

Christians Face Surge of Intolerance, Discrimination

In 2011, I served as Representative of the OSCE (Organization for Security and Cooperation in Europe) for combating racism, xenophobia, and intolerance and discrimination against Christians and members of other religions. There were two other representatives for combating anti-Semitism and Islamophobia. "Other religions" meant all religions other than Judaism and Islam. The OSCE is the largest organization dealing with international security and human rights, apart from the United Nations. Its participating states include Canada, the US, all countries in Europe and in the former USSR, including Central Asia nations like Mongolia.

At the concluding of an OSCE ministerial meeting in 2011 in Lithuania, Mgr. Dominique Mamberti, at that time Secretary for the Holy See's Relations with the States, praised "the outstanding work that was done to combat intolerance against Christians". He particularly referred to the conference we organized in Rome on September 12, 2011 on *Hate Incidents and Crimes against Christians* as "a successful and hopeful event".

At the Rome conference, I introduced the "Rome Model", predicting a slippery slope from intolerance to discrimination and from discrimination to hate crimes. The OSCE and other bodies quoted repeatedly the Rome Model in the years after the event.

1. *Intolerance*

The focus of the Rome Model is on Christians, but is valid for all cases where a spiral of intolerance is at work. Intolerance is a cultural phenomenon. A group is ridiculed through stereotypes and depicted as malignant, evil, an obstacle to happiness and progress. Benedict XVI was the target of a particularly vicious intolerance, but he was not the only Pope to be targeted by intolerant cartoons, articles, and movies.

Although artistic freedom is important, the arts may also become an instrument of intolerance. While certain works of art critical of religion are not intolerant, others are. Examples include Nazi artists depicting the Jews as evil and anti-Christian provocations such as Andres Serrano's *Piss Christ* (1987), where Serrano photographed a crucifix submerged by the artist's own urine. World-famous Argentinian postmodernist artist León Ferrari (1920-2013) offered another example of intolerant art. In 2004, Cardinal Bergoglio, the present Pope, called Ferrari's works "a shame" and "blasphemy", and acted in court to prevent some of them from being exhibited.

With the tragic events of *Charlie Hebdo* in 2015, the question acquired a dramatic urgency. No one could condone criminal attacks by ultra-fundamentalist terrorists. On the other hand, some cartoons published by *Charlie Hebdo* were in themselves intolerant of both Islam and Christianity. Pope Francis stated in an interview, "In freedom of expression there are limits". He also argued that the notion that every public offense against religion should be admitted is based on "the idea that religions or expressions of religion are a sort of subculture which are tolerated but insignificant; they are not part of our enlightened culture. This is one legacy of the Enlightenment".

2. *Discrimination*

In the Rome Model, discrimination, a legal process, soon follows intolerance. There is a logic in this progression. If a group or organization is evil and threatens public happiness, we need laws against it.

Discrimination against Christians typically involve limiting their freedom of speech on certain subjects, denying conscientious objection in matters they regard as crucial, forbidding the public exhibition of Christian symbols, limiting or reducing their freedom to operate schools, and allowing courts to interfere in the internal affairs of the churches.

In recent years The European Court of Human Rights has played an ambiguous role about anti-Christian intolerance. In *Lautsi* (2009), it banned crucifixes from Italian public schools, although the decision

was overturned on appeal in 2011. In *Eweida* (2013), it allowed wearing a small cross at a British Airways check-in counter – but not in hospitals, the Court said the same day in *Chaplin* (2013). In *Ladele* (2013), the Court concluded that conscientious objection by a Christian municipal registrar, Lilian Ladele, against the celebration of same-sex marriages was not allowed. In this case, an appeal was not admitted.

In *Sindicatul* (2012), the Court tried to compel the Romanian government and the Romanian Orthodox Church itself to accept that priests may form a trade union hostile to the hierarchy – and remain in the Church. After vocal protests by many Christian churches, and the Holy See, the decision was overturned on appeal in 2013.

3. *Hate Crimes*

The third stage of the spiral of intolerance leads from discrimination to hate crimes. Here again, there is a method in the madness. If discrimination fails to suppress the evil group or organization, it is not surprising that radicals may decide to take the law in their own hands and resort to actual violence.

Hate crimes against Christians do not occur only in Africa or Asia. The Observatory on Intolerance and Discrimination against Christians, a Catholic NGO based in Vienna, has documented hundreds of cases: churches vandalized, statues destroyed or decapitated, priests and even bishops attacked.

A case in point is Femen, a feminist, pro-gay movement founded in Ukraine in 2008. It is known for vicious attacks to Catholic churches (including Notre Dame in Paris, 2013) and personalities (such as Cardinal Antonio Maria Rouco Varela of Spain in 2014), and for destroying religious symbols. The group gained notoriety by destroying in Kiev in 2012 the giant cross erected in memory of Stalin's victims. Recent books raised serious questions about Femen's obscure financing and ties to prostitution and pornography networks. On the other hand, they seem to have powerful political ties. In 2013, France used the image of Femen leader Imma Shevchenko as the national symbol Marianne in one of its stamps, a choice personally defended by President

François Hollande.

The spiral of intolerance – from intolerance to discrimination and from discrimination to hate crimes and persecution – applies to many groups. Jews in Nazi Germany were first attacked through books and caricatures and then discriminated by the laws: and in the end, Auschwitz came. Combating discrimination against Roma and Sinti minorities was a key part of my OSCE mandate. In many countries, they are first subject to intolerance through stereotypes (“they are all thieves”), then targeted by discriminatory laws (special passports, problems in obtaining documents), and very often end up becoming victims of hate crimes.

Another example concerns those religious minorities labeled as “cults” by the popular media. After some (very real and sometimes tragic) incidents involving “cults”, in several European countries anti-cult movements were organized and anti-cult laws were passed. France and Belgium published official lists of “cults” (in French, “sectes”) including, together with dangerous criminal organizations, dozens of bizarre but more or less harmless religious minorities. Anti-cult propaganda continues to be officially sponsored and supported by mainline media in France and elsewhere.

The case of cults illustrates the sociological notion of “moral panic”, as defined by South African sociologist Stanley Cohen (1942-2013). Some “cults” are, in fact, criminal – just as some Romas and Sintis are thieves. Moral panics start from real (i.e. not imaginary) problems connected with some groups.

However, the prevalence of the problem is exaggerated through folk statistics, and negative actions perpetrated by some individuals are attributed to the whole group. The real crimes of some “cults” are used to discriminate against hundreds of religious minorities.

The most studied example of moral panic concerns pedophile priests. Here again, a very real and tragic problem is exaggerated by folk statistics creating intolerance through generalization (“thousands of priests are pedophiles”). Folk statistics found their way even into a report of the United Nations Committee on the Rights of the Child, ,

mentioning “tens of thousands” of cases of pedophilia involving Catholic priests worldwide, a figure not supported by any academic study. The report is a case in point of how “moral entrepreneurs” use moral panics in order to promote specific agendas. As the only effective medicine against pedophilia in the clergy, the report suggested that the Catholic Church should change its doctrine on abortion, chastity, and homosexuality.

4. Hate Crimes: A Difficult notion

OSCE participating states, including the Holy See, subscribed several documents about hate crimes, calling for the State to punish them more severely than parallel crimes not motivated by hate. What crimes, exactly, are hate crimes? Perhaps a simple example may clarify this difficult notion. I am Italian, Catholic, and overweight. If somebody beats me because of some personal or commercial dispute, this is not a hate crime. On the other hand, if someone does not know me personally but decides that Italians, Catholics, or overweight persons should be given a lesson, finds the undersigned more or less by coincidence, and beats me, this is a typical hate crime.

Today, most of the international debate on hate crimes evolves around laws against homophobia. Proponents of these laws in countries (including Italy) claim that homosexuals are routinely beaten by thugs hating their sexual orientation and that special laws are needed.

However, the law does punish physical violence against homosexuals. With very limited exceptions, all OSCE participating states consider hate motivations, including against homosexuals, as aggravating circumstances for all crimes. In fact, in debating with LGBT activists, we discover that they do not call for new laws against homophobia because violent crimes against homosexuals are not punished by current laws. They know they are.

What they really want to incriminate is “hate speech” based on “heterocentrism”, the idea that heterosexuality is the normal human orientation, and “heterosexism”, the system where the union of a man or a woman is honored, recognized and protected more than a same-sex union is. Obviously, punishing “heterocentrism” and “heterosexism” as

crimes introduces a serious limitation of freedom of speech, freedom of expression, and also freedom of religion, since the teachings of most religions about human sexuality would easily fall under these categories.

5. Hate Speech

In the field of hate crimes, the single most difficult moral and legal question is whether laws should punish “hate speech” and, if yes, where the boundary lies between hate speech and freedom of expression. OSCE is the international forum where most work on hate crimes is done. It maintains that clear cases of hate speech are discourses calling for actual physical violence against a group, or insulting individuals with terms commonly regarded as offensive, such as “nigger”, “faggot”, and similar. Although there are grey areas, general laws do punish incitement to violence and insults.

Introducing special laws protecting certain categories against hate speech is dangerous, as evidenced by the application of anti-homophobia laws where they exist.

On February 6, 2014, criminal charges were brought in Pamplona, Spain against Archbishop Fernando Sebastián, a few days after the Pope’s announcement that he had been named a cardinal. Charges were based on Spain’s anti-homophobia law, and the cardinal’s remark in an interview that homosexuality is a “deficient form” of expressing one’s sexuality, as well as his quoting from the *Catechism of the Catholic Church* that homosexual acts are “disordered” and “morally unacceptable”. That many disagreed with the cardinal is hardly surprising. The use of the word “deficient” was perhaps unfortunate, although he immediately clarified that he intended no offense.

But should the cardinal really be subject to criminal prosecution, under a law contemplating serious jail penalties, for this?

In 2013, the Supreme Court of New Mexico in the *Elane Photography* case stated that a Christian photographer can be compelled to photograph a Lesbian marriage. *Elane Photography* quickly became a precedent for imposing similar obligations to Christian owners of pastry and flower

shops who refused to supply specially prepared cakes and flower arrangements for same-sex marriages.

On February 18, 2015, the Superior Court of the State of Washington came to a decision in a hotly debated case concerning a flower shop, ruling against its owner, Barronelle Stutzman, that anti-homophobia laws are dynamic and may change their scope over the years. Once the State of Washington introduced a law allowing homosexuals to marry, refusing to co-operate with these marriages became discriminatory and homophobic.

In France, based on provisions against homophobia, the police arrested pro-family activists simply for wearing T-shirts of the anti-gay-marriage group, Manif pour Tous. One was arrested when queuing for visiting the Sainte-Chapelle in Paris, another with friends in a coffee shop.

In Canada, the Council of Law School Deans recommended that graduates of the law school of Trinity West University should not be admitted to the Bar, because they sign a code promising to “respect the sacredness of marriage between a man and a woman”. This, the Council said, is homophobic insofar as it only mentions “marriage between a man and a woman” even though same-sex couples can marry in Canada.

Trinity successfully challenged the Council’s ruling before the Supreme Court of Nova Scotia, but its graduates are still in trouble in other Canadian provinces. In Ireland, the chapter of the Legion of Mary at National University was disbanded because it supported Courage, an organization that promotes chastity according to the *Catechism of the Catholic Church* among Catholic homosexuals.

On January 28, 2014, the French Parliament passed a law on discrimination against women, which inter alia extends the definition of the crime of “creating obstacles to an abortion” from physically preventing an abortion to exerting a moral pressure on a woman who is considering it.

Although Minister Najat Vallaud-Belkacem, who introduced the law, gave assurances that it would not forbid pro-life marches, distributing

brochures or offering free counselling in or near hospitals to women considering an abortion is punishable by up to two years in jail. Whether offering such counseling to women via the internet will also be considered a crime is a matter of interpretation.

Any law on hate speech incriminating more than clear insults or threats of physical violence seriously threatens both freedom of speech and religious liberty.

The religious liberty of Christians is seriously threatened if they risk incrimination for hate speech when they repeat that abortion is an “unspeakable crime”, or “cries out in vengeance to God” or cite the *Catechism of the Catholic Church* that “homosexual acts are intrinsically disordered”. Even claiming that gay marriage laws come from “the envy of the Devil”, who hates human beings created in the image of God as men and women, is typical religious speech and should not be prohibited.

By the way, who said that? It was Cardinal Jorge Bergoglio, now Pope Francis, in 2010, when Argentina was passing its gay marriage law: “Here, the envy of the Devil is present, and deceitfully intends to destroy the image of God: man and woman. Let us not be naive: it is not a simple political struggle; it is an intention that is destructive of the plan of God. It is not a mere legislative project (this is a mere instrument), but rather a ‘move’ of the Father of lies who wishes to confuse and deceive the children of God”.

In 2010, Cardinal Bergoglio also wrote to Argentines, on the same matter: “We do not want to judge those who feel differently”. This is not different from the famous answer he gave to a journalist as Pope Francis in 2013: if a homosexual person “is searching for the Lord and has good will, then who am I to judge him? The Catechism of the Catholic Church explains this in a beautiful way”.

There is no contradiction between a refusal to judge persons as persons, and a strong opinion against a law. Who are we to judge the homosexuals *as persons*? But who are we *not* to judge moral deeds and legislative projects, and thus betraying our duties as Christians and citizens?

6. *Lord of the World*

“No one –Pope Francis wrote in *Evangelii gaudium* – can demand that religion should be relegated to the inner sanctum of personal life, without influence on societal and national life, without concern for the soundness of civil institutions, without a right to offer an opinion on events affecting society”.

The Church is popular in many quarters when she speaks out about the poor. But “when we raise other questions less palatable to public opinion, we are doing so out of fidelity to precisely the same convictions about human dignity and the common good”.

In two of his morning reflections, on November 18 and 28, 2013, Pope Francis quoted the *Lord of the World* (1907), a novel by British priest Robert Hugh Benson (1871-1914). He said that the novel reads, “almost as though it were a prophecy, as though he envisioned what would happen” today.

In 2015, in a press conference during his return flight from the Philippines, the Pope insisted: “There is a book – excuse me I’m advertising – there is a book, perhaps the style is a bit heavy at the beginning, because it was written in 1907 in London... At that time, the writer had seen this drama of ideological colonization and described it in that book. It is called *Lord of the World*. The author is Benson, written in 1907. I suggest you read it. Reading it, you’ll understand well what I mean by ideological colonization”.

The novel is a tale of the Antichrist, who imposes, the Pope said, something similar to what the Bible describes in the Book of Maccabees, “the globalization of hegemonic uniformity”, a “uniformity of thought” under the name of “progressivism”. Christians who do not accept the new “progressive” orthodoxy are executed. Then come “death sentences, the human sacrifices”. He then asked those present: “Do you think there are no human sacrifices today? There are many, many of them. And there are laws that protect them”.

Pope Francis also compared Benson’s novel to the Biblical story of Daniel, so often portrayed by the Pope’s favorite painter Marc Chagall

(1887-1985). Daniel “is condemned only for worshipping, for worshipping God. And the abomination of desolation is called prohibition against worship”. “In that time one could not speak about religion: it was a private matter”. “Religious symbols were removed and taken down”.

Today there is a “universal temptation” to a “general apostasy”: to obey “the tenets of the worldly powers”, to remain silent, to reduce religion to “a private matter”. This is not real worship and not real religious freedom either.

Benson’s novel raises the ultimate question about freedom of conscience, a question posed not to governments and laws but to the heart of each man and woman: “Do I worship God? Do I adore Jesus Christ the Lord? Or do I do so by halves and play games with the prince of this world? Worshipping to the very end with trust and fidelity is the grace we should ask”.

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