla Carta di Medina (VII sec.), sia da una prospettiva legale, che dal punto di vista pratico. La dichiarazione promette quindi di diventare simbolo e strumento di cooperazione globale fra musulmani e non così da migliorare nettamente le condizioni delle minoranze religiose, eliminando arroganza, pregiudizi e

violenza tra le comunità.

Studiosi, intellettuali e autorità religiose di quasi trecento diversi Paesi musulmani e non, fra i quali gli Emirati Arabi, la Turchia, il Pakistan, l'India e l'Iran, hanno lavorato insieme per la creazione della dichiarazione, ma il maggior contributo è stato sicuramente offerto Re Mohammed VI, attuale Re del Marocco. Fin dall'inizio del suo governo, Mohammed VI ha promosso politiche sociali di tolleranza e di accettazione, partecipando attivamente alla promozione del dialogo inter religioso e del rispetto reciproco tra le diverse comunità religiose, lavorando simultaneamente a diversi progetti volti al miglioramento di questioni nazionali molto importanti come l'istruzione e la creazione di un nuovo sistema giuridico non discriminatorio. Un secondo ruolo fondamentale nel processo di elaborazione del documento è stato svolto dal Ministro degli affari islamici, Ahmed Toufiq. Negli anni '90 ha lavorato come professore di storia per la facoltà di Letteratura dell'Università di Rabat, attualmente leader religioso mondiale per l'Eliah Interfaith Institute. Come già menzionato precedentemente, la Dichiarazione è il risultato di un incontro tra centinaia di studiosi, intellettuali e teologi provenienti da diverse nazioni, musulmane e non. Tuttavia, questo documento è anche il risultato dell'ispirazione tratta da documenti giuridici sia antichi che moderni, che in secoli o anni passati sono stati redatti con lo scopo di migliorare la condizione globale delle minoranze religiose.

La più antica e importante fonte di ispirazione alla stesura della dichiarazione di Marrakesh è la Carta di Medina (VII sec.). La Carta di Medina risale al tempo del profeta Maometto, della nascita della religione e della comunità Islamica. La costituzione di Medina fu un' accordo tra il profeta e tutti i più importanti clan di Medina, con lo scopo di assicurare pace, fratellanza, libertà e sicurezza in quello che sarà poi destinato a diventare il primo stato islamico pluri-religioso. La Carta di Medina trova i suoi principi nel Corano e nella Sunna, coinvolgendo principalmente gli immigrati, i musulmani e gli Ebrei. L'obbiettivo della Carta era quello di fornire a Maometto un ruolo di mediazione fra tutte le tribù di Medina, ponendo fine a tutte le lotte interne alla città, grazie all'ausilio della sua sapiente guida. Nel documento si chiede ai musulmani di trattare gli ebrei e tutti gli altri non musulmani in modo equo e rispettoso, purché essi siano disposti a mantenere rapporti pacifici e ad agire sempre secondo le



sacre scritture.

Altro concetto fondamentale della dottrina islamica rinnovato da Maometto nella Carta di Medina, è quello di *Ummah* islamica. Nel Corano, il termine designa generalmente la collettività di una comunità o di un gruppo di persone, unite non solo dal sangue, ma anche dallo spirito, tuttavia il suo significato ha radici ben più profonde: non possiede solo il significato di semplice comunità, ma di comunità guidata dalla stessa fede e dallo stesso credo, che adora lo stesso Dio e si unifica grazie agli sforzi di un unico profeta. Oggigiorno il termine ha assunto una connotazione esclusivamente musulmana, anche se il concetto è nato in rappresentanza di una comunità più generale, coinvolgendo e includendo i più diversi tipi di gruppi sociali, soprattutto fra quelli appartenenti ai cosiddetti "popoli del libro". Ad ogni *Ummah* della Terra, Dio stesso ha inviato un messaggero o profeta, destinato a diffondere il suo piano divino di salvezza, che ha infine ispirato Maometto e i suoi seguaci durante la creazione della Carta di Medina.

L'ostacolo principale riscontrato dagli studiosi e dagli intellettuali, nel trovare fonti più moderne e contemporanee legate alla Dichiarazione di Marrakesh, è rappresentato dal fatto che negli ultimi decenni di storia del mondo islamico i riferimenti alle minoranze religiose sembrano essere inesistenti o non abbastanza specifici per garantire risultati concreti. Il primo documento proveniente dal mondo islamico che menziona chiaramente le minoranze religiose, anche se vagamente, è la Carta araba dei diritti umani del 1994. In generale, concreti tentativi di garantire dignità alle minoranze religiose, soprattutto in Medio Oriente, sono estremamente recenti e sicuramente degni di nota. Il Messaggio di Amman, ad esempio, rappresenta un appello alla tolleranza e all'unità nel mondo islamico ed è stato approvato solo il 9 novembre 2004 dal re di Giordania Abd Allāh II. Un secondo grande traguardo, simbolo di rispetto ed uguaglianza nei Paesi musulmani, è stata la Conferenza del 2010 a Mardin, nel sud-est della Turchia, dove quindici fra i più importanti studiosi musulmani hanno dichiarato la fatwa dello studioso del XIV secolo Ibn Taymiyya, come non più applicabile alla struttura sociale contemporanea.

In conclusione, il vero cammino verso la dichiarazione di Marrakesh è iniziato concretamente solo quattro anni prima della sua creazione, con una serie di seminari a

Nouakchott, in Mauritania, seguiti da un grande forum a Tunisi nel 2013, dove il tema è stato finalmente affrontato in modo pro-attivo ed in ottica internazionale.

Il secondo capitolo è interamente dedicato all'analisi del trattamento di alcune minoranze religiose, da parte di stati a maggioranza musulmana considerati problematici dal punto di vista della gestione della libertà religiosa. Il primo stato ad essere esaminato è il Marocco, stato ospitante dell'incontro inter-religioso che ha dato luce alla dichiarazione di Marrakesh sulle minoranze religiose. Attualmente, anche grazie al contributo del suo nuovo Re, il Marocco è considerato in prima linea per quanto riguarda la gestione della convivenza fra musulmani e non sul suo territorio, pur essendo stato teatro di alcuni spiacevoli eventi a carico delle minoranze Ebrei e Cristiane. Malgrado quindi la sua apparente modernità nel garantire libertà religiosa ad ogni cittadino, il Marocco in primo luogo deve ancora compiere passi importanti prima di potersi considerare completamente uno stato promotore della libertà di fede.

Aspetti positivi si faticano invece a trovare per quanto riguarda la libertà religiosa in Iraq, Iran, Pakistan, Turchia ed Indonesia. Questi possono definirsi gli stati a maggioranza musulmana, dove sia per ragioni politiche o per la presenza di gruppi estremisti sul territorio, le minoranze religiose vengono trattate in maniera discriminante rispetto ai cittadini musulmani.

Gli Yezidi, una delle più antiche comunità Curde, in Iraq sono sottoposti, specialmente dal 2014 (anno di avvento del IS), ad odio, violenza e discriminazione, scatenati solamente da sostanziali differenze religiose fra lo Yazidismo e la religione musulmana. Il 3 agosto 2019 ha segnato 5 anni dal 74 ° genocidio degli yazidi in Iraq, guidato dalla più brutale organizzazione jihadista nella storia: il Daesh, nome locale dell'ISIS. Lo Yazidismo è riconosciuto a livello internazionale come una delle più antiche religioni Curde in Oriente. La questione degli Yazidi esiste solo sulla base di odio e ragioni religiose, poiché, secondo il popolo di Al-Baghdadi, sono una minoranza che non merita di vivere, a meno che non neghino la propria fede e abbraccino l'Islam. Una volta conquistata la città di Mosul, l'ISIS diede solo agli uomini la possibilità di scegliere tra morte e conversione, mentre le donne furono deportate, violentate, rese schiave o vendute come merci. Durante l'attacco, morirono 3100 Yazidi e altri 6800 furono rapiti. La tragedia ha lasciato questa minoranza sola e divisa, sia dal punto di vista

geografico che politico, ed attualmente la loro condizione ancora non trova pace.

Le questioni relative alle minoranze in Pakistan provengono principalmente dalla legge sulla blasfemia adottata dal paese, il che significa che legalmente, ogni atto o fede contraria alla volontà di Maometto è considerato punibile con la morte o l'ergastolo. Nel 1973, anno dell'ultima revisione della costituzione pakistana, l'Islam è diventato la religione di stato ufficiale e costituzionalmente, i primi ministri possono essere solo musulmani. Da allora, i cristiani pakistani hanno vissuto in un clima di ostilità, classificato come "persona non grata", discriminato e perseguitato su tutti i fronti. Nonostante la presenza di veri e propri villaggi cristiani sparsi su tutto il territorio, la maggior parte della violenza nel corso dei decenni è stata contro le istituzioni cristiane e dagli anni '90 gli attacchi si sono in gran parte intensificati. In questo caso, tuttavia, le ragioni di tutto questo odio non sono esclusivamente religiose, ma anche politiche: alcuni giornalisti e studiosi vedono la crescente violenza come un messaggio per i paesi musulmani che sembrano essere diventati troppo amichevoli nei confronti dell'Occidente.

Le statistiche certe sulle minoranze religiose in Iran sono difficili da ottenere, ma diverse fonti affermano che nel paese ci sono: 13.000 cattolici caldei, latini e armeni; 122.000 cristiani armeni, assiri e greci ortodossi; e 8.500 protestanti. In Iran, le radici dell'odio religioso e della discriminazione possono essere classificate sotto due diverse prospettive; il loro status giuridico da un lato e il loro effettivo trattamento dall'altro. Gli articoli 12, 13 e 167 della Costituzione Iraniana sottointendono indirettamente discriminazioni e odio, poiché negano legalmente ad alcuni dei principali gruppi minoritari nazionali certi diritti fondamentali come la possibilità di usare la loro lingua durante la pratica religiosa. Concretamente, questi articoli della Costituzione trattano anche questioni quali la credibilità delle testimonianze dei non musulmani in tribunale e l'illegalità del matrimonio fra donne musulmane e uomini non musulmani. Per quanto deboli possano essere le misure legali iraniane a garanzia dei diritti fondamentali per le minoranze religiose, il loro effettivo trattamento si è dimostrato ancora più brutale. Due gruppi in particolare rimangono estremamente vulnerabili: i cristiani di origine musulmana e i baha'i.

Per la Turchia, la minaccia di smembrare il paese dopo la prima guerra mondiale

ha sicuramente avuto un impatto sul modo in cui trattano e hanno trattato le minoranze in passato. Dall'epoca di fondazione della nazione Turca, il suo trattamento nei confronti delle minoranze è cambiato costantemente, alternando periodi di repressione e discriminazione con periodi di accettazione e di quasi inclusione. Per quanto riguarda la questione delle minoranze religiose, il caso curdo rappresenta sicuramente un caso di spicco, anche se i Curdi non sono l'unica minoranza etnica esclusa dall'idea di repubblica Turca. La storia del rapporto tra Curdi e Turchi in Turchia ha radici profonde e può essere divisa in tre distinte fasi cronologiche: 1. La fase originaria di repressione del XX secolo (principalmente a causa dall'insurrezione del PKK dal 1984), 2. La fase del 1999, anno della candidatura della Turchia all'UE, ha indotto nuove proposte volte ad includere i Curdi in società, 3. L'attuale fase di ostilità, presumibilmente iniziata nel 2011, ma che ha raggiunto il suo picco dall'estate del 2015.

Per quanto concerne la condizione delle minoranze religiose in Indonesia, si può affermare che la fonte principale di incomprensioni e discriminazione è il conflitto fra armonia religiosa ed effettiva libertà di fede. *L'armonia religiosa è una condizione che determina che il rapporto dei seguaci religiosi si basi sulla tolleranza, la comprensione, il rispetto, e l'uguaglianza nella pratica degli insegnamenti religiosi; Il concetto sottointende una cooperazione nella vita sociale e nazionale, guidata dal governo Indonesiano e della Costituzione.* Queste le parole del ministro Indonesiano per gli affari religiosi riguardanti il concetto di armonia religiosa. Sostanzialmente, l'intero concetto stabilisce come prioritaria la protezione della stabilità nazionale, piuttosto che la creazione di una reale libertà religiosa, ed ogni elemento sociale che riguarda la sopravvivenza dell'armonia religiosa, deve essere gestito dal governo. Il governo indonesiano afferma da decenni che la maggior parte dei casi di intolleranza religiosa nel paese sono solamente conflitti innocui, tuttavia l'Istituto Wahid di libertà e tolleranza religiosa non la vede allo stesso modo. Nella loro relazione del 2011 sulla libertà religiosa, hanno scoperto che molti casi di discriminazione di fede in Indonesia riguardano restrizioni molto più severe, come l'incitamento all'odio, le minacce violente, la conversione forzata, l'eresia e la blasfemia.

Il terzo capitolo si occupa prevalentemente della traduzione del documento dall'inglese all'italiano e dell'analisi generica delle tendenze traduttive relative all'ambito legale.

Negli ultimi decenni il fenomeno della globalizzazione ha incrementato la richiesta nell'ambito della traduzione di documenti legali. Il processo di traduzione dalla lingua A alla lingua B di documentazione legale coinvolge molti aspetti linguistici e, vista la peculiarità del testo, richiede l'uso di particolari tecniche di traduzione. Uno degli ostacoli più importanti in campo di traduzione legale è strettamente connesso alla diversità fra sistemi giuridici. Ogni documento posto davanti ad un traduttore sarà inevitabilmente legato al sistema giuridico e linguistico di una specifica nazione, il che rende il contenuto più complesso da adattare agli occhi di un lettore straniero e la barriera culturale tra il pubblico del testo di partenza e il pubblico del testo di arrivo, più ampia. Specialisti dello spessore di Maurizio Gotti considerano il processo più una trasposizione che una semplice traduzione, visto il numero di elementi che hanno necessità di essere concettualmente convertiti.

I testi giuridici presentano inoltre, caratteristiche stilistiche specifiche a seconda del tipo di legge e del paese dal quale deriva il documento. I codici civili, ad esempio, presentano generalmente una terminologia meno specializzata, mentre le formulazioni giuridiche legate al diritto penale tendono ad apparire più specifiche, complesse e vincolanti. La tendenza dei traduttori professionisti è quella di cercare di mantenere lo stesso atteggiamento stilistico presente nel testo di partenza anche per quello di arrivo. Studi recenti sulla traduzione, sviluppati da esperti come Hurtado Albir e Gerardo Vazquez Ayora, hanno dimostrato la differenza tra metodo, strategia e tecnica di traduzione. Il termine metodo di traduzione si riferisce all'approccio generale con il quale una traduzione può essere intrapresa, ovvero l'atteggiamento che il traduttore adotta, a seconda dell'argomento, dell'obiettivo e del target del testo su cui sta lavorando.

Qualunque sia il metodo scelto dal traduttore, durante il processo di traduzione si possono incontrare diversi ostacoli linguistici, ed è in queste circostanze che egli deve prendere in considerazione le più adatte strategie di traduzione. Per quanto riguarda la traduzione della Dichiarazione di Marrakesh sono state utilizzate principalmente le seguenti tecniche di traduzione:

1. Attitudine di “*buona fede*”: indica la generale abilità del traduttore di trovare o se necessario creare, il miglior corrispettivo linguistico, specialmente nei casi in

cui l'incongruenza fra lingua A e B si fa più ampia e profonda.

Fondamentale nell'atto di domesticazione del testo. Il risultato finale può definirsi "addomesticato" nel momento in cui si inserisce perfettamente nel quadro culturale della lingua di arrivo.

2. Utilizzo di *frozen terms*: gli accordi non scritti della traduzione legale, vengono in aiuto al traduttore nei casi in cui è presente una ricorrenza nel modo di tradurre una determinata espressione.
3. Creazione di un calco: sfruttando al massimo le sue conoscenze linguistiche il traduttore può spontaneamente decidere di creare un nuovo termine, assicurandosi sia comprensibile e riconoscibile dal pubblico target.

Un testo tradotto è giudicato accettabile dalla maggior parte degli editori, revisori e lettori quando si legge in modo scorrevole e quando l'assenza di qualsiasi peculiarità linguistica o stilistica lo rende trasparente, dando l'impressione, in altre parole, che la traduzione non sia in realtà una traduzione, ma l'originale.

Il quarto ed ultimo capitolo si occupa interamente del rapporto che intercorre tra le minoranze religiose ed alcuni dei più influenti mass media internazionali. Sono stati inoltre analizzati alcuni articoli, pubblicati da testate giornalistiche Inglesi ed Americane, che hanno trattato la Dichiarazione di Marrakesh, poco dopo la sua pubblicazione. Le conclusioni raggiunte evidenziano che le minoranze hanno la necessità di sviluppare una strategia mediatica equilibrata ed efficiente, in grado di gestire sia i media a loro interamente dedicati che i media nazionali tradizionali. La corretta gestione di entrambe le suddette risorse mediatiche è in grado di sostenere la comunità, correggendo gli stereotipi e mantenendo le conoscenze delle minoranze circolanti e accessibili ad un vasto pubblico. La correzione dei pregiudizi e degli stereotipi è chiaramente vitale per le comunità che si percepiscono come escluse o travisate, poiché per un gruppo religioso o etnico, la falsa rappresentazione può essere più pericolosa perfino dell'esclusione diretta e può, in alcuni casi, esacerbare o prolungare diverse forme di conflitto.

Negli ultimi decenni, un numero crescente di esperti ha espresso preoccupazione per quanto concerne il ruolo di alcuni mainstream media nella costruzione di identità che giudicano gruppi o fedi marginali come qualcosa di sinistro, patologico o dannoso sia per i propri membri che per la società. A questo proposito sono stati analizzati

degli studi, fatti sia sulla base della produzione giornalistica inglese che Americana, che hanno cercato di inquadrare il trattamento di alcune minoranze religiose di spessore, all'interno dei mass media internazionali. Entrambi gli studi hanno evidenziato una rappresentazione più negativa della religione Mussulmana sia da parte della produzione Americana che di quella Britannica. Ulteriori analisi hanno dimostrato che le notizie legate ai musulmani rilasciate negli Stati Uniti sono collegate a credenze stereotipate, emozioni negative e al sostegno di ideologie politiche dannose per la minoranza musulmana. Per quanto concerne lo studio relativo alla stampa Britannica dal 2001 al 2012, il focus è stato concentrato sul tono del titolo dei diversi articoli. L'analisi ha rilevato tre conclusioni importanti: in primo luogo, che i titoli dei titoli britannici non ritraggono la minoranza musulmana in modo costantemente negativo, anche se i titoli provenienti dai tabloid più letti e seguiti dalla popolazione presentano un'atteggiamento nettamente più negativo. Questo fatto fa sì che la maggior parte dei lettori venga esposta a titoli in generale più discriminatori.

In conclusione, i risultati tratti dai suddetti studi dimostrano l'importanza di una comunicazione mediatica oggettiva e libera da qualsiasi tipo di pregiudizio. Laddove il pregiudizio dovesse essere presente, l'immagine che una grossa fetta della popolazione mondiale crea, delle minoranze religiose od etniche, può risultare inevitabilmente corrotta. La produzione mediatica elettronica e cartacea del nostro tempo, necessita di ingaggiare veri e propri esperti full-time che si occupino delle diverse questioni religiose e che rappresentino ogni comunità nel modo in cui ognuno di noi ha diritto ad essere rappresentato.





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