

## The Marrakesh Declaration: A Muslim call for protection of religious minorities or freedom of religion?

*In January last year more than 300 Sunni and Shia leaders from all over the world gathered in Marrakesh to formulate a Muslim call for protection of religious minorities. It is the first time in modern history that Muslim leaders have formulated such a clear rejection of religiously legitimated persecution and discrimination within the framework of international human rights. As important and unique as this call for protection of religious minorities' rights is, **Marie Juul Petersen** and **Osama Arhb Moftah** argue that the declaration also has its weaknesses, pointing to four areas of concern.*



Image: Yazidis refugees who fled ISIL attacks in Iraq. Flickr, Caroline Gluck/EU/ECHO

Religious minorities are under pressure in many Muslim-majority countries, facing discrimination, harassment and persecution. In Syria and Iraq, hundred-thousands of Christians, Yezidis and Shia-Muslims flee the brutality of IS; in Pakistan hundreds of Shia Muslims have been killed in recent years; in Iran, the Baha'is and other minorities are subject to severe discrimination; in Bangladesh Hindu groups and sanctuaries are attacked; in Indonesia the Buddhists; and in Saudi Arabia the atheists – to name only a few examples.

Prompted by this situation, in January last year more than 300 Sunni and Shia leaders from all over the world gathered in Marrakesh to formulate a Muslim call for protection of religious minorities. “Enough bloodshed,” the Mauritanian sheikh and co-organiser of the meeting Abdallah bin Bayyah noted. “There is a sickness right now in the world but we have treatments for it within Islam.” “We have people being enslaved into sexual slavery,” noted the American sheikh Hamza Yusuf, another of the meeting’s organizers. “We have Christian churches that have been there for long before Islam was in these lands that are being destroyed. And we have Jews in Yemen, one of the oldest Jewish communities, now the very existence of which is threatened.”

The meeting resulted in the *Marrakesh Declaration on the rights of Religious Minorities in Predominantly Muslim Majority Communities*. The declaration is inspired by the almost 1400 year

old Charter of Medina which was presented by the Prophet Muhammad in an attempt to make peace among rivaling tribes in Medina. As the Media Charter, the Marrakesh Declaration encourages freedom of religion and co-existence among religious groups. "Cooperation must go beyond mutual tolerance and respect, to providing full protection for the rights and liberties to all religious groups in a civilized manner that eschews coercion, bias, and arrogance" the declaration states.

The Marrakesh Declaration swiftly caught the attention of politicians and observers. In his visit to the Baltimore Mosque, then President Obama mentioned the Marrakesh gathering as an example of Muslims standing up for religious minorities: "We know that there were Muslims — from Albanians to Arabs — who protected Jews from Nazis," Obama **said**. "In Morocco, leaders from Muslim-majority countries around the world just held a summit on protecting religious minorities, including Jews and Christians." Others went further in expressing their admiration. "I'm blown away," the American minister Bob Roberts **told the newspaper Christianity Today**. "This is a Muslim conference put together by the top sheiks, ministers of religion, the grand muftis of the top Muslim majority nations, and they came up with a declaration, literally using the language of religious freedom to declare that violence cannot be done in the name of Islam."

There is good reason to be thrilled. This is the first time in modern history that Muslim leaders have formulated such a clear rejection of religiously legitimated persecution and discrimination, and such a clear call for protection of religious minorities' rights, formulated within the framework of international human rights. For many Muslim institutions, communities and individuals, human rights is an alien and largely irrelevant discourse; human rights are seen by many to be a thoroughly Western invention, resting on values of secularism and individualism, and as such of little use and relevance in a Muslim context. Linking human rights with core Muslim values and traditions, the Marrakesh Declaration contributes to strengthening – and broadening – the legitimacy of human rights, enhancing their resonance, accept and support.

The declaration marks a significant departure from dominant traditions within Islam; while these traditions may entail protections to ensure **that** "different categories of people – namely, Muslims or non-Muslims (men or women) – are treated equally *among themselves*, there is no affirmation of equal treatment *across these categories*." Inspired by the Prophet Muhammad's 622 *Charter of Medina*, the declaration encourages Muslim scholars and legal experts to develop an Islamic concept of citizenship, based on principles of equal treatment, inclusion and pluralism. It also encourages decision makers to take the necessary political and legal steps to establish a constitutional contractual relationship among its citizens. And it urges Muslim educational institutions and authorities to conduct a review of educational curricula, addressing material that instigates aggression and extremism.

But as important as such calls for protection of religious minorities' rights are, there is also reason to be sceptical, and the declaration raises at least four important questions.

First, are the authors of the Marrakesh declaration preaching to the converted? Since the organisers did not share the list of signatories publicly, it is of course difficult to present a full-fledged characteristic of the kinds of religious authorities that have signed the declaration. A quick look at the names of participants, however, shows that the majority of participants can be characterised as so-called 'moderate' or 'liberal' Muslim leaders. There seem to be few representatives of more conservative, or even fundamentalist, strands of Islam. Where was Yusuf al-Qaradawi, for instance? And where were the representatives from Al Azhar? Just as importantly, the meeting has been criticised for being too 'elitist' with little participation of, or outreach to, local religious leaders and institutions as well as the general public.

Second, where are the women? Photos from the conference in Marrakesh shows an overwhelming majority of men – something which comes as no surprise to those who know the demography of religious leaders and authorities in contemporary Muslim communities. This points to deeper problems with the – currently very popular – conception of religious leaders and authorities as 'drivers of change'. These actors undisputedly have an important role to play in the

promotion of human rights qua their authority and legitimacy in local communities, they are capable of reaching large audiences and disseminating new religious interpretations such as those laid out in the Marrakesh Declaration. But a focus on traditional religious leaders such as imams, sheikhs and religious scholars will inevitably lead to a focus on male leaders. If the authors of the Marrakesh Declaration want to encourage greater gender equality and inclusion, not only in the declaration but in Islam in general, they also have to reach out to alternative kinds of leaders, including NGO directors, educators, and academics, thus facilitating the participation of more women.

Third, the declaration lacks mechanisms for implementation and follow-up. Some have voiced fears that the declaration will remain a well-intentioned piece of paper, pointing to experiences with similar initiatives, such as the 2004 Amman message, or the 2010 Mardin Conference. “We need to get the message out and refute the ideas that Daesh [or the Islamic State] and al-Qaida are spreading,” **said** Mohamed El-Sanousi, director of the Network for Religious and Traditional Peacemakers. And he is right. If the transformative language of the declaration is to materialise into concrete improvements, there is a need for a follow-up process, ensuring the formulation of specific recommendations and guidelines for action, facilitating interaction with key stakeholders and – eventually – introducing mechanisms for monitoring the situation with regard to religious minorities.

Finally, and perhaps most importantly, one might ask whether this is a declaration on religious freedom, as many of its supporters have said – or if it is just a declaration on religious minorities? This is not simply a difference in terminology, but a difference in substance. Religious freedom is not only about religious minorities’ collective rights, as important as they may be, but is also about the right of the individual to criticise religion, change religion or even leave religion and these rights are not part of the Marrakesh Declaration. Historically Muslim authorities and religious leaders have struggled with precisely these aspects of the right to religious freedom. During negotiations on the UN Convention on Civil and Political Rights, the right to conversion was hotly contested. Several Muslim countries did not sign the convention and others insisted on reservations to the convention’s article 18, guaranteeing the right to freedom of religion.

Most interpretations of Islamic law consider apostasy to be deeply problematic, and many Muslim countries prohibit or prevent people from converting from Islam. Converts risk prison, physical punishment or cancellation of parental custody and inheritance rights. Even in Morocco, which many of the meeting’s participants praised as an example of peaceful co-existence between religious groups, it is prohibited to convert Muslims to another faith, and those who do convert to e.g. Christianity are often forced to practice their religion in secrecy. People who practice their religion in a different way than the majority, people who do not practice their religion or who reject religion, are also often victims of discrimination or even persecution. Many Muslim countries use blasphemy laws as a way to control and limit alternative religious interpretations and criticism. The Saudi blogger Raif Badawi, for instance, was sentenced to prison and whipping for having ‘insulted Islam’ in his critical articles on the influence of religion on the Saudi regime.

If the Marrakesh Declaration is to be taken seriously as a new Muslim approach to freedom of religion and belief, its authors must seek to reach out to their more conservative or fundamentalist peers; they must include more women; ensure mechanisms for implementation and follow-up; and finally, they must broaden their understanding of religious freedom to include not only “full protection of all religious groups’ rights and freedoms” but also full protection of all individuals’ rights and freedoms, including the right to criticise, change or leave their religion.

One year on, it is still too early to evaluate the success of the Marrakesh Declaration in terms of these criteria. Nonetheless, recent initiatives to promote the declaration leaves one hopeful. Together with Shaykh Bin Bayyah’s Forum for Promoting Peace in Muslim Societies, the Network for Traditional and Religious Peacemakers is involved in a pilot project (funded by, among others, Freedom House) to advance the implementation of the Marrakesh Declaration in seven countries – Egypt, Indonesia, Nigeria, Pakistan, Senegal, Sudan and Tunisia – through religious engagement, civil society activism, legislative and policy change, as well as education. Recently,

the network organised a workshop with sixty Christian and Muslim leaders in Northern Nigeria, both male and female. Focusing explicitly on the Marrakesh Declaration and freedom of religion, the training provided practical tools for interreligious dialogue and cooperation against religious extremism. Participants were enthusiastic, requesting a second training session and suggesting that similar training be carried out in neighbouring provinces. One can only hope that the Network for Traditional and Religious Peacemakers has the resources to expand on such activities. As El-Sanousi **noted**: “The need for further capacity building of the local leaders in the fundamentals of religious freedom and reconciliation remains high. And a single training simply cannot address a demand of such a scale.”

## About the author



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*Note: This piece gives the views of the author, and not the position of the LSE Religion and the Public Sphere blog, or of the London School of Economics.*

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