



Statement by His Excellency Archbishop Silvano Tomasi, Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva  
at the 15<sup>th</sup> Session of the Human Rights Council – Item 9  
*Geneva, 28 September 2010*

Mr. President,

Religion has taken up greater visibility in the public arena in recent years. A widely spread anti-religious attitude, however, favors some manifestations linked to discrimination and prejudice, as the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance has documented, and this raises complex questions of human rights. My Delegation would like to clarify the interplay and the contradiction between abstract claims and real violations of rights that appear on several instances of public discourse about religion.

The free expression of general or personal considerations in terms of public debate, or of cultural, philosophical and theological dialogue cannot be regarded tout court as a form of defamation of religions, or as forms of incitement to hatred against a religion or a community of believers. Freedom of thought and expression, including freedom to criticize, when exercised within the limits of accuracy, fairness, respect, public morality and order, can be considered a gain of civilization to be protected as a common political and juridical patrimony of humanity, not only as a prerogative of a particular social context or a particular cultural tradition. The development and self-realization of the human person entails, as an essential component, the expression and sharing of her vision of reality. To deny this right would mortify one of the deepest aspirations of the human person and a key factor for the progress of all civilizations.

We must also distinguish the theoretical level, namely the abstract level of values and of philosophical or religious principles, from the existential level, i.e. the practical level where these values and principles affect individuals and communities of human beings. The focus of human rights should be on the human person and human communities. The State of law and human rights have as a mandate the protection and promotion of the dignity and fundamental rights and freedoms of individuals and communities of persons. The systems of values and principles, shared by individuals and communities of persons, are something good, also in the perspective of politics and law, but always if functional to the protection of individuals and communities of persons, not vice versa.

Respect for people and communities of persons then is not fulfilled by a mere "preservation" or formal "immunization" from criticism of the systems of values and principles, but by a substantive promotion and affirmation of fundamental rights and

freedoms. Thus freedom of expression, including freedom to criticize, does not deny the rights of persons or communities of persons. It is rather an element of the rule of law which includes freedom of religion and belief, and the prohibition of discrimination based on religion or belief. In this context, attention should focus on the people and communities of persons to see how their rights are protected de facto, beyond the preservation of a given system of values or principles, cultural or religious, whether majority or minority.

The positions of extreme individualism and collectivism offer a partial view of the human person: the first leads her to isolation, the second cancels and absorbs her into the abstract idea of a social or ideological collectivity. These two perspectives do not allow for dialogue, rather make it impossible, because both counter the reality of human nature. The human being has its own uniqueness and originality but is open by nature to relationships with others. Only in these relationships he is fulfilled as a person. As the great civilizations of the world teach, the human person is a "social being" that is fully realized only in the community, starting with the family up to all levels of society and thus to the national and international dimensions. In coherence with nature and human dignity, the community is not a limit to freedom and realization; on the contrary, it is the living space from which the person realizes and expresses her freedom, in which the person pursues her material, ethical and spiritual development, and in turn contributes to the development of the communities she belongs to, and ultimately to the entire human society.

When the social and communitarian dimension is denied, an essential component of the person is mortified and mutilated. History teaches us and documents the negative consequences when this aspect of the person is kept away or denied by ideology. When ideology reconstructs the human being as an abstraction, the dignity and human rights of the real person are radically violated and emptied of content from the inside. The road to the future, even in its religious dimension, passes through the understanding of the person and her natural vocation toward community, therefore through the full protection and full affirmation of human rights in their twofold and inseparable individual and communitarian dimensions.

The main responsibility of the State is the protection of its citizens and all persons, especially those under its jurisdiction. State laws must protect concrete persons even in their community requirements that are inseparable from the person. In the current debate levels are often confused so that ideologies are defended and the persons and communities of persons sometimes are not adequately protected. National legislation must be effective in protecting the rights of all persons within its jurisdiction. This implies that in the educational system, in the judicial system, in political participation, in access to employment, in a word, that in the civil and political society, religion must not be a reason for discrimination. *"Religion, in other words, is not a problem for legislators to solve,*

*but a vital contributor to the national conversation*"<sup>1</sup>. True defamation of a religion is when it is manipulated and transformed into an ideology of discrimination against concrete persons and communities of persons.

Mr. President,

In conclusion, new forms of dialogue and education should be found to identify and promote shared values and universal principles, consistent with the dignity and social nature of the human person, directed to the common good and at building a society in which there is a concrete space for the rights and fundamental freedoms of persons and communities of persons. "*...there are many areas in which the Church {all religions} and the public authorities can work together for the good of citizens...*"<sup>2</sup>. My Delegation agrees with that recommendation of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, according to which we have to anchor the debate in the relevant existing international legal framework and thus ensure a peaceful future for all.

Thank you, Mr. President

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<sup>1</sup> Pope Benedict XVI, Statement in Westminster Hall, September 18, 2010.

<sup>2</sup> *Ibidem*.