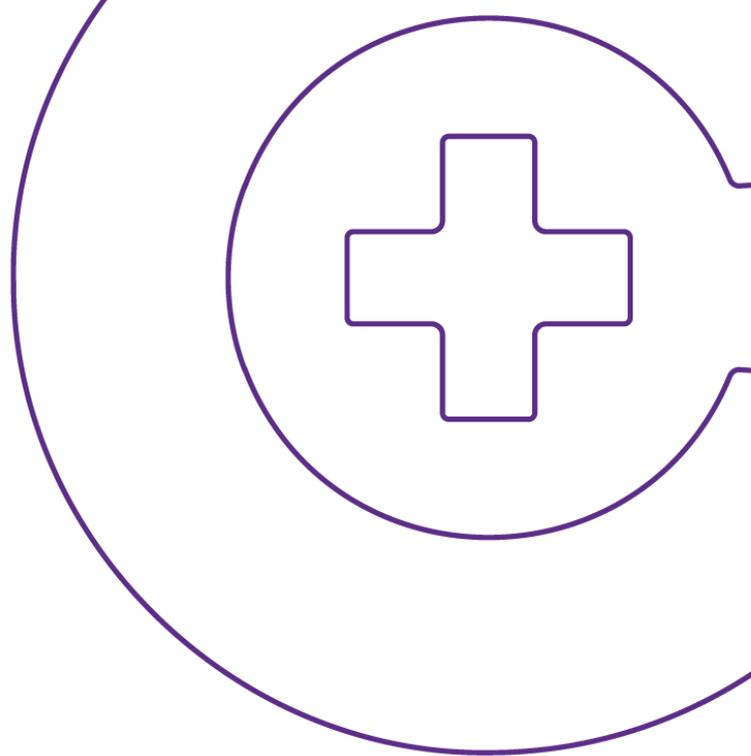




It's The Thought That Counts

**Defining Freedom of Religion or Belief
as Part of Civic Space**



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Defining Freedom of Religion or Belief as Part of Civic Space

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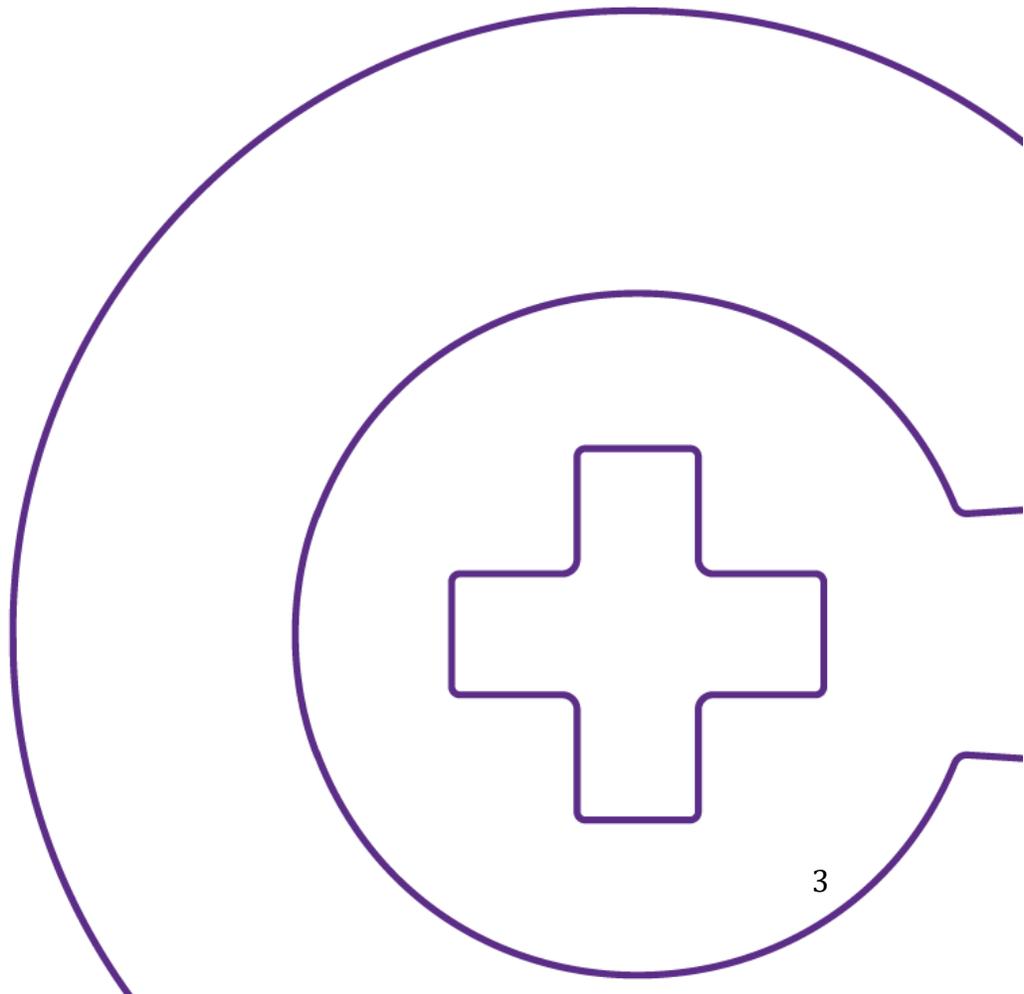
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Summary

The growing call for protection of civic space amongst the international community typically highlights three human rights: the freedom of association, freedom of expression, and the freedom of assembly. The right to freedom of religion or belief (FoRB) is seldom taken into account. This entails a risk of flawed and incomplete assessments of the human rights environment of local civic spaces.

The purpose of this report is two-fold: 1) to demonstrate the importance of FoRB as a core component of civic space, and 2) to explore the different roles of religious or belief actors in civic space.

The report argues that the right to FoRB entails important legal guarantees that are not covered by other rights. Furthermore, the inclusion of FoRB can direct attention to actors that are often overlooked in assessments of civic space. In some contexts, religious or belief actors are strong civil society actors who can and do contribute to ensuring a robust civic space; in others they are among the most vulnerable and

marginalized, in need of protections. Other examples demonstrate that they themselves are guilty of diminishing the civic space for others. Several case studies from Israel/Palestine, Ethiopia, Zimbabwe, and Sri Lanka highlight such contexts and why FoRB must be considered a vital component of civic space analyses.

The report recommends that international actors who monitor civic space define FoRB as a core component of civic space; organizations that deal with civic space analysis need to include the treatment of religious or belief actors in their monitoring indicators; there must be a stronger focus on the potential of religious or belief actors and how they can shape their local society.

Keywords: civic space, freedom of religion or belief, human rights, development, religious or belief actors, democracy, authoritarianism

I. Introduction

The shrinking of civic space is a global trend. Civic spaces around the world, online as well as offline, are under pressure from increasing authoritarianism, autocratization, and populism.¹ The ongoing Covid-19 pandemic has further aggravated pressure on civic space.² This is a serious threat to the advancement of development, human rights, and democracy.³

The human right to freedom of thought, conscience and religion, more commonly referred to as the freedom of religion or belief (FoRB), is also under severe pressure.⁴ Government restrictions and societal hostilities related to religion or belief are increasing in many parts of the world. While recent years have witnessed increasing attention to FoRB in foreign policy, this is still a right that is often overlooked or sidelined by members of both the international development community and the diplomatic corps, including actors that work for the promotion and protection of civic space. This study will show how FoRB is an important component of civic space. It will, furthermore, explore the different roles of religious or belief actors in civic space. Religious or belief actors can be vulnerable and in need of protection in situations where civic space is shrinking, but they can also be

powerful agents of change that can contribute to the furthering of a robust, open, democratic civic space for all. To illustrate the importance of including FoRB in civic space analyses, the report also includes case studies from four countries (Israel/Palestine, Ethiopia, Zimbabwe, and Sri Lanka), analyzing the ways in which religious/belief actors are treated in these countries and how it has an effect on the civic space. The report concludes with recommendations as to how to build capacities among religious or belief actors to further promote civic space within their local context, as well as recommendations for how the international community can effectively integrate FoRB into their assessments of civic space.

The report is structured as follows: Section II provides an overview of the various conceptions of civic space, while section III discusses the importance of including FoRB in assessments of civic space. Section IV explores the role of religious actors in civic space. Section V presents case studies illustrating how religious/belief actors can have a profound impact on civic space. Section VI presents strategies going forth. Section VII provides a conclusion of the entire study.

The report is based on desk studies of relevant literature on FoRB and civic space, as well as questionnaires, interviews, and panel discussions to collect information on current perceptions and conceptualizations of the relationship between FoRB and civic space among key stakeholders.⁵

¹ These trends can be found to have led to resistance mobilization efforts within the civic space as well and can be understood twofold: 1) surges in autocratization-resistance growth 2) Toxic polarization-increased polarization combined with discrimination against minorities. For more information, please refer to Anna Lührmann & Staffan Lindberg, 2020, Autocratization Surges-Resistance Grows Democracy Report 2020, V-Dem Institute University of Gothenburg: https://www.v-dem.net/media/filer_public/de/39/de39af54-0bc5-4421-89ae-fb20dccc53dba/democracy_report.pdf; Yasmeen serhan, 2020, Populism Is Morphin in Insidious Ways, The Atlantic: <https://www.theatlantic.com/international/archive/2020/01/future-populism-2020s/604393/>; Annalisa Merelli, 2019, The State of Global Right-wing Populism in 2019 <https://qz.com/1774201/the-global-state-of-right-wing-populism-in-2019/>.

² Filix S. Bethke & Jonas Wolf, 2020, COVID-19 and Shrinking civic spaces: patterns and consequences, Z Friedens und Konfliktforsch: <https://link.springer.com/content/pdf/10.1007/s42597-020-00038-w.pdf>.

³ Ibid.

⁴ Samirah Majumdar & Virginia Villa, 2020, In 2018 Government Restriction on Religion Reach Highest Level Globally in More Than a Decade, Pew Research: <https://www.pewforum.org/2020/11/10/in-2018-government-restrictions-on-religion-reach-highest-level-globally-in-more-than-a-decade/>.

⁵ In February 2021, CKU sent out two questionnaires. One was sent to CKU's member organizations that are members of the reference group on FoRB, who then forwarded the questionnaire onto their local partner organizations in the Global South. The other questionnaire was sent out directly to individuals who work at international NGOs, diplomatic missions, and scholarly institutions and who work either within the field of civic space or FoRB. In addition to the questionnaires, CKU conducted follow up interviews, with both local religious/belief actors throughout the Global South along with international experts, to gain better understanding of respondents' understanding of the connection between FoRB and civic space. On the 30th of March, CKU also held a panel discussion that included members of the FoRB reference group, their local partner organizations, and key experts related to both civic space and FoRB.



II. The Definition of Civic Space

Although the term “civic space” has only been in common use since the turn of this millennium, the rights from which the concept derives have been a feature ubiquitous with democracy itself. As a concept, civic space is closely related to the broader subject of civil society, which is a topic that has been studied throughout history. Like democracy, it too has its origins in ancient Greece, originating from the works of Aristotle.⁶ There is, however, a subtle difference in the meaning of the two. The term civil society is often associated with organizations and the specific space they inhabit, while “civic space” focuses more on the legal guarantees and inalienable freedoms that all humans possess within their environment. The word *civic* indicates the word citizens, and in traditional political thinking citizens were the subjects, especially in a democratic context, as in the citizens within a State.⁷ It, therefore, pertains to the rights these citizens enjoy. Civil society is not the appropriate translation,⁸ as it is the civic

space, when open and democratic, which enables civil society to flourish.

Civic space is typically understood as the bedrock of any open democratic society.⁹ The global civil society organization CIVICUS began using the term civic space, which it created in conversation with its ten thousand member organizations, through the Civic Space Initiative in 2011.¹⁰ According to CIVICUS, civic space is the place (physical, virtual, and legal) where people exercise their right to freedom of association, expression, and peaceful assembly.¹¹ Mawethu Nkosana, the LGBTIQ Advocacy Lead at CIVICUS, explains CIVICUS’s reasoning stating,

Fundamentally we think of civic space as physical, virtual and legal space that civil society operates in. The health of civic space is determined by the attainment, accessibility and enjoyment of freedom of association; freedom of assembly, and freedom of

⁶ Aristotle, *Politics*, Bk. 1 Michael Davis, 1996, *The Politics of Philosophy: A Commentary on Aristotle's Politics*, Rowman & Littlefield, pp. 15–32.

⁷ Heiner Bielefeldt, Interview, 18 March 2021.

⁸ Ibid.

⁹ 2020, Monitor Tracking Civic Space, CIVICUS: <https://monitor.civicus.org/whaticivicspace/>.

¹⁰ Mawethu Nkosana, Interview, 18 March 2021.

¹¹ 2020, Monitor Tracking Civic Space, CIVICUS: <https://monitor.civicus.org/whaticivicspace/>.

expression, which are critical freedoms for civil society. We acknowledge that all rights and freedoms are interdependent, inalienable and interconnected, and as such with regards to civic space other freedoms and rights are important too for the vitality of civic space. For the purposes of our advocacy we primarily focus on the situation of human rights defenders and civic space as the freedom to associate, assemble and express.

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Other key international NGOs working in the field of promotion and protection of civic space share this basic understanding of civic space.¹³ In addition to these various International NGOs, The Office of the United Nations High Commissioner for Human Rights (OHCHR) defines it as, “The environment that enables people to access information, form opinions, contribute to decision-making relevant to their lives and mobilize others.”¹⁴ The OHCHR also gives a more articulate definition of civic space as,

The environment that enables civil society to play a role in the political, economic and social life of our societies. In particular, civic space allows individuals and groups to contribute to policy-making that affects their lives, including by: accessing information, engaging in dialogue, expressing dissent or disagreement, and joining together to express their views. An open and pluralistic civic space that guarantees freedom of expression and opinion as well as freedom of

¹² Mawethu Nkosana, Interview, 18 March 2021.

¹³ The Danish umbrella organization, Globalt Fokus, gives a similar rendition, “Civic space, which refers to the freedoms of association, assembly and expression, is the cornerstone of a vibrant democracy where citizens can participate and take active part in their own society found at: <https://www.globaltfokus.dk/arbejdsgrupper/civic-space>; European Civic Space Watch similarly defines civic space as a political, legislative, social and economic environment that enables citizens to come together, share their interests and concerns and act individually and collectively to influence and shape the policy-making. Civic space encourages people to pursue multiple, at times competing, points of view. It also defines civic space as revolving around three key pillars: association, peaceful assembly, and expression, which can be found at <https://civicspacewatch.eu/what-is-civic-space/>.

¹⁴ July 2020, Civil Society Space: Engagement with International and Regional Organization, United Nations High Commissioner for HUMAN Rights, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/096/43/PDF/G2009643.pdf?OpenElement>; 3.

assembly and association is a prerequisite for making development and peace sustainable.¹⁵

The various definitions all share an emphasis on freedom of expression, association, and assembly as core elements in civic space. These are all structural rights, with some form of *spatial* component involved.¹⁶ Furthermore, they share an emphasis on *participation*, as noted by Birgit Kainz Labbe, the Coordinator of the Civic Space Unit at OHCHR.¹⁷

With a few notable exceptions – including Concord Sweden and the Global State of Democracy Initiative – the vast majority of actors engaged in the promotion and protection of civic space do not include FoRB as an element in their definitions of civic space.¹⁸ This lack of attention to FoRB is problematic, first and foremost, because it leads to a lack of attention to certain types of human rights violations within civic space. If you are not looking for FoRB violations, you surely will not find any. Furthermore, it may mean that approaches to strengthen civic space and protect human rights defenders will overlook the important role of religious/belief actors in civic space, both as actors that are in need of protection (e.g. religious minority advocates, religious feminists or atheists and other non-believers) and as actors that may contribute to protecting, strengthening, and even shrinking civic space. In the following section, the report will discuss in more detail why it is important to include FoRB in definitions of

¹⁵ 2020, What is Civic Space?, United Nations Human Rights: <https://www.ohchr.org/EN/Issues/CivicSpace/Pages/ProtectingCivicSpace.aspx>

¹⁶ Mawethu Nkosana, Interview, 18 March 2021.

¹⁷ Birgit Kainz Labbe, Interview, 19 March 2021.

¹⁸ Sanna Svensson, Panel Discussion, 31 March 2021; Christina Wassholm & Sofia Tuvestad & Åsa Thomasson, 2018, Make Space! Defending Civic Space and The Freedom of Association and Assembly, Concord Sweden: <https://concord.se/wp-content/uploads/2018/05/make-space-english-summary-2018-concord-sweden.pdf>; the Global State of Democracy Initiative understands civic space revolving around five civil liberties: freedom of expression, freedom of association and assembly, freedom of religion, freedom of movement, and personal integrity and security, which can be found at <https://www.idea.int/gso-d-indices/#/indices/world-map>.

civic space. But first, let us briefly consider four possible reasons for this omission of a core human right in most civic space definitions:

Why do we find this lack of attention to FoRB in many definitions of – and approaches to – civic space?

One reason could be that secularism has historically dominated the field of civic space and human rights advocacy. Despite the fact that religious organizations and individuals have played an important role in shaping the international human rights system, the field of mainstream human rights advocacy has historically paid little attention to the role and relevance of religion in relation to human rights.¹⁹ Such lack of attention is further reflected in a strong secularist conception of religion as being a hindrance to the furthering of human rights. Religious actors were often seen as fundamentally different from other civil society actors and were often sidelined or overlooked in civil society engagement to promote human rights.

Related to this, the misperception that FoRB is a right that solely protects religion and religious actors have meant that many view FoRB as a ‘lesser right’, compared to e.g. the right to freedom of expression which would more adequately protect the ‘true’ civil society actors, understood first and foremost as secular, or non-religious, human rights defenders and NGOs. In fact, many would see FoRB as inherently oppositional to freedom of expression, protecting religious feelings, doctrines and harmony over criticism and debate around religion and thus contributing to stifling the public debate and pluralism essential to a vibrant civil society.

Third, some may acknowledge the importance of FoRB as a human right, but consider its inclusion in civic space definitions redundant, insofar as the legal

protection that FoRB offers in terms of freedom to express, practice and manifest one’s religion or belief is already covered by the rights to freedom of expression, assembly and association. Furthermore, they might argue that the ‘inner’ right to freedom of thought, conscience and belief is also – even if only implicitly – included in these rights.²⁰ The scholar Malcolm D. Evans in his article *The Freedom of Religion or Belief and The Freedom of Expression*, in fact, presents these ‘outer’ rights or freedoms as a continuum of the inner right of thought, conscience, and religion.²¹ Such notion is further supported by past rulings at the European Court of Human Rights.²²

Finally, and more pragmatically, actors engaged in the promotion and protection of civic space may shy away from including FoRB on the grounds that this is, in many parts of the world, a human right that is polarizing.²³ Religion or belief can play into national discourses.²⁴

A country’s identity is oftentimes interwoven or rooted in a particular religion. A civic space, therefore, that promotes FoRB could be viewed by certain nations as jeopardizing the status quo of their national integrity and traditional values, which makes them more inclined to limit any freedoms associated with religious pluralism, like FoRB.²⁵ Less democratic regimes often view FoRB as a threat to their country’s status quo.²⁶ Despite running such polarizing risks, the connection should be made more visible.²⁷

¹⁹ Michael Freeman, 2004, *The Problem of Secularism in Human Rights Theory*, *Human Rights Quarterly*, <https://doi.org/10.1353/hrq.2004.0020>, pp. 391.

²⁰ Malcom Evans, 2009, *The Freedom of Religion or Belief and the Freedom of Expression, Religion and Human Rights*, Brill, https://brill.com/view/journals/rhrs/4/2-3/article-p197_7.xml, pp. 197-235.

²¹ *Ibid.*

²² *Kokkinakis v. Greece*, 260-a Eur. Ct. H.R. (ser. A), at 31 (1993).

²³ Knox Thames, Answer to Question 8.

²⁴ Annika Silva-Leander, December 2020, *Taking Stock of Global Democratic Trends Before and During the COVID-19 pandemic*, International Institute for Democracy and Electoral assistance: <https://www.idea.int/sites/default/files/publications/global-democratic-trends-before-and-during-covid-19-pandemic.pdf>, pp. 21.

²⁵ *Ibid.*

²⁶ Anonymous US State Department Employee, Answer to Question 5.

²⁷ Njoroge Kimani, Interview, 5 March 2021.



III. Freedom of Religion or Belief & Civic Space

The human right to freedom of thought, conscience, and religion is recognized in both the Universal Declaration of Human Rights and the legally binding International Covenant on Civil and Political Rights, as well as in a number of other human rights standards.²⁸ It is often referred to in its

shorter form as the right to freedom of religion or belief (FoRB). Elements of FoRB as a human right have also been incorporated into numerous regional charters and national constitutions.²⁹

²⁸ In the UDHR, the freedom of belief is specifically mentioned in the preamble; article 2 outlines that the freedoms set forth in the UDHR are universal and applicable to all humans, regardless of religion; Article 18 of the UDHR specifically guarantees the freedom of thought, conscious, and religion found at <https://www.un.org/en/universal-declaration-human-rights>; Since then, freedom of religion or belief has been incorporated in various articles of the International Covenant on Civil and Political Rights (ICCPR); The freedom from religious based discrimination is outlined in both article 2 and 26; Article 18 of the ICCPR also guarantees the freedom of thought, conscious, and religion; Article 27 ensures that religious minorities shall not be denied the right to enjoy their own culture, to profess and practice their own religion, or use their own language <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>; General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion) is a separate document that further elaborates, quite extensively, on Article 18 of the ICCPR and was adopted by the Human Rights Committee in 1993 <https://www.refworld.org/docid/453883fb22.html>; Furthermore, there is also the 1981 Declaration on the Elimination of all Forms of Intolerance and of Discrimination Based on Religion or Belief that

specifically outlines human rights regarding the freedom of religion and belief <https://www.ohchr.org/EN/ProfessionalInterest/Pages/ReligionOrBelief.aspx>.
²⁹ Article 9 of the Council of Europe's Conventions for the Protection of Human Rights and Fundamental Freedoms (ECHR) https://www.echr.coe.int/documents/convention_eng.pdf; Paragraph 16 in the Organization for Security and Cooperation in Europe's Concluding document in Vienna 1986 <https://www.osce.org/files/f/documents/a/7/40881.pdf>; Article 10 of European human rights charter <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>; Article 8 of the African Union's Charter on Human and People's Rights <https://www.achpr.org/legalinstruments/detail?id=49>; Article 26 and 27 in the Arab Charter on Human Rights <https://www.refworld.org/docid/3ae6b38540.html>; Article 12 in the American Convention on Human Rights <https://www.cidh.oas.org/basicos/english/basic3.american%20convention.htm>.

FoRB guarantees all individuals the right to have or not to have a religion or belief, to change or leave one's religion or belief, and to manifest and practice one's religion or belief, either alone or in a community with others. While the right to have or not to have a religion or belief cannot under any circumstances be restricted, the right to manifest or practice this religion or belief can be restricted in certain situations, e.g. if one person's religious practices and manifestations violate the rights and freedoms of others.

The right to FoRB includes the right to be free from religion in the sense that no individual can be forced or coerced into believing or practicing a particular religion or belief against their will. But the right to FoRB does not include the right to a *religion-free* public sphere. FoRB is best guaranteed in a society in which state and religion are separate, and where the state equally and impartially protects the civic space for individuals and groups of all beliefs, whether religious or non-religious.³⁰

FoRB is closely related to, and intertwined with, other rights, including the rights to expression, assembly and association, but also the right to freedom of movement, property rights and many others. As noted by the renowned FoRB expert and former Special Advisor for Religious Minorities in the Near East and South Central Asia at the US State Department, Knox Thames:

Its expansive nature becomes apparent with the simple act of going to a church, temple, or mosque. Of course, there is freedom of belief, to hold freely formed convictions. For the faithful trying to get to worship on time, there must be freedom of movement. To gather in a group, freedom of assembly must be respected. Freedom of speech permits the

preaching of sermons. Freedom of expression allows for the wearing of religious motivated attire. Property rights enable religious communities to own land and buildings, while legal recognition facilitates these and other important transactions. To have full religious freedom, you need other human rights, as they are intrinsic components.³¹

Now, why is it important to include FoRB in our understanding, and assessment, of civic space? There are at least five good reasons:

1. Protects the right to freedom of thought and conscience
2. FoRB is a universal right for all, religious as well as non-religious
3. FoRB provides important additional protections of the right to freedom of expression, association and assembly
4. FoRB directs attention to kinds of human rights violations and civic space restrictions that are often overlooked
5. The status of FoRB is often indicative of the broader human rights situation

First and most fundamentally, FoRB protects the right to freedom of thought and conscience for all, and as such protects a fundamental aspect of civic space activism. FoRB does not only include the 'outer' right to have and practice a religion or belief; it also protects the 'inner' right to freedom of thought and conscience (religious or non-religious) without coercion of any kind. This is an indispensable prerequisite for the freedom to participate in the public sphere – whether in the sense of assembly, association, or expression. Participation makes little sense without the fundamental freedom to think or believe what one wants. *"In the civic space, one has conviction, and that is where FoRB comes into play,"* former UN Special Rapporteur on FoRB, Heiner Bielefeldt, notes: *"One cannot have a meaningful idea of civic space without*

³⁰ Ed Brown & Kristin Storaker & Lisa Winther, 2015, Freedom of Religion or Belief for Everyone, Stefanus Alliance: <https://digni.no/wp-content/uploads/2016/01/Freedom-of-Religion-and-Belief-for-everyone.pdf> pp. 5;

³¹ Knox Thames, Answer to Question. 4.

respecting people in their identity-shaping convictions.”³² Birgit Kainz Labbe from OHCHR agrees: “[W]hat people express [in civic space] is very much influenced by one’s belief(s).”³³ One must first have the freedom to form an opinion or hold a belief, before they can manifest that belief’s spatial dimension in public. A concrete example: The right to establish a Christian NGO, to organize a public celebration of a holiday or to otherwise express and manifest one’s Christian belief in the public sphere makes little sense without the fundamental right to freely believe in Christianity.

With recent technological developments, protection of the right to freedom of thought and conscience has become even more pertinent. Advances in digital technology means that our thoughts can actually be accessed, altered and manipulated in ways that nobody imagined only a few years ago; including also to control, limit, punish or prevent participation in civic space, whether online or in real life.³⁴

Second, the right to FoRB is a universal right for all, regardless of whether they are religious or non-religious. FoRB protects individuals’ right to have and practice their religion or beliefs in the broadest sense possible. This includes, among others, traditional and non-traditional religious beliefs, old and new religions, as well as – importantly – atheist and other non-religious beliefs. Limitations on FoRB may thus restrict the civic space for a broad range of different actors, including not only conventional religious institutions or organizations, but also associations of atheists and other non-believers, religious feminists who insist on interpreting their religion in a gender-sensitive manner, religious minority advocates, faith-based human rights organizations and so on. A strong protection

of FoRB thus contributes to ensuring a pluralist and diverse civic space.

Third, FoRB provides important additional protections of the right to freedom of expression. As a human right FoRB does not protect religion, nor their ideas and doctrines; it protects *individuals’* right to freedom of thought, conscience and religion.³⁵ In fact, FoRB protects individuals’ right to criticize, challenge and reinterpret a religion or belief, whether their own or that of others.³⁶ As noted in the European Court of Human Rights’ ruling in the *Otto-Preminger-Institut* case, “Those who choose to exercise their freedom of religion...cannot reasonably expect to be exempt from all criticism. They must tolerate and accept the denial by others of their religious belief and even the propagation by others of doctrines hostile to their faith.”³⁷ Various soft law standards also emphasize this aspect of FoRB. Asma Jahangir, a former UN Special Rapporteur on FoRB, explicitly stressed this point during the Danish cartoon crisis stating that no religion and no believer is guaranteed the right to freedom from criticism or ridicule.³⁸

Fourth, and more pragmatically, FoRB directs attention to civil society actors, kinds of human rights violations and civic space restrictions that are often overlooked. As noted above, religious or belief actors are often overlooked or sidelined in engagement with civil society around civic space protection. But they play an important role in

³² Heiner Bielefeldt, Interview, 18 March 2021.

³³ Birgit Kainz Labbe, Interview, 19 March 2021.

³⁴ Marie Juul Petersen, Presentation at Roundtable Discussion, 23 April 20201.

³⁵ Heiner Bielefeldt, February 2013, Misperceptions of Freedom of Religion or Belief, *Human Rights Quarterly*, <https://www.jstor.org/stable/pdf/23352251.pdf>, pp., 43.

³⁶ Ed Brown & Kristin Storaker & Lisa Winther, 2015, Freedom of Religion or Belief for Everyone, Stefanus Alliance: <https://digni.no/wp-content/uploads/2016/01/Freedom-of-Religion-and-Belief-for-everyone.pdf> pp 5.

³⁷ *Otto-Preminger-Institut v. Austria*, 295 Eur. Ct. H.R. (Ser. A) (1994).

³⁸ Asma Jahangir & Doudou Diène, Report of the Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, and the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance, Doudou Diene, further to Human Rights Council Decision 1/107 on Incitement to Racial and Religious Hatred and the Promotion Tolerance, U.N. Doc: <https://www.refworld.org/docid/45c30b640.html>



IV. The Role of Religious or Belief Actors in Civic Space

In efforts to promote and protect civic space, engagement with the very actors who are affected by restrictions on civic space is crucial. Promoting and protecting civic space requires strong partnership with civic actors. As noted in a report by the UN High Commissioner for Human Rights, there is a need for stronger support to local actors that could help promote civic space, including:

Women, children, young people, older persons, persons, with disabilities, minorities, migrants, indigenous peoples, lesbian, gay, bisexual, transgender, and intersex individuals and groups, community-based and local civil society actors outside capital

cities, and others at risk, including journalist, bloggers, peace and humanitarian workers, land activists and environmental defenders.⁴⁵

While not explicitly mentioned in the OHCHR report, religious/belief actors should also be considered important partners. In many parts of the world, these actors make up a substantial and very active part of civil society. As noted by Knox Thames: *“Religious actors are usually some of the most visible people in communities. They are civic*

⁴⁵ July 2020, Civil Society Space: Engagement with International and Regional Organizations, Office of the High Commissioner and the Secretary General: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/096/43/PDF/G2009643.pdf?OpenElement>, pp. 14.

actors. Excluding them excludes important and influential voices.”⁴⁶ Religion or belief forms a notable part of the lives of the majority of people in the world. In the words of Dr. Rev. Kenneth Mtata the General Secretary of the Zimbabwe Council of Churches:

*Religious resources or ideas help people form their reality, and it forms the infrastructure for peoples’ cosmology. It is what helps them make sense of reality, especially in the Global South. The way people construe what it means to be a human being and how to interact with one another is designed through the resources of religion. They continue to carry this on when they go to engage with others in the civic space.*⁴⁷

It is, therefore, crucial to obtain a certain amount of religious literacy, when analyzing contexts and selecting suitable partners for the promotion of civic space.

Even if religious/belief actors are not always considered in initiatives focusing on the promotion and protection of civic space, there is acknowledgement of the importance of including these actors in development cooperation more broadly. The last two decades have witnessed increasing attention to religion and religious actors in development among UN agencies, bilateral development donors and major NGOs. Several donors have formulated guidelines for engagement with religious actors, most have well-established partnerships with faith-based NGOs (FBOs), and there is increasing awareness of the positive role that local religious leaders can play in furthering development and human rights. There is thus a wealth of experiences and best practices for actors engaged in civic space advocacy to draw upon.

The following provides a brief introduction to religious/belief actors in civic space, presenting the two most important types of actors and discussing some of the roles they can play and challenges they face in relation to civic space.

Faith-based organizations, or FBOs as they are often called, are key actors in civil society in most parts of the world. The term refers to non-governmental organizations or institutions that define themselves as religious or belief based. They often refer to their religious principles, traditions, practices, authorities, figures or concepts to help define and operate their group. FBOs make up an incredibly heterogeneous group of actors, differing along a broad range of parameters. FBOs are faith-based in many different ways, and it is not possible to identify one single faith-based approach to development and human rights.⁴⁸ FBOs can be found in both urban and rural environments. Some are professional, while others are voluntary. They operate in both formal and informal capacities and in a traditional or non-traditional setting.

FBOs are important development actors providing health and education services; offering care for children, the elderly, the poor, and those who are handicapped, serving as sanctuaries during disasters, or otherwise engaging in development-related activities. Lately, they engage in responding to the COVID-19 pandemic through mobilizing their networks for prevention of the virus’s spread and supporting the health sector through providing their own health services and other support to local populations.⁴⁹

They often have significant outreach, even in the most remote and unstable areas. This is especially the case in contexts with a weak or dysfunctional government that fails to

⁴⁶ Knox Thames, Answer to Question 9.

⁴⁷ Kenneth Mtata, Panel Discussion, March 30, 2021.

⁴⁸ September 2020, Engaging with Faith-Based Organisations and Religious Leaders (Scoping Note), DEVCO A5 and B1, pp.5.

⁴⁹ Ibid, pp.4.

provide adequate social services. Often international and local FBOs have strong expertise in peace building and in setting up conflict transformation and reconciliation mechanisms. Many – but certainly not all – also have a long-term presence in the communities and are able to engage deeply with these in order to formulate solutions and actions to a specific problem that plagues the local community. Finding inspiration in common religious texts and traditions, and employing a common religious language, they are sometimes able to address sensitive issues such as gender-based inequality and violence, discrimination of minorities, and violent extremism in ways that resonate better with the local population than other organizations. Obviously, there are also numerous examples of FBOs (mis)using religious texts and traditions to promote and justify discrimination, inequality, and violence.

Individual religious leaders make up another important category of religious/belief actors. The term religious leader refers broadly to those individuals who play influential roles vis-à-vis their religious authority, whether in local community or the broader society, including also at regional and international levels. The term includes both formal religious leaders that are part of an established religious hierarchy, such as e.g. priests, rabbis and imams, but also more informal types of religious leaders, such as teachers, scholars, women’s group leaders, journalists, directors of FBOs etc. Focusing solely on formal religious leaders, who are typically old(er) men, may not only contribute to reinforcing patriarchal structures and practices; it may also fail to take into account the many different ways that religious authority manifests itself at a local level. Religious leaders, however, often enjoy considerable authority and legitimacy and are important in shaping and communicating religious norms and values. Furthermore, they can play important roles in relation to conflict resolution and peace

building, education, social justice advocacy, and coordinating the distribution of humanitarian aid. As noted by Mawethu Nkosana from CIVICUS: *“Religious and traditional leaders are the moral and lifestyle base of communities. They are valuable in influencing rhetoric, framing debates and in advocating for certain issues. Thus, a buy-in from religious and traditional leaders on civic space mandates makes that community buy in and sensitization easier.”*⁵⁰

FBOs and religious or belief leaders can play important roles in the development of civic space and promotion of human rights in general.⁵¹ They are influential actors that often enjoy high levels of authority, support and legitimacy in the community, especially in contexts with a weak or corrupt government.⁵² An anonymous interviewee at the US Department of State says: *“In nations with a corrupt government, the religious actors are often representing the interests of the people within a civic space in ways in which the government is not.”*⁵³ Religious or belief actors are able to build bridges across differences, to increase freedom and expand spaces for civil societies. And they are able to go about this process due to the amount of trust and respect they possess in the communities they work in. Religious or belief organizations are often the largest single constituency that meets regularly each week, making the church, the mosque, or the synagogue the most regularly attended, self-organizing, identity shaping and legitimacy-giving institution ahead of any other civil society group.⁵⁴

Engagement with religious actors can be especially relevant when working with issues

⁵⁰ Mawethu Nkosana, Interview, 18 March 2021.

⁵¹ Filip Buff Pedersen, Panel Discussion, 30 March 2021.

⁵² September 2020, Engaging with Faith-Based Organisations and Religious Leaders (Scoping Note), DEVCO A5 and B1, pp. 6.

⁵³ Anonymous Employee US State Department, Personal Interview, 4 March 2021.

⁵⁴ Kenneth Mtata, Religion: Help or Hindrance to Development?, The Lutheran World Federation: https://www.dmcdd.org/fileadmin/Filer/Dokumenter/Religion_og_udvikling/Religion_Help_or_Hindrance_to_Development_LWF.pdf, pp. 2.

that have a religious dimension, e.g. harmful practices and gender-based violence or discrimination of religious minorities. But engagement can also be relevant in relation to a wide range of other topics and issues that may not have an explicit religious dimension like anti-corruption, accountability, environmental protection and climate change, peace building, conflict resolution and service provision.⁵⁵ The moral authority of FBOs and religious or belief actors, their connections and outreach, along with their knowledge and expertise is what makes them important actors that can create a positive change in the overall goal of promoting civic space, together with other civil society actors and organizations.

Religious/belief actors may also provide an in-depth understanding of the local dynamics and development of policies and programs within the civic space of a country or region; furthermore, they may be able to provide context-sensitive solutions for how to best address such issues, qua their often long-term presence and familiarity with local religious language, norms and practices.⁵⁶ When governments close down discussion of a particular issue or inhibit CSOs from operating, religious or belief actors can use religious rituals or non-confrontational language to convey the same ideas about defending the human rights or supporting sustainable development goals. Using religious language, religious or belief actors can often appeal to the strong belief systems or convictions of communities, leveraging wider support and more sustained participation than other civil society groups.⁵⁷

Finally, religious and belief actors may present an added value in terms of channeling the experiences, grievances and

needs of people on the ground. Many religious/belief actors, although certainly not all, have a large and often diverse constituency,⁵⁸ expansive networks and relations in local communities and they are often in a position to communicate these to a broader audience, including government, international organizations and other influential actors. Claims too representatively, however, should always be considered with caution; religious communities – even when belonging to the same religious tradition – are extremely heterogeneous, and not everybody will feel represented by their religious leader.

In a panel discussion hosted by CKU on the 30th of March, Dr. Rev. Kenneth Mtata reported three tensions that religious or belief actors must be made aware of (educated to address), as doing so will further their efficacy in the promotion of civic space:

1. Religious or belief actors are often found guilty of pushing for only a peaceful coexistence. Dr. Rev. Kenneth Mtata states:

Such notion is good, but it often goes to the extent where they become timid in dealing with justice issues in their society. Instead, they are pushed to focus on the softer dimension of peace and unity, while seeking justice is viewed as being a provocation as entering into a political sphere that is deemed as not belonging to religious actors. There was an understanding that the Church must confine themselves to just promoting peace, which is construed and devoid of justice. Religious actors will make an even greater contribution to the promotion of civic space if they are made aware that drawing from their traditions and religious resources that promote not just peace but also justice.⁵⁹

⁵⁵ September 2020, Engaging with Faith-Based Organisations and Religious Leaders (Scoping Note), DEVCO A5 and B1, pp 12.

⁵⁶ Kenneth Mtata, Religion: Help or Hindrance to Development?, The Lutheran World Federation: https://www.dmcd.org/fileadmin/Files/Dokumenter/Religion_og_vikling/Religion_Help_or_Hindrance_to_Development_LWF.pdf, pp., 4.

⁵⁷ Ibid.

⁵⁸ Kenneth Mtata, Panel Discussion, 30 March 2021.

⁵⁹ Ibid.

In order not to be reduced to “oil on troubled waters”⁶⁰ religious or belief actors must not be silent on issues that pertain to social justice, as it is often their voices that are valued and recognized the most within their local context. This needs to be utilized even more, as the promotion of justice in the civic space of a community will often lead to more democratic reforms in the overall society.

2. In addition to justice, religious or belief actors must allow for the coexistence of both competition and cooperation, as doing so can allow for a more democratic civic space to emerge. Dr. Rev. Kenneth Mtata explains further:

*The political actors when they interact with the public space are viewed as competing for power and exert themselves over others. So, the natural idea of shaping the public space by religious actors is viewed mainly as just being something that has to do with competition. But there is also a possibility to think of the public space that could allow for cooperation. In religion we have examples of cooperation and competition to coexist. In Christianity we have examples of unity in diversity. This is something we use a lot in ecumenism. We can take this for the political setting as well.*⁶¹

Allowing for this unique tension between competition and cooperation to be held by the religious or belief actors can foster a diverse set of opinions, which is a defining characteristic of a healthy and vibrant civic space accessible by all.

3. The last point that needs to be made, is how religious or belief actors can help contribute to the wellbeing of a more open civic space through how they construe religious ideas. Dr. Rev. Kenneth Mtata articulates further,

Religion allows people to respond to situations but also proposes how society must look like. The tension between responsiveness and being propositional is something that is absent in how religious or belief actors work. They feel that their main purpose is to respond, as if they are the ambulance drivers. It is, however, just as important to show that religious actors can provide processes of co-creation and develop ideas of how society must look like.⁶²

Reducing religious or belief actors to being only a responsive force limits their potential interaction with civic space. They must be made aware that they possess the most potential to shape the society they inhabit. Enabling them with the right tools to expand their abilities of being more than just a reactionary force will allow them to create a more democratic and open civic space in the future.

To sum up, religious/belief actors are actors in civil society, on par with all other kinds of civil society organizations. They should not be excluded, nor treated differently than other civil society organizations. Particular attention, however, should be given to these three tensions, as doing so will help further promote an open and democratic civic space. Engagement with FBOs should always be considered as part of the broader civil society engagement, especially when civic space is threatened. FoRB should be included in civic space analysis through monitoring the treatment of religious or belief actors along with their ability to operate and influence their nation’s civic space.

⁶⁰ Tale Steen-Johnson (2014): Oil on Troubled Waters – religious Peacebuilding in Ethiopia (Phd), University of Agder, Kristiansand Norway

⁶¹ Ibid.

⁶² Ibid.



V. Case Studies

Israel & Palestine

The rise in restrictions on Christians and Muslims access to civic space in Israel and the occupied territories further demonstrates an ever-increasing authoritarian government. Israel's shift can be explained through the power of its religious actors both within the local community but also within the government itself. From after 1967, the Zionist parties have become increasingly powerful and have introduced laws that promote the rabbinical interpretation of Judaism.⁶³ Currently, Israel defines itself as a Jewish state, one that shall be governed by the Orthodox interpretation of rabbinical Judaism.⁶⁴ All other forms of belief not in line are not given the same protections.

Furthermore, the Basic Law: Israel as the Nation-State of the Jewish People adopted by the Knesset in 2018 states that the Jewish character of the state of Israel takes a higher

priority than democratic values.⁶⁵ Due to Israel's Jewish identity, Jews have legal precedence over all other people within the country, and this is especially true within their access to civic space. People who live in Israel that are citizens but not Jewish, like the Christian and Muslim minorities who make up almost twenty five percent of the population, are not recognized as possessing the same rights and freedoms enjoyed by those believing in the Rabbinic Orthodox form of Judaism.⁶⁶ Christians and Muslims are especially targeted by the state and their access to civic space is limited severely, as they have a difficult time obtaining the right to assemble, protest, and express themselves compared to those who practice the Rabbinic Orthodox interpretation of Judaism.⁶⁷

The systematic disenfranchisement of the non-Jewish believing minority in Israel and the occupied territories should be

⁶³ Salim J. Munayer & Daniel Munayer, interview, 11 March 2021.

⁶⁴ Ibid.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ Ibid.

understood by the prominent role Rabbinic Jewish actors play in Israeli society, specifically their ability to limit civic space for non-Jews. Such religious actors have always had a great deal of influence on the political affairs in Israel.⁶⁸ There has, however, been a sharp shift in the community of the religious actors to adopt a more hawkish and uncompromising stance towards those who do not follow the Rabbinic Orthodox interpretation.⁶⁹ The religious parties in the Knesset carry immense political sway and give Prime Minister Benjamin Netanyahu the necessary support to form a government.⁷⁰ They hold some important ministry positions like: the ministry of religious services, the ministry of the interior, and the ministry of education.⁷¹ Furthermore, the government continues to implement policies based on Rabbinic Orthodox Jewish interpretations of religious law.⁷² Prime Minister Benjamin Netanyahu also grants these religious actors' constituents many benefits that further enable and promote their ultimate Zionist, non-democratic agenda. Salim Munayer the Executive Director of the reconciliation organization Musalaha says, "The large majority of Israel is becoming less secular, as Israel is in the process of Judaizing the entire state through taking over Christian monasteries, hostels, and even churches."⁷³ Several church leaders in Jerusalem have reported that due to the failure of international diplomacy and the peace process, many Christian residents feel their lives have become increasingly unbearable causing many to flee.⁷⁴

In addition to the marginalization of Christian and Muslim minority groups through covert political means, it is also occurring within the civic space itself. There has been an increase in rabbis inciting violence against the Muslim and Christian minorities along with vandalizing their property.⁷⁵ The state of Israel refuses to investigate or punish the religious actors involved, often letting the perpetrators go unfettered.⁷⁶ The government's ineptitude to hold those accountable demonstrates their agenda: grant the religious actors who promote Rabbinic Judaism control over the civic space and limit it for anyone that does not abide by their status quo. "Their intention is clear they want to either force us out or abide by their rules."⁷⁷

FoRB violations instilled on Christians and Muslims are not the only fundamental human rights being violated in Israel and the occupied territories. There has been an overall increase in human rights violations and hate crimes inflicted on Israel and Palestine's most vulnerable communities, demonstrating how FoRB should be viewed as a tool that is indicative of the overall human rights environment in a region due to its intersectionality. Women's rights organizations cite a growing trend of gender discrimination due to the ever-increasing incorporation of the Orthodox interpretation of Rabbinic Judaism brought on by government institutions.⁷⁸ There has been a strong uptick in racial discrimination directed towards Israelis of Ethiopian, Yemeni, and Arab

⁶⁸ Michael Freedman, Fighting From the Pulpit: Religious Leaders and Violent Conflicts in Israel, Massachusetts Institute of Technology: <https://journals.sagepub.com/doi/abs/10.1177/0022002719832346>, pp. 2.

⁶⁹ Ibid.

⁷⁰ Salim J. Munayer & Daniel Munayer, Interview, 11 March 2021.

⁷¹ Lisa Loden, June 2018, Religious Persecution...in Israel?, Do Justice: <https://dojustice.crcna.org/article/religious-persecutionin-israel>.

⁷² 2019 Report on International Religious Freedom: Israel, U.S. Department of State Office of International Religious Freedom: <https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>.

⁷³ Salim J. Munayer & Daniel Munayer, Interview, 11 March 2021

⁷⁴ 2019 Report on International Religious Freedom: Israel, U.S. Department of State Office of International Religious Freedom: <https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>.

⁷⁵ Salim J. Munayer & Daniel Munayer, Interview, 11 March 2021

⁷⁶ Andrew Lawler, December 2015, Jewish Extremists' Attacks Rattle Christians in Holy Land, National Geographic: <https://www.nationalgeographic.com/history/article/151224-israel-jewish-terrorism-arson-christian-church-multiplication>.

⁷⁷ Salim J. Munayer & Daniel Munayer, Interview, 11 March 2021.

⁷⁸ Dina Kraft, January 2020, In Israel, Orthodox Women are fighting to be heard...and seen: <https://www.csmonitor.com/World/Middle-East/2020/0102/In-Israel-Orthodox-women-are-fighting-to-be-heard-and-seen>.

descent.⁷⁹ High levels of LGBTQ-phobia is a severe problem within the nation as well.⁸⁰

Many ultra-Orthodox Jews go about harassing individuals who did not conform to Jewish Orthodox Rabbinic traditions, including more secular Jews. They often verbally abuse, spit, and throw stones at Jews who drive on Shabbat or do not wear modest dress.⁸¹ Salim also reports, “The religious actors of the ultra-Orthodox are the problem as they are now part of the establishment. If you do not obey the rabbi you cannot live within the community. They have a lot power.” Many secular Jews have become annoyed with the growing rise in the influence of the Rabbinic Orthodox religious actors. “The secular Jews feel they are paying for everything, receiving nowhere near as many benefits, and are now having their everyday lifestyle infringed on by increasingly more Rabbinical Law.”⁸² As a result, many secular Israeli Jews are fleeing to more secular enclaves in the country like Tel Aviv where the civic space is not as limiting.⁸³

The current state of events in Israel and the occupied territories demonstrate that religious actors have an immense impact on an individual’s access to civic space. Unfortunately, the local context shows that a large portion of the religious actors are hindering and not helping Israel’s democratic potential. The Rabbinic Orthodox religious leaders promote FoRB violations and limit vulnerable minority groups’ access to civic space on both a political and societal level. If Israel wants to claim the title of the “only democracy in the Middle East,” then it must

⁷⁹ Ethiopian Jews Confront Racism in Israel, 2020, Middle East Policy Council: <https://mepc.org/commentary/ethiopian-jews-confront-racism-israel>.

⁸⁰ We are the LGBTQ in Israel: https://www.ohchr.org/Documents/Issues/SexualOrientation/IESOGI/CSOs/KZ/LGBTQ_Coalition_Israel_Appendix_-_the_LGBTQ_coalition_in_Israel.pdf.

⁸¹ 2019 Report on International Religious Freedom: Israel, U.S. Department of State Office of International Religious Freedom: <https://www.state.gov/reports/2019-report-on-international-religious-freedom/israel/>.

⁸² Salim J. Munayer & Daniel Munayer, Interview, 11 March 2021

⁸³ Ibid.

promote and protect FoRB. Furthermore, it must allow religious pluralism to exist within its society, especially for those who do not wish to adhere to the Orthodox Rabbinic observance of Judaism.

Ethiopia:

The Ethiopian Orthodox Tewahedo Church (EOTC) remains the most influential faith-based organization in Ethiopia. The EOTC is the largest Christian denomination in Ethiopia and continues to occupy a crucial position in the country because its roots can be found within the land’s national history. They possess a wide network of institutions that reach every corner of Ethiopian society.⁸⁴ The church also reaches many Ethiopians through its education system.⁸⁵ According to a survey conducted by the Pew Research Center, members of the OETC are amongst the most devoted Orthodox Christians in the world. “The majority of Orthodox Christians in Ethiopia say they attend church weekly (78%) and pray daily (65%), and nearly all (98%) say religion is important in their lives.”⁸⁶ It has long-term experience with development through the Development and Inter-Church Aid Commission (DICAC).⁸⁷ The most influential protestant churches in Ethiopia are the Kale Heywet Church, and the Ethiopian Evangelical Church Mekane Yesus (EECMY).

⁸⁴ Interview with Dr. Agedew Redie, Commissioner of EOC-DIDAC, Addis Ababa, 30 May 2018. Found in Annette Jansen, August 2018, If You Need Us Allow Us The Role of Faith-Based Organisations in Enhancing Civic Space, Civic Engagement Alliance: <https://civicengagementalliance.org/content/4-news/201901100012-if-you-need-us-allow-us/cea-if-you-need-us.pdf?1547116737%20http://>, pp. 36.

⁸⁵ An estimated 6.7 million youth are enrolled in Sunday school and the church runs three logical colleges and 28 clergy centers all of which can be found at Norwegian Church Aid. 2015. Faith-Based Organizations’ Response for the Abandonment of Female Genital Mutilation and other Harmful Practices in Ethiopia: pp.10.

⁸⁶ November 2017, Orthodox Christians are highly religious in Ethiopia much less so in former Soviet Union, Pew Research Center: <http://www.pewforum.org/2017/11/08/orthodox-christians-are-highly-religious-in-ethiopia-much-less-so-in-former-soviet-union/>.

⁸⁷ Annette Jansen, August 2018, If You Need Us Allow Us The Role of Faith-Based Organisations in Enhancing Civic Space, Civic Engagement Alliance: <https://civicengagementalliance.org/content/4-news/201901100012-if-you-need-us-allow-us/cea-if-you-need-us.pdf?1547116737%20http://>, pp. 35.

Regardless of which denomination, religious actors are the first a majority of Ethiopians turn to for help and support. Most members of faith communities will follow the instruction and guidance of their religious leaders. *“If a pastor or priest says, ‘Do this’, people do it. That is the difference compared to Western culture,”* explained Kidist Belayneh, Program Manager of Norwegian Church Aid (NCA)-Ethiopia, *“I have seen in my own congregation that leaders mobilized doctors and nurses to serve the community.”*⁸⁸ A lot of this trust is built off of how in Ethiopia each household has a local designated priest.⁸⁹

The significant sway that the various churches carry amongst the Ethiopian populace is also reflected in their ability to enhance and defend civic space and campaign for democracy and peace in Ethiopia. *“Democracy by itself is a natural gift given from God,”* Says Haliemariam a local priest and preacher of the EOTC in Addis Abba, *“The Bible says that the righteous must think about the blood of others, and that is why after every Sunday Mass, we reflect such belief by promoting for the protection of human rights for all and argue in favor of democracy, as it is from God.”*⁹⁰ A prime example of how the church spoke up for human rights can be found in their campaign to condemn both female genital mutilation and child marriages.⁹¹ With specific regards to the opening and promotion of civic space, both local and hierarchal church leaders were some of the most responsible for reforming the restrictive law that limited an individual’s

access to civic space called Proclamation 621/2009 also referred to simply as Proclamation 2009.

Before Prime Minister Abiy Ahmed took power, Ethiopia suffered from a repressive climate and closed civic space, which originated from the disputed results of the 2005 election where the former Prime Minister Hailemariam Desalgn Boshe tried to cling to power. A result of his authoritarianism, his government issued Proclamation 2009, which hampered the NGO and development sector and severely limited the operational and political space for all CSOs.⁹²

Churches of different denominations came together to think of ways to increase the operational and political space. In 2017, they had a meeting with former Prime Minister Hailemariam Desalegn Boshe *“on the issue that we need a separate policy for faith-based organizations,”* recounted Simon Haile, Commissioner of the development wing of the Evangelical Kale Heywot Church, *“We [FBOs] do not fit in the system [for charities and societies] that he designed... We said, ‘We know that you need us, as a church, for every aspect [of society], for example for conflict [mitigation], health issues...If you need us, allow us! And make us independent so that we can play our roles.”*⁹³ Prime Minister Hailemariam agreed and asked the churches to submit a formal appeal, but then the Prime Minister resigned due to the political turmoil.⁹⁴

⁸⁸ On average, one priest may be a confessor for ten to fifteen households. The church’s influence is at an almost individual household level. More information can be found at Annette Jansen, August 2018, If You Need Us Allow Us The Role of Faith-Based Organisations in Enhancing Civic Space, Civic Engagement Alliance: <https://civicengagementalliance.org/content/4-news/201901100012-if-you-need-us-allow-us/cea-if-you-need-us.pdf?1547116737%20http://>

⁸⁹ Interview with Dr Agedew Redie, Commissioner of EOC-DICAC, Addis Ababa, 30 May 2018 found in Annette Jansen, August 2018, If You Need Us Allow Us The Role of Faith-Based Organisations in Enhancing Civic Space, Civic Engagement Alliance: <https://civicengagementalliance.org/content/4-news/201901100012-if-you-need-us-allow-us/cea-if-you-need-us.pdf?1547116737%20http://>

⁹⁰ Haliemariam, Interview, 9 March 20201.

⁹¹ Ibid.

⁹²The law aimed to limit the work of all secular and faith-based organizations in Ethiopia that work on human rights issues including faith-based organizations, only 10% of a CSO’s budget could be consisting of foreign funds. For more information please refer to **Proclamation NO. 621/2009**: <https://www.refworld.org/docid/4ba7a0cb2.html>.

⁹³ Interview with Simon Haile 29 May 2018 found in Annette Jansen, August 2018, If You Need Us Allow Us The Role of Faith-Based Organisations in Enhancing Civic Space, Civic Engagement Alliance: <https://civicengagementalliance.org/content/4-news/201901100012-if-you-need-us-allow-us/cea-if-you-need-us.pdf?1547116737%20http://> pp. 37.

⁹⁴ Annette Jansen, August 2018, If You Need Us Allow Us The Role of Faith-Based Organisations in Enhancing Civic Space, Civic Engagement Alliance: <https://civicengagementalliance.org/content/4-news/201901100012-if-you-need-us-allow-us/cea-if-you-need-us.pdf?1547116737%20http://> pp. 40.

Yet the current Prime Minister who replaced him, Abiy Ahmed, carried out the churches' requests and the draconian 2009 Proclamation.⁹⁵ In fact, before the new law was passed, there were several consultations across Ethiopia's nine regions, and over 1,000 CSOs were engaged in the process and the initial document for the draft law was produced by civil society itself, at the behest of several FBOs and the Ethiopian Orthodox Tewahedo Church Development and Inter-Church Aid Commission.⁹⁶ The scope of action for CSOs has now widened and no longer limited by the government.⁹⁷ This has allowed the right to freedom of association and expression without governmental restriction to flourish,⁹⁸ two highly recognizable elements that define civic space. Furthermore, the positive changes instigated by religious actors from the various churches opened Ethiopia's civic space. The new government released both political prisoners and journalists; the overall environment of the media improved.⁹⁹ The new government also legalized opposition parties, some of which were formerly banned as terrorist organizations,¹⁰⁰ and began shutting down prisons where horrible human rights abuses took place.¹⁰¹ This opening of civic space, however, would not have been possible without different religious actors from the Protestant, Orthodox and Muslim faiths speaking to Ethiopia's leadership.¹⁰²

Although civic space was much more open

March 2020, Ethiopia: For Civil Society 2019 has been a new beginning, CIVICUS <https://www.civicus.org/index.php/media-resources/news/interviews/4312-ethiopia-for-civil-society-2019-has-been-a-new-beginning>.

⁹⁶ Haliemariam, Interview, 9 March 2021.

⁹⁷ March 2020, Ethiopia: For Civil Society 2019 has been a new beginning, CIVICUS <https://www.civicus.org/index.php/media-resources/news/interviews/4312-ethiopia-for-civil-society-2019-has-been-a-new-beginning>.

⁹⁸ Ibid.

⁹⁹ March 2020, Ethiopia: For Civil Society 2019 has been a new beginning, CIVICUS <https://www.civicus.org/index.php/media-resources/news/interviews/4312-ethiopia-for-civil-society-2019-has-been-a-new-beginning>.

¹⁰⁰ Ibid.

¹⁰¹ Abudullahi Halakhe, September 2019, Former Torture Centre Reopened to Public and Former Inmates, CIVICUS: <https://monitor.civicus.org/updates/2019/11/04/former-torture-centre-reopened-public-and-former-inmates/>.

¹⁰² Haliemariam, Interview, 9 March 2021.

and democratic when Abiy Ahmed first became Prime Minister in 2018, the recent events in Ethiopia show his ruling is becoming increasingly authoritarian. Many feel as though, "*Abiy Ahmed eats the seed of lies*."¹⁰³ Abiy Ahmed along with his ruling government delayed the parliamentary elections because of Covid-19.¹⁰⁴ The current war in the north is a byproduct from this situation, as the Tigrinya people are trying to secede from Ethiopia and believe there is no longer a legitimate democratically elected government due to there being a delay in the election.¹⁰⁵ Ethnic based violence has become once again commonplace throughout Ethiopia.

Today religious actors in the EOTC and other churches are working on promoting civic space on many different levels both through a grassroots campaign and through the church's hierarchy to lobby the government to return to its commitment of protecting human rights and promoting democracy.¹⁰⁶ In addition, the EOTC is also unofficially advocating for the people to participate in the other various political parties, including opposition parties within parliament.¹⁰⁷

Zimbabwe:

Religious actors in Zimbabwe have played a crucial role in defending democratic values along with promoting an individual's access to civic space. The birth of civil society in Zimbabwe is closely tied to the various churches.¹⁰⁸ From the nation's beginning, one can see the various church groups and FBO's engagement. These religious actors campaigned for a just, peaceful, and inclusive Zimbabwean society during the struggle for independence in the 1960s and 1970s. The leadership for Zimbabwe's independence

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Kenneth Mtata, Interview, 18 March 2021.

movement consisted primarily of those who had been educated at church mission led schools.¹⁰⁹ Prominent religious figures were some of the first to lead the country, like Rev. Canaan Sodindo Banana who served as Zimbabwe's first president after independence.¹¹⁰ Abel Muzorewa was another Zimbabwean religious actor who was the President of the short-lived Zimbabwe-Rhodesia in 1979.¹¹¹ Such education emboldened these former students and gave them both the intellectual and nationalistic wherewithal to become some of the nation's first leaders in a postcolonial era.¹¹² Religious leaders of Zimbabwe continued to play a pivotal role in shaping and influencing the national politics outside the political space as well.¹¹³

Following independence in 1980, the churches joined in the national reconstruction program based on the enduring Christian principles of justice, peace and equality.¹¹⁴ When the country sank into the dark era under Mugabe's rule, many of the churches in Zimbabwe vocalized their voices of dissent.¹¹⁵

It can be argued that the various churches had an important role towards the turn of the millennium and were behind the birth of the eventual vibrant, multi-party politics in Zimbabwe.¹¹⁶ In the 1990s, the religious

actors in Zimbabwe played a major role campaigning for free and open elections. Through instruments like the National Constitutional Assembly and the Zimbabwe Electoral Support Network, both formed at the behest of religious actors from the Zimbabwe Council of Churches, further attests to how Christian religious actors strove to define and defend the civic space during this period by campaigning for democracy.¹¹⁷ Because the religious actors that belonged to Zimbabwe's various churches continued to create and defend a safe civic space, diverse groups of civil society like students, labor unions, and other large portions of the private sector increased their commitment to nation building as well, which led to the establishment of the Movement for Democratic Change in 2000.¹¹⁸

Mugabe's ruling party, however, resorted to violent and repressive politics to crack down dissent during the highly contentious elections in 2000, 2002, 2005, and 2008.¹¹⁹ Overall repression was also escalated by the enforcement of the controversial public Order and Security Act (POSA) and the Access to Information and Privacy Act (AIPA).¹²⁰ These laws thoroughly restricted the average Zimbabwean's access to civic space through limiting the freedom of speech, freedom of association, and freedom of assembly. As a result, the space orchestrated by these various churches became very useful and used to facilitate civic engagement, as their spaces were all that was left unhindered by the government.¹²¹ Rev. Kenneth Mtata of the Zimbabwe Council of Churches (ZCC) says, *"Generally, when one discusses the government's limitations on civic space in Zimbabwe, the Church is viewed throughout*

¹⁰⁹ May 2018, Faith Actors Contribution to Civic Space in Zimbabwe-SDG 16, DanChurchAid, pp. 6.

¹¹⁰ Lawrence Mhandara & Sharon Hofii & Charity Manyeruke, April 2013, The Church and Political Transition in Zimbabwe: The Inclusive Government Context, Journal of Public and Governance, https://www.researchgate.net/publication/313835912_The_Church_and_Political_Transition_in_Zimbabwe_The_Inclusive_Government_Context, pp.107.

¹¹¹ Ibid.

¹¹² Ibid, 106.

¹¹³ Ibid, 107.

¹¹⁴ May 2018, Faith Actors Contribution to Civic Space in Zimbabwe-SDG 16, DanChurchAid, pp. 6.

¹¹⁵ An example can be found by how the Roman Catholic Church's Commission for Justice and Peace (CCJP) acted as the main actor that spoke out and documented the horrific Gukurahundi massacres Mugabe's government inflicted on the local population during the 1980. Please refer May 2018, Faith Actors Contribution to Civic Space in Zimbabwe-SDG 16, DanChurchAid, pp. 6.

¹¹⁶ Lawrence Mhandara & Sharon Hofii & Charity Manyeruke, April 2013, The Church and Political Transition in Zimbabwe: The Inclusive Government Context, Journal of Public and Governance, https://www.researchgate.net/publication/313835912_The_Church_and_P

[olitical_Transition_in_Zimbabwe_The_Inclusive_Government_Context](https://www.researchgate.net/publication/313835912_The_Church_and_P), pp.108.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid.

¹²¹ Ibid, 7.

*the land as the last frontier.*¹²² Although it should be noted that not all of the churches in Zimbabwe advocated for an open civic space, and some capitulated to the status quo of the repressive state. They received financial incentives to do so.¹²³

A majority of the churches also promoted civic space through their leading roles in supporting the work of prominent human rights defenders in Zimbabwe like Jestina Mukoko, and they received funding and support through the Zimbabwe Peace Project, whose wide membership includes churches, lawyers, students, labor and women groups; the project blossomed through the community radio run by churches airing from outside the country.¹²⁴ The church supported radio programs gave citizens an alternative to the state run national news.¹²⁵

The majority of religious actors also vocalized their support for democratic reform and defended an open civic space for all through uniting in solidarity. The Zimbabwe Catholic Bishops Conference, the Evangelical Fellowship of Zimbabwe, and the Zimbabwe Council of Churches came together to form a unified voice. Collectively in 2006, they called for the different societal and governmental actors to come together and form a national vision called the “Zimbabwe We Want” movement, which was based on the Christian values of love, peace, justice, forgiveness, honesty, and truthfulness.¹²⁶ The document’s vision is best outlined as follows:
Our vision is that of a sovereign and democratic nation characterized by good governance as reflected in all its structures

¹²² Kenneth Mtata, Interview, 18 March 2021.

¹²³ Ibid.

¹²⁴ May 2018, Faith Actors Contribution to Civic Space in Zimbabwe-SDG 16, DanChurchAid, pp, 7.

¹²⁵ Ibid, 7.

¹²⁶ The Zimbabwe Catholic Bishops Conference & The Evangelical Fellowship of Zimbabwe & The Zimbabwe Council of Churches, Zimbabwe We Want Discussion Document: http://archive.kubatana.net/docs/relig/zim_churches_national_zim_vision_060918.pdf pp.12.

and operations at all levels and in all our institutions; a nation united in its diversity, free, tolerant, peaceful, and prosperous; a nation that respects the rights of all its citizens regardless of creed, gender, age, race and ethnicity as defined in the Universal Declaration of Human Rights and with a leadership that puts the interests of the people of Zimbabwe above all personal gains; and above all a nation that is God-fearing.¹²⁷

The document has specific sections that call for the respect of democratic freedoms like the freedom of association, the freedom of speech and expression, the freedom of thought, and the freedom of religion as being inherent to any democratic society and must be universally recognized.¹²⁸ The previously mentioned fundamental freedoms used to outline Zimbabwe’s civic space were incorporated into the later homegrown constitution.¹²⁹ This gives evidence that it was the various churches’ religious actors who started the original conversation about constitutional reform.

The Zimbabwe We Want Discussion Document is what called for the creation of a new homegrown constitution; one that reflected the needs of Zimbabwe’s diverse citizenry far better than the antiquated Lancaster House Constitution.¹³⁰ It was through the overarching Zimbabwe We Want Movement, started by the Church, which promulgated the new homegrown constitution.¹³¹ The various church actors were responsible for mobilizing their congregants to take an active part in the constitution making process, which it did

¹²⁷ Ibid, 17.

¹²⁸ Ibid, 19-20.

¹²⁹ 2013, Zimbabwe’s Constitution of 2013: https://www.constituteproject.org/constitution/Zimbabwe_2013.pdf, pp. 34.

¹³⁰ The Zimbabwe Catholic Bishops Conference & The Evangelical Fellowship of Zimbabwe & The Zimbabwe Council of Churches, Zimbabwe We Want Discussion Document: http://archive.kubatana.net/docs/relig/zim_churches_national_zim_vision_060918.pdf, pp. 29.

¹³¹ May 2018, Faith Actors Contribution to Civic Space in Zimbabwe-SDG 16, DanChurchAid, 7.

through a rigorous consultative process throughout the Zimbabwean population. Such strong grass roots campaigning resulted in the YES vote to adopt the new constitution in 2013.¹³² The constitution is deemed as a very progressive constitution to date.¹³³ It is also unique, as it is a constitution drawn from national consensus.¹³⁴ It is a document that encapsulates the will of the people of Zimbabwe that was both orchestrated and defended by the various churches of Zimbabwe.¹³⁵

All of the positive changes instigated by the various church leaders, which lead to democratic reform throughout Zimbabwe, further reinforce an already discovered finding in this study: religious or belief actors can carry an immense amount of respect and trust in their local community. In the case of Zimbabwe Dr. Rev. Kenneth Mtata explains, *“The trust is built upon the fact that over 86% of the population are active church members. They obviously commit to their church leaders and take their opinion very seriously.”*¹³⁶ In Zimbabwe, church leaders have a powerful platform and are well known and trusted by their local community. When equipped with the correct knowledge, they are well placed to advise the people.¹³⁷ According to the Afrobarometer survey in 2018, almost three-fourths of adult Zimbabweans trust religious actors and church run FBOs the most in their country.¹³⁸ This is also due in part to how, church leaders

have the ability to leverage considerable resources in humanitarian response, including social capital, human resources, spiritual resilience, facilities, and financial support and they also have a distinctive and powerful role in bringing about behavioral and social change during times of stability and times of crisis, especially at the community level.¹³⁹ Many of these grassroots campaigns for an open civic space would not have been possible without religious actors being so well trusted.

However, despite such positive reception to the homegrown constitution in 2013, the current government is entrenching itself in authoritarianism. President Emmerson Mnangagwa’s administration not only has failed to implement the constitution but is currently in the process of pushing through amendments under the cover of COVID-19, reversing years of effort that gave rise to Zimbabwe’s current constitution.¹⁴⁰

Despite Mnangagwa’s authoritarian rule, the various religious actors within Zimbabwe are still maintaining their influence and speaking out against his restrictions and constitutional amendments. They have vocalized their dissent towards proposed amendments as a direct violation of the will of the people. In one of their position papers directed at the proposed constitutional amendment, the ZCC specifically states, *“The Zimbabwe Council of Churches acknowledges that the negative impacts of the proposed amendments outweigh the positives. As a result, the proposals are not acceptable.”*¹⁴¹ Dr. Rev. Kenneth Mtata states, *“The Church collectively in Zimbabwe speaks out against*

¹³² June 2020, Zimbabwe Council of Churches Position Paper on Proposed Constitutional Amendment: Bill Number Two, Zimbabwe Council of Churches: <https://kubatana.net/2020/06/15/position-paper-proposed-constitutional-amendment-bill-no-2/>, pp.3.

¹³³ Tawana H. Nyabeze, Progressive Reform in the New Constitution of Zimbabwe, Konrad-Adenauer-Stiftung: https://www.kas.de/c/document_library/get_file?uuid=fccb52c2-ec77-2e9b-044d-3347ea28156c&groupId=252038, pp. 20.

¹³⁴ Kenneth Mtata, Interview, 18 March 2021.

¹³⁵ June 2020, Zimbabwe Council of Churches Position Paper on Proposed Constitutional Amendment: Bill Number Two, Zimbabwe Council of Churches: <https://kubatana.net/2020/06/15/position-paper-proposed-constitutional-amendment-bill-no-2/>, pp.3.

¹³⁶ Kenneth Mtata, Interview, 18 March 2021.

¹³⁷ Never Pavari, September 2020, The Role of Apostolic Faith Mission in Zimbabwe in the Fight Against Coronavirus, Macrothink Institute: <https://ideas.repec.org/a/mth/ipag88/v10y2020i3p306-320.html>, pp. 310.

¹³⁸ May 2017, Afrobarometer:

<https://afrobarometer.org/fr/press/zimbabweans-place-most-trust-religious-leaders-ngos-and-president-mugabe>.

¹³⁹ Never Pavari, September 2020, The Role of Apostolic Faith Mission in Zimbabwe in the Fight Against Coronavirus, Macrothink Institute: <https://ideas.repec.org/a/mth/ipag88/v10y2020i3p306-320.html>, pp. 310.

¹⁴⁰ Ringisai Chikohomero, July 2020, Zimbabwe to Change Its Constitution under cover of COVID-19, Institute for Security Studies: <https://issafrica.org/iss-today/zimbabwe-to-change-its-constitution-under-cover-of-covid-19>.

¹⁴¹ June 2020, Zimbabwe Council of Churches Position Paper on Proposed Constitutional Amendment: Bill Number Two, Zimbabwe Council of Churches: <https://kubatana.net/2020/06/15/position-paper-proposed-constitutional-amendment-bill-no-2/>, pp7.

the amendments, and instead is calling for the government to actually implement the homegrown constitution. It was created by the people through a national consensus.”¹⁴²

Due to the risk of being targeted by the government, the church leaders prefer to go about a process of local engagement instead of promoting mass protests and violence against the regime. This local engagement can be found nationwide, through the informal national dialogues. Churches, through the ZCC, have already begun facilitating a broad-based dialogue bringing together political elites, civil society, churches and business leaders to start a conversation focused on nation building and democracy. Rev. Kenneth Mtata further explains,

We want to build a capacity to the member churches to routinize democratic language in both their local preaching and in their bible studies and classes. It is not as if we are running an NGO, but this is becoming more and more ingrained in their belief system, which will strengthen the process. This language is also happening on the local level in the churches’ various youth groups, women groups, church services. We want to make the topic of democracy as natural as possible as part of the Church.¹⁴³

The Catholic Commission for Justice and Peace has been making efforts to facilitate a national dialogue.¹⁴⁴ These different national dialogues produced by the various churches, however, require harmonization. A united effort would be more efficient and effective. Yet even such grassroots engagement has caused the government to target the Church. *“As a result of our efforts, we have been labeled by the government as being an agent calling for the overthrow of the government*

and a terrorist organization.”¹⁴⁵ Such government belligerence directed towards the churches in Zimbabwe further legitimizes the point: religious actors are the ones who hold the ultimate form of influence in their local community.

Zimbabwe provides an example for how religious or belief actors can further promote civic space and call for democratic reforms within a local country context. However, there is still much that needs to be done, especially amongst the international community:

There has not been enough recognition amongst foreign governments to support the democratic efforts done by churches. When they think of the democratization of civil society they do not think about the Church. They do not realize that the Church is promoting these ideas of democracy and human rights and that it is a major catalyst for strengthening democracy. We need to see the role of faith and faith leaders be recognized by these governments in the promotion of democracy.¹⁴⁶

Sri Lanka:

Sri Lanka is another example that highlights the importance of how religious actors can have a negative impact on the civic space within a national context, but also possess the potential to promote religious reconciliation and protection of religious minorities. For over a quarter-century, Sri Lanka suffered from a brutal civil war rooted in ethno-religious violence that came to a conclusion in 2010.¹⁴⁷ The tensions amongst the ethnic and religious groups persist, and the government fails to uphold any

¹⁴² Kenneth Mtata, Interview, 18 March 2021.

¹⁴³ Kenneth Mtata, Interview, 18 March 2021.

¹⁴⁴ Edknowledge Mandikwaza, 2019, Constructive National dialogue In Zimbabwe, ACCORD: <https://www.accord.org.za/conflict-trends/constructive-national-dialogue-in-zimbabwe/>.

¹⁴⁵ Kenneth Mtata, Interview, 18 March 2021.

¹⁴⁶ Kenneth Mtata, Interview, 18 March 2021.

¹⁴⁷ Sri Lanka 2019 International Religious Freedom Report, US Department of State: <https://www.state.gov/wp-content/uploads/2020/05/SRI-LANKA-2019-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>, pp. 19

accountability and interreligious violence is still felt today.¹⁴⁸

The Sinhalese Buddhist ethnic group forms the majority and constitutes roughly 70% of the population.¹⁴⁹ The Tamil ethnicity consists of both Christian and Hindus minorities and represents roughly 1% and 12% respectively.¹⁵⁰ The Muslim groups who identify themselves as a separate ethnic identity group represent almost 10% of the population.¹⁵¹ Similar to how religious actors are going about limiting the civic space in Israel and Judaizing the country making it increasingly less democratic, Sinhalese Buddhist religious actors are turning Sri Lanka into a Sinhalese nationalist Buddhist country.¹⁵² It is also important to know that not all Buddhists in Sri Lanka are Sinhalese nationalists. However, many of its adherents among the majority Sinhalese population in Sri Lanka have resorted to ethnocentrism and militarism. This is both happening within the government, by the rise in conservative Buddhist political parties and through the private or non-State space itself brought on by Sinhalese Buddhist extremists.

The constitution of Sri Lanka proclaims that Buddhism shall be given precedents over all other religions and protected by the state.¹⁵³ Buddhism has been closely connected to State power.¹⁵⁴ Some Buddhist monks justify Buddhism's privileged status by arguing that Hindus control India, Muslims the Middle

East, and Christians the West, where as Buddhists have only tiny Sri Lanka.¹⁵⁵ Due to Buddhism's association with the State, extremist Sinhalese political parties have gained significant influence like the Janatha Vimukthi Peramuna (People's Liberation Front-JVP), the Sinhala Uramaya (Sinhala Heritage Party-SU), the Jathika Hela Urumaya (National Sinhalese Heritage Party-JHU), and the Sri Lanka Podujana Peramuna (SLPP) party (De Vetto, 24), and these groups hijack Buddhism to serve a political purpose and secure authoritarian rule.¹⁵⁶ Most of these parties have even manipulated the monks to legitimize their political platforms.¹⁵⁷ The State placing a legal precedent on Buddhism has emboldened many radical Sinhalese Buddhist religious groups, like the Bodu Bala Sena (BBS), to terrorize and attack the already marginalized minority communities and limit their access to civic space (especially Hindu, Christian, and Muslim).¹⁵⁸

Yet despite Buddhism being protected by the national constitution, the same document also guarantees FoRB for all living in Sri Lanka.¹⁵⁹ Having both a protected religion, while claiming to ensure FoRB is problematic as one is not able to openly express their belief or conscious, if it is deemed to go against the established Buddhist status quo. In addition, there is a strong lack of focus on FoRB within Sri Lanka; it is rarely protected despite the constitutional mandate.¹⁶⁰ The lack of FoRB being ensured further attests to

¹⁴⁸ August 2020, Report of the Special Rapporteur on Freedom of Religion Or Belief On His Visit To Sri Lanka, Office of the High Commissioner of Human Rights: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/217/82/PDF/G2021782.pdf?OpenElement>, pp. 2.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid; Sri Lanka 2019 International Religious Freedom Report, US Department of State: <https://www.state.gov/wp-content/uploads/2020/05/SRI-LANKA-2019-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>, pp. 3.

¹⁵² Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

¹⁵³ October 2020, The Constitution of the Democratic Socialist Republic of Sri Lanka: <http://www.parliament.lk/files/pdf/constitution.pdf>, pp. 3.

¹⁵⁴ Camilla Orjuela, September 2019, Countering Buddhist Radicalization: Emerging Peace Movements in Myanmar and Sri Lanka, Third World Quarterly: <https://www.tandfonline.com/doi/full/10.1080/01436597.2019.1660631>, pp. 137.

¹⁵⁵ Neil DeVotta, 2007, Sinhalese Buddhist Nationalist Ideology: Implications For Politics And Conflict transformation in Sri Lanka, East-West Center: <https://www.eastwestcenter.org/publications/sinhalese-buddhist-nationalist-ideology-implications-politics-and-conflict-resolution-s>, pp. 23.

¹⁵⁶ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

¹⁵⁷ Neil DeVotta, 2007, Sinhalese Buddhist Nationalist Ideology: Implications For Politics And Conflict transformation in Sri Lanka, East-West Center: <https://www.eastwestcenter.org/publications/sinhalese-buddhist-nationalist-ideology-implications-politics-and-conflict-resolution-s>, pp. 24.

¹⁵⁸ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021; Camilla Orjuela, September 2019, Countering Buddhist Radicalization: Emerging Peace Movements in Myanmar and Sri Lanka, Third World Quarterly: <https://www.tandfonline.com/doi/full/10.1080/01436597.2019.1660631>, pp. 137.

¹⁵⁹ October 2020, The Constitution of the Democratic Socialist Republic of Sri Lanka: <http://www.parliament.lk/files/pdf/constitution.pdf>, pp. 4.

¹⁶⁰ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

how civic space is severely limited for most in Sri Lanka. An anonymous member from the National Christian Evangelical Alliance, observes, *“The government fails to evaluate the integrity of the civic space and how it functions. However, on the contrary, there is surveillance and regulation of the civic space by the government.”*¹⁶¹ The current government has, in fact, amended the Constitution in a way that further limits the civic space for all religious minority communities.¹⁶² Government officials also continue to engage in systematic discrimination against religious minorities.¹⁶³

The sense of Buddhist nationalism has increased since Jamath, a local Islamic group swearing allegiance to ISIS, carried out suicide attacks on three churches and four luxury hotels, killing more than 250 civilians and injuring more than 500.¹⁶⁴ The terrorist attacks targeted Christians in Sri Lanka, not Buddhists. Yet it still fueled Buddhist outrage throughout the nation. Buddhist monks were encouraged online by Sinhalese nationalist politicians to target Muslims indiscriminately.¹⁶⁵ In addition to the Muslim minorities, Christians and Hindus have also suffered at the hands of Sinhalese nationalist Buddhist religious actors.¹⁶⁶ The governmental has also done little to ensure these groups with minority protections and instead went about prohibiting and limiting their access to civic space.¹⁶⁷

Yet despite the nation being increasingly controlled by Buddhist nationalism, brought on by radical Sinhalese Buddhist religious actors both within and outside the government, there has also been a

countermovement. A diverse set of religious or belief actors including some Buddhist monks that belong to the majority along with religious or belief actors from the Muslim, Christian, and Hindu minority faiths that are involved in placating Buddhist Sinhalese nationalism in their official capacity as religious actors, through promoting civic space for all.¹⁶⁸ The Easter Attacks have also further enhanced the public participation amongst Sri Lanka’s diverse religious communities.¹⁶⁹ Certain Buddhist monks even went about in mobilizing people to protect mosques against attacks during the upsurge of violence in 2018 and instigated a number of public protests against hatred and for coexistence.¹⁷⁰ Such mobilization shows that religious leaders can still play an important role in fostering interreligious dialogue and peaceful reconciliation regardless of religious conviction. The countermovement, partly lead by monks who evoke the Buddhist values of nonviolence and tolerance and representatives from all faiths engage in initiatives promoting understanding between religious groups and involve themselves in mediation and prevention of hate speech and violence.¹⁷¹

Interfaith dialogue is another common initiative that is part of the counter movement.¹⁷² Bringing together religious leaders can enable for peaceful and positive dialogue to occur, while symbolically showing that coexistence is possible. The most recent Report of the Special Rapporteur on Freedom of Religion or Belief also highlights in their findings that a number of district-level interreligious committees

¹⁶¹ Anonymous Member from National Christian Evangelical Alliance of Sri Lanka Answer to Question 6.

¹⁶² Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

¹⁶³ Sri Lanka 2019 International Religious Freedom Report, US Department of State: <https://www.state.gov/wp-content/uploads/2020/05/SRI-LANKA-2019-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>, pp. 2.

¹⁶⁴ Ibid.

¹⁶⁵ Ibid, 3.

¹⁶⁶ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

¹⁶⁷ Sri Lanka 2019 International Religious Freedom Report, US Department of State: <https://www.state.gov/wp-content/uploads/2020/05/SRI-LANKA-2019-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>, pp. 2.

¹⁶⁸ Camilla Orjuela, September 2019, Countering Buddhist Radicalization: Emerging Peace Movements in Myanmar and Sri Lanka, Third World Quarterly: <https://www.tandfonline.com/doi/full/10.1080/01436597.2019.1660631>, pp. 140.

¹⁶⁹ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

¹⁷⁰ Camilla Orjuela, September 2019, Countering Buddhist Radicalization: Emerging Peace Movements in Myanmar and Sri Lanka, Third World Quarterly: <https://www.tandfonline.com/doi/full/10.1080/01436597.2019.1660631>, pp. 141.

¹⁷¹ Ibid, 146.

¹⁷² Ibid, 140.

have begun to form and promote interreligious harmony.¹⁷³ These committees are supported by the National Peace Council of Sri Lanka and the Interreligious Forum of Caritas Sri Lanka.¹⁷⁴ Collectively, these groups spanning different denominations have also begun to be more active in monitoring and reporting incidents of the violation of freedom of religion or belief.¹⁷⁵ The religious actors also focus on minority rights and protection, advocacy or legal assistance. Together, actors spanning all faiths (Hindu, Buddhist, Christian, and Muslim) strive towards a peace movement in Sri Lanka that allows for inter-religious coexistence and violence prevention.¹⁷⁶ Rohan Preman Rajan from the American mission Ceylon gives an example:

*We recently hosted an interfaith FoRB forum for peace and reconciliation for various Christian, Muslim, and even a few Buddhist leaders. Our objective was how to best educate and train the youth in our community to be more democratic. Jointly we have started to work for the promotion of FoRB in our communities along with ensure the right of all religious minorities, regardless of their faith.*¹⁷⁷

Learning about “the other” is an important objective of these interreligious reconciliation initiatives, which involves not only religious actors but also laypeople. Other Examples include youth camps, visits to places of worship or homes of “the other”, joint development projects, and celebrations of

religious festivals.¹⁷⁸ Some Christian groups have created schools and kindergartens to foster interreligious dialogue, where there is great focus on Muslim, Christian, Hindu and Singhalese Buddhist attendance.¹⁷⁹

Ultimately in this national context, it is the religious actors who can promote pluralism and FoRB against the onslaught of Buddhist nationalism being brought on by Singhalese Buddhist radicals.

Although the countermovement has begun to show some positive results and promote everyone’s access to civic space, there is still much that must be done in Sri Lanka. The government’s human rights violations and inability to open and defend civic space for all has proven to bring about a general fear in the return to sectarian violence that echoes the horrors found in Sri Lanka’s brutal civil war. Religious or belief actors have the potential within their community and can provide hope through reconciliation and peace initiatives. It is them who can guide the nation from descending back into bloody conflict.

¹⁷³ August 2020, Report of the Special Rapporteur on Freedom of Religion Or Belief On His Visit To Sri Lanka, Office of the High Commissioner of Human Rights: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/217/82/PDF/G2021782.pdf?OpenElement>, pp. 5.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid.

¹⁷⁶ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021; Camilla Orjuela, September 2019, Countering Buddhist Radicalization: Emerging Peace Movements in Myanmar and Sri Lanka, Third World Quarterly: <https://www.tandfonline.com/doi/full/10.1080/01436597.2019.1660631>, pp. 146.

¹⁷⁷ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.

¹⁷⁸ Camilla Orjuela, September 2019, Countering Buddhist Radicalization: Emerging Peace Movements in Myanmar and Sri Lanka, Third World Quarterly: <https://www.tandfonline.com/doi/full/10.1080/01436597.2019.1660631>, pp. 140.

¹⁷⁹ Samuel Jayakumar & Preman Rajan Rohan, Interview, 19 March 2021.



VI. Strategies Going Forth

The culmination of the findings from answers to the questionnaires, the interviews, and the panel discussion shows there is no unified consensus as to how to best develop a strategy to analyze FoRB within civic space. Despite this lack of consensus FoRB must be included as a prominent component of civic space going forth. It is vital for NGOs, foreign ministries, and other large international organizations responsible for monitoring civic space to include FoRB within their definitions and analysis, as it will lead to a more encompassing evaluation of the human rights environment in general. Most define civic space as revolving around human rights that have either a *spatial* aspect or focus on *participation*. Civic space is much more than such simple rendition. Nations that often create laws that affect religions and religious or belief actors often enable FoRB violations to occur, and they are found guilty of having the most closed off civic spaces along with

an abysmal human rights record. The link between FoRB and civic space must be established amongst the international community, and they must include a focus on religious or belief actors when evaluating the human rights environment of a society, as it has already been established that their treatment and operation is indicative of the human rights environment in general.

In addition, there needs to be a stronger plan catered towards religious or belief actors, as they possess a great ability to promote democratic change and open the civic space within their local context. Dr. Rev. Kenneth Mtata mentioned the best way to achieve such opportunities would be through education.¹⁸⁰ Furthermore, the three previously mentioned tensions must also be considered and incorporated into any

¹⁸⁰ Kenneth Mtata, Panel Discussion, 30 March 2021.

educational initiatives geared towards religious or belief actors who operate throughout the Global South. The international community must, therefore, be proactive and give more support to religious or belief actors furthering their opportunities that help educate their congregants in the rich milieu of peaceful inclusivity found in their religious traditions and resources. They need to be emboldened and made self-aware of their potential. Building their capacity in this manner will foster a stronger and more democratic civic space where all human rights are protected. It is thus vital for the international community to develop a strong evaluation system for religious or belief actors' potential in their local community. Some religious or belief actors, however, promote violence and discrimination through education. Educational initiatives focused on the politicization of religion and how belief systems can be hijacked to serve a political motive is thus also needed.

The consortium of participants and interviewees to this study recognize a greater need for international multilateral organizations to be more proactive and analyze FoRB within the context of civic space. There is also a general call for evaluating the treatment of religious or belief actors and religious minority communities within their own local context. Both the International Contact Group on Freedom of Religion or Belief and also the International Religious Freedom or Belief Alliance are organizations that both possess the potential to bring the world together. Further evaluation of both organizations and the efficacy of their practices is warranted.

In 2013, the Council of the European Union created the *EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief*. This is an excellent resource that speaks to how FoRB is indicative of the human rights environment within a local or regional context and can help determine the

openness of a specific civic space.¹⁸¹ Furthermore, the document stresses how FoRB can serve as an early warning mechanism for future outbreaks of political violence and sectarian conflicts.¹⁸² There is also emphasis for how FoRB encapsulates the freedom of opinion and expression, freedom of association and assembly as well as the other human rights and fundamental freedoms.¹⁸³ All of which contribute towards the building of pluralistic, tolerant, and democratic societies and an open civic space for everyone.¹⁸⁴ The guidelines also speak to specific aspects of FoRB that share a direct correlation to civic space, such as the right of the individual over the belief itself, the right to private worship, and protecting the right for an individual to practice ones religion or belief.¹⁸⁵ In addition, it ensures non-theistic or atheistic beliefs should be given the same equal protections.¹⁸⁶

The tools section, more specifically, demonstrates a sound strategy for how to best monitor and evaluate the human rights environment in a specific country, one focused on FoRB.¹⁸⁷ The document articulates that when evaluating the general human rights environment within a local context, one should give specific attention and analysis to the treatment of religious or belief actors in their local civic space.¹⁸⁸ The guidelines also highlight how FoRB's articles found in the UDHR and ICCPR must be included when monitoring and evaluating the protection of human rights within a specific country context.¹⁸⁹ It calls for better coordination between the UN Human Rights Special Procedures and the Special Rapporteur on Freedom of Religion or Belief,

¹⁸¹ June 2014, EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief, Council of The European Union :

<https://eeas.europa.eu/sites/default/files/137585.pdf>, Article 1.

¹⁸² Ibid.

¹⁸³ Ibid, Article 25.

¹⁸⁴ Ibid, Article 25.

¹⁸⁵ Ibid, Article 1.

¹⁸⁶ Ibid

¹⁸⁷ Ibid, Article 47 & 48.

¹⁸⁸ Ibid.

¹⁸⁹ Ibid, Article 51.

when evaluating specific human rights violations that occur within a country.¹⁹⁰

The 2013 EU guidelines still remains to be implemented in a formal diplomatic setting. The document itself calls for it to be used within the European Union's External Action Service along with other member states' foreign ministries.¹⁹¹ Denmark being a member state within the EU could be more proactive and apply the 2013 EU guidelines within the Danish Ministry of Foreign Affairs (MFA) when evaluating and monitoring human rights situations that occur all over the world. Particular attention should be given to strengthening religious literacy in all humanitarian action and development cooperation. Following the guidelines, to the tee, will exemplify Denmark's ability to not just promote FoRB. It will further demonstrate to the world that Denmark is a leading purveyor in the promotion of democracy, development, and peaceful coexistence. Although the MFA does not have FoRB included in the section of funding allocated for mainstream civic space initiatives in particular, there is a separate section on funding for FoRB related endeavors in general.¹⁹² In the future, there needs to be a targeted approach focusing on FoRB related efforts, while also including FoRB as part of mainstream civic space initiatives.

In addition to applying the 2013 EU guidelines of FoRB within the Danish MFA, CKU hopes the UN will implement similar guidelines as well when evaluating human rights situations, especially when it conducts local level missions pertaining to human rights and civic space analysis. The UN currently does not use the tools found in the 2013 EU guidelines, which is detrimental in their approach.¹⁹³ Their instruments fail to

give specific reference to FoRB or indicate how religious or belief actors are treated and operating within a local context.¹⁹⁴ When analyzing the human rights issues in a specific country they only analyze the human rights with a spatial component (freedom of expression, freedom of assembly, and the freedom of association). As argued in this report, an important addition to the spatial components of Civic Space, given weight to the prerequisite for *acting* would be to include analysis of the right to freedom of thought, conscience, and religion, but FoRB is often not even on their radar.¹⁹⁵ This lack of acknowledgement leads to an inadequate and limited analysis of human rights issues that occur within a local civic space. CKU, therefore, strongly encourages the UN's various missions that evaluate human rights issues to give further consideration to the 2013 EU guidelines, as it will significantly support their overall objectives.

We also encourage the Organization for Economic Co-operation and Development (OECD) to include FoRB as a key element to their definition of civic space. Their Development Assistance Committee (DAC) is currently in the process of drafting a new set of policy instruments for evaluating and supporting civil society.¹⁹⁶ The current drafted document mentions the importance that FBOs play as civil society actors that can protect and strengthen democracy and counter autocratization along with encouraging their evaluation in a local context.¹⁹⁷ But their definition of civic space is limiting and fails to include FoRB.¹⁹⁸ The OECD must go about changing this and give special reference to FoRB being a crucial component of civic space. And it must further highlight the importance of monitoring religious or belief actors.

¹⁹⁰ Ibid.

¹⁹¹ Ibid, Article 67.

¹⁹² Please consult the recent Danish Fiscal Act of 2020 Section 6 Found at: <https://fm.dk/media/17674/fi20a.pdf>

¹⁹³ Filip Buff Pedersen Interview, 8 April 2021.

¹⁹⁴ Ibid; Transforming Our World: the 2030 Agenda for Sustainable Development: <https://sdgs.un.org/2030agenda>.

¹⁹⁵ Filip Buff Pedersen, 8 April 2021.

¹⁹⁶ April 2021, DAC Policy Instrument on Enabling Civil Society PDF.

¹⁹⁷ Ibid, 4.

¹⁹⁸ Ibid,10.



VII. Conclusion

Ultimately the right to freedom of thought, conscience, and religion or belief is a fundamental right that has a vital role for all citizens, as it forms a core of their individual identity. It needs to be given more recognition, as it encapsulates the other human rights that occupy a *spatial* dimension

and require *participation*, something especially apparent within the local context of civic space. The international development community along with diplomatic institutions, therefore, must give a more overt recognition of FoRB being a crucial and unique element of civic space. Its uniqueness

stems from it being a human right stressing the protection of the individual to believe over the belief itself. No thought, religion, or belief system warrants protection, as these are not tied to the physical world but are rather imagined or conceptualized in the human mind. Instead, it is the individual possessing these identities that must be protected and allowed to believe and practice their own convictions. The term is called human rights and refers to the protection of a physical human being. It is these individuals or citizens, as human rights holders, that constitute the civic space, not the imagined group or collective belief system itself.

FoRB as a human right is also intersectional within the civic space environment, and most human rights in general have some connection to FoRB in some form or another. When the human rights (the freedom of expression, assembly, and association) more commonly recognized as constituting civic space, are found to be restricted so too is FoRB. The international community needs to give more recognition to how these outer human rights so commonly used to define civic space can only function in their full capacity when FoRB is being both upheld and protected in the civic space. Failing to do so produces a limited rendition of civic space analysis, where not all civic actors operating within the civic space are included. It is vital to evaluate the treatment and operations of religious or belief actors within their local and national context; this will provide a more encompassing picture of the human rights environment. We, therefore, strongly encourage the international community to follow the guidelines and strategies already set forth to both include and analyze FoRB as part of civic space. Doing so will help promote a more open civic space in general.

FoRB is also important with regards to the civic space, due to how it can promote democracy. Allowing for religious or belief minorities to be a part of the civic space, along with other diverse forms of thought and belief, will not just be beneficial to the minority communities but also the majority. Nations that protect the difference of opinions and beliefs' right to exist along with allow for religious tolerance to flourish within their civic space are often recognized as being truly democratic instead of majority rule populism. Thus, FoRB should be understood as among one of the best indicators of nation's democratic credibility.

Stronger focus needs to be given to religious or belief actors as valuable civil actors of civil society. It is crucial for the international community to analyze their treatment and operations, but also cater towards their specific needs and challenges they face within the civic space. Emboldening religious or belief actors with the appropriate tools along with helping them become self-aware of their own potential to have a strong, positive impact on the civic space could lead to sustainable results that further promote democracy and improve their nation's human rights condition.

People do usually think, conscientize and believe before they act in civic space. Therefore, if FoRB-awareness is included in the monitoring of civic space, the international community may realize an unleashed potential for early warning of shrinking space, and furthermore a more in-depth understanding of how the spatial expressions of civic space are based on thoughts, ideologies and beliefs can be gained.

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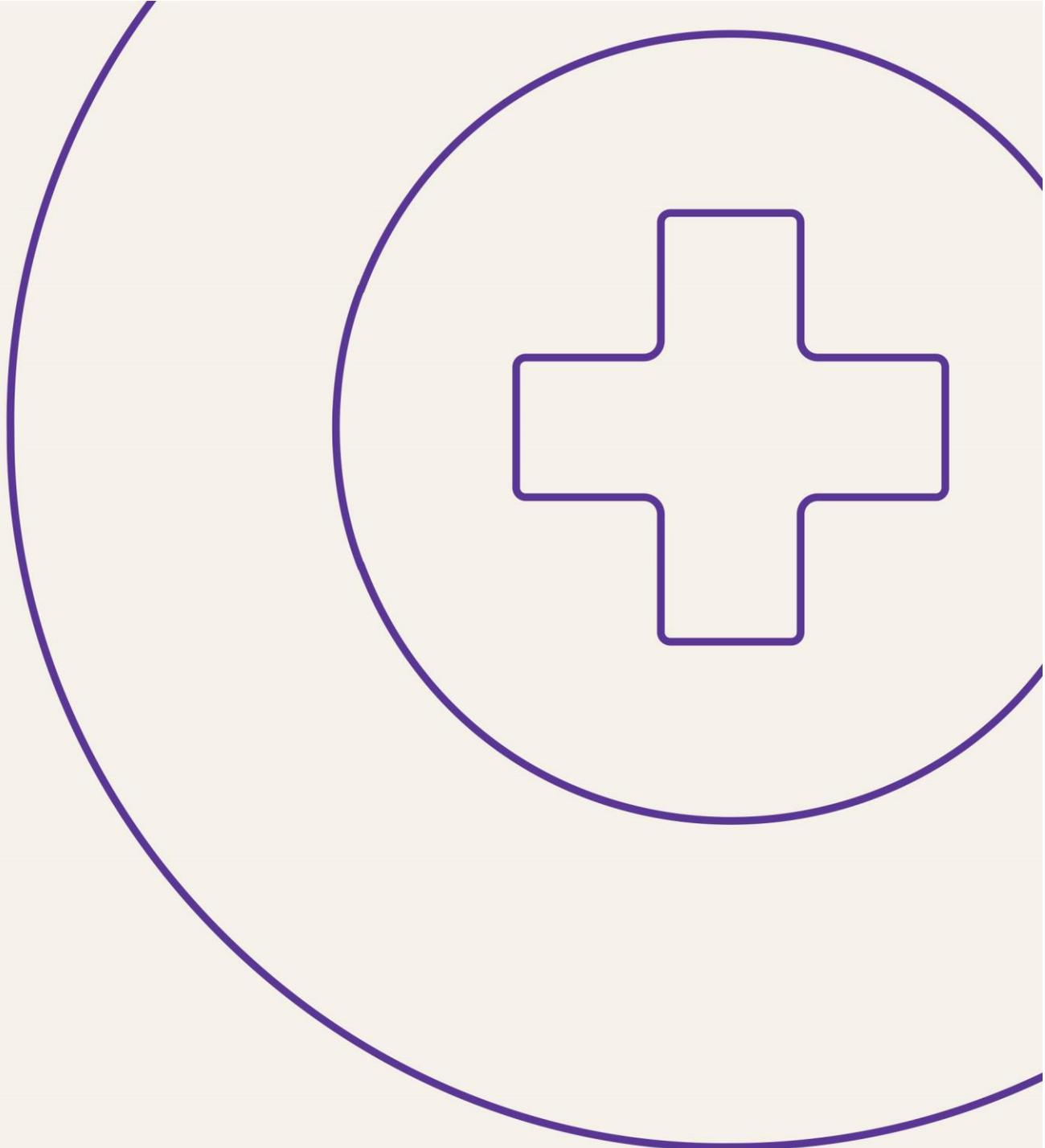
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