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The authors argue that the Constitutions of modern secular states have the same value and significance for organizing the life of individuals, ethnic groups and peoples as the Holy Scriptures of monotheism had in the religious epochs. The article contains a comparative analysis of the functions of Constitutions and the Holy Scriptures in secular and religious states.

In the history of mankind three main stages of its mental development can be identified: paganism, monotheism and scientific perception of the world. Each of them has its own perception of the world, its values and norms and rules of behavior. The first two stages are religious and the last one is post-religious. All these stages of civilizational development are clearly set forth in the Holy Scriptures such as the Torah, the New Testament and the Koran.

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Do the Holy Scriptures and the Constitutions of Modern Secular States Have Equal Value and Significance?

Sergey S. Oganessian^α & Tarim A. Khaadi^σ

ABSTRACT

The authors argue that the Constitutions of modern secular states have the same value and significance for organizing the life of individuals, ethnic groups and peoples as the Holy Scriptures of monotheism had in the religious epochs. The article contains a comparative analysis of the functions of Constitutions and the Holy Scriptures in secular and religious states.

In the history of mankind three main stages of its mental development can be identified: paganism, monotheism and scientific perception of the world. Each of them has its own perception of the world, its values and norms and rules of behavior. The first two stages are religious and the last one is post-religious. All these stages of civilizational development are clearly set forth in the Holy Scriptures such as the Torah, the New Testament and the Koran.

The attitude to the Constitution as the founding document governing the organization of the life of all the citizens irrespective of their ethnic background and distinctness, spiritual preferences and religious views not only in polyethnic and multi-confessional but also in monoethnic countries should be no less respectful than the attitude toward the Holy Scriptures in the canon law states.

Keywords: constitutions, mental civilizations, holy scriptures, secular states, theocratic states.

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I. INTRODUCTION

The processes taking place in the contemporary world may appear to have nothing fundamentally new, but in reality they are harbingers of global changes in people's mentality, perception of the world and the way they order their life.

On the one hand, various social groups and peoples seeking to preserve their identity and their culture clash in bloody religious and ethnic conflicts; and on the other hand we see powerful integration processes across the world. On the one hand we see the traditional re-division of spheres of influence between world and regional powers and on the other hand countries form unions with single currencies, social safety nets and norms of behavior. On the one hand the struggle for markets transcends state boundaries and is waged by powerful international financial, industrial and trade associations; and on the other hand we see an unstoppable push of nations toward self-determination and ethnic groups upholding their political and socio-economic independence. On the one hand states seek to preserve their traditional norms and rules of behavior; and on the other hand international law is becoming ever more important. On the one hand there is a growing attachment to traditional values, the native language and history of one's people; and on the other hand we see growing uniformity and standardization of every aspect of life of the Earth people irrespective of their ethnic and social status, etc.

All this tends to obscure the dramatic changes taking place in people's mentality. For example, people's attitudes to the institutions of marriage and family, moral values which have prevailed over thousands of years; their inner world and the environment, and such fundamental concepts as

“good and evil,”“loved one, brother and enemy,”“justice “ “sin” and so on.

II. PROBLEM STATEMENT

Without going into a review and analysis of existing opinions and positions we shall present our own view on the global processes taking place in human mentality as the religious perception of the world presented in the Holy Scriptures and the Holy Legends of paganism is giving way to the post-religious worldview focused on man’s intellectual activity, his ability to cognize the world scientifically and organize his life according to the canons of the scientific worldview as reflected in the Constitutions of modern secular states. For it is the Constitutions that today perform the functions which until recently were performed, in religious mental civilizations, by the Holy Scriptures of monotheism (the Torah, the New Testament and the Koran) as well as the Holy Legends of paganism.

So, would it be right to say that for modern secular states Constitutions have the same meaning as the Holy Scriptures which only two or three centuries ago were the fundamental documents not only in organizing the spiritual and worldview-related, but also legal, political, socio-economic and other spheres of life?

Put in this way, the question may seem blasphemous to some and meaningless to others because the Scriptures have been “vouchsafed” by God (the Most High, the World Reason, etc.) for all time and therefore have intransient value whereas Constitutions are merely the products of human intellectual activity.

For others again the time of the Holy Scriptures is gone forever just as the eras of religious civilizations with their world perception, morality, norms and rules of behavior and their values.

For yet others the Holy Scriptures are important, necessary and valuable for all people and for all time. They concentrate and reflect not only the history of the spiritual (more broadly, mental) development of mankind, but also open up a perspective and strategic path of the development not only of humans, but of all “living” things on our planet, and of the very planet Earth and confer meaning on the existence of every individual and all people. Meanwhile

Constitutions reflect the norms and rules of being of a country’s citizens at a concrete post-religious stretch of time and do not “forecast” the future. Therefore they are in constant flux depending on the specific time and conditions of citizens in this or that country.

We believe that all the above views do not only have the right to exist in the collective consciousness of contemporary humanity but have an imprint of the period of transition from one civilizational mentality to a different one. In particular, a transition of religious mental civilizations to the scientific perception and understanding of the world.

III. RESEARCH QUESTIONS

One of the key aspects of this study is comparative analysis of the functions of the Holy Scriptures over the millennia and the functions Constitutions perform in contemporary secular states as well as the far-from-accidental transition from the worldview and legal systems set forth in the Holy Scriptures to the Constitutions of modern secular states.

IV. PURPOSE OF THE STUDY

The aim of this work is to demonstrate not only the functional continuity between Constitutions and the Holy Scriptures of monotheism, but also the fact that people’s transition to independent norm-setting, formation of their worldview as embodied in the Constitutions of modern states is envisaged by the Holy Scriptures of monotheism, specifically the Torah, the New Testament and the Koran, which Koran considers to be the true messages to humankind from the One God.

V. RESEARCH METHODS

The authors use logical methods traditional for this kind of studies: comparative analysis of the functions of monotheistic Holy Scriptures (the Torah, the New Testament and the Koran) in religious states and the functions of the Constitutions of modern states, as well as the methods of induction, deduction and generalization of the results obtained.

VI. FINDINGS

In our earlier published studies we have sought to demonstrate that humanity over the course of its history has gone through three main stages of mental existence which we call mental civilizations. [Oganessian, 2013]. Each of them has its specific perception of the world, its values, legal systems and social behavior norms which in their totality predetermine social, economic and, accordingly, legal relations within social entities and with the external world. These are the mental stages of paganism (idol-worshiping, polytheism), monotheism and finally scientific perception of the world. They can also be called mental epochs in the history of humankind's civilized development. [Oganessian, 2013].

Thus, after millennia of paganism the overwhelming majority of ethnic groups and peoples, if they did not leave the historical arena, naturally passed on to a new civilizational mentality of monotheism and then, after the epochs of Renaissance and Enlightenment, also naturally, departed from the monotheistic perception of the world and started to generate their own views on the way the world is ordered and on man's place in it and to create legislative systems which are the fruits of their independent intellectual endeavor. [Oganessian, 2011; Oganessian, 2013, Oganessian, 2020]

It is common knowledge that in the religious epochs of paganism and monotheism the perception of the world and the norms and rules of human behavior were handed down to them "by external forces." During the religious epochs people were sure that they had nothing to do with their creation. The norms and rules of behavior had to be accepted in the shape they received them and people's task was to strictly abide by them if they wanted to avoid negative consequences for themselves.

In the pagan mental civilization the perception of the world and the norms and rules of behavior were "bequeathed" by the dead ancestors who were thought to be the guardian gods of their living descendants.

In monotheism the world perception, norms and rules of behavior were transmitted (handed down) through the prophets by the One God, the Creator of people and of the Universe.

It was only in the epochs of Renaissance, Enlightenment and Reformation of the church in Europe and then in all the other countries and on all the continents that humankind began give up the worldview and the legal systems set forth in the Holy Legends of paganism and the Holy Scriptures of monotheism. Humankind started entering the epoch when its own intellectual activity, i.e. scientific cognition of the world and the worldview and activity based on it began to determine its existence and development [Oganessian, 2020]

Not surprisingly, the transition from one stage of development to another was enormously difficult because it involved not only a change of worldview and way of life, but a drastic change in people's thinking, renunciation of established traditions and the building up of a new set of values. All this was bound to generate conflicts between the adherents of the old and new worldviews, leading to bloody violent confrontations within societies and between ethnic groups and peoples that were at different stages of their mental civilizational development.

It is only in the current post-religious time that man's own intellectual capacity (reason) became the main and key instrument (means) of cognizing the surrounding world and oneself, the shaping of one's own set of values with its notions of life and death, good and evil, justice and other moral categories which differ markedly from the corresponding notions of religious mental civilizations.

It has to be stressed that the inevitable process of succession of mental civilizations, far from contradicting what the Torah, the New Testament and the Koran say about the essence of man and the main direction of humankind's development, is clearly set forth in them (Oganessian, 2020; The Bible, 1992; The Koran, 2011; The Torah, 1993).

Suffice it to recall the words of the Torah to the effect that God created man in His image and likeness and that He "blew the breath of life into his nostrils," i.e. imparted His mental essence to man (Bereishit 2 Bereishit ,7) [The Torah, 1993]. We may also recall Christ saying to people "You are gods" (John.10:32-37) [The Bible, 1992]. The Koran says that man is the bearer of the Holy Spirit of the Most High and that God "taught

Adam the names of all things” thus “elevating” man over much that He has created (Suras 2:31-36; 34:6-9) [The Koran, 2011]

It is not be irrelevant to recall that the New Testament and the Koran expressly say that humanity’s earthly existence will culminate in its transition to another (extra-terrestrial, heavenly) world where people will, depending on their deeds, either acquire eternal life becoming like the Creator or will be in eternal Hell. All this will happen because of the special mental nature of man which sets him apart from all the other living things on our planet because man is uniquely capable of telling “good” from “evil” and “virtue” from “sin.”

Moreover, one can trace from the events described in the Bible and the Koran how and under what circumstances the law-making initiative was delegated by the One God to people themselves [The Bible, 1992].

Thus, for example, before the Prophet Samuel the sons of Israel were guided exclusively by the commandments, laws and precepts handed down to them through Moses by the almighty God of Israel. It was not until Samuel told God that the people wanted to have a king above them who would rule over them because the sons of Israel were ruled directly by God through His prophets, that the Most High told Samuel to independently work out the laws to be followed by the king in ruling the people and pointed out to the prophet the man who should be the king. Samuel obediently carried out the will of the Most High, worked out the “laws of kingdom” and blessed the man who became the first king of Israel. He was Saul of the tribe of Benjamin (1Kings. 8:5, 20) [The Bible, 1992]

Thus, for the first time not only law-making initiative but, particularly important, the functions of law-making were delegated from God to man himself [Oganesyan, 2011] Without dwelling on the issue which has been addressed in the author’s earlier works let us just note that it was not by chance that over time as humanity grew mentally and socio-economically it began, initially in some peoples and then, after the Enlightenment epoch, in many other peoples everywhere to abandon the legal systems ordained in the Holy Scriptures in favor of its own laws

developing the legal framework for their life through various law-making bodies beginning from parliaments and ending with popular assemblies and councils.

However, let us not forget that over millennia the Holy Scriptures of monotheism and before them the Holy Legends of paganism were the basis for organizing the life of all the ethnic groups and peoples which did not switch to making laws themselves overnight. For example, the Koran still performs the functions of the Constitution in Saudi Arabia and Libya [Constitutions, 2020]

Today, transition from monotheism to the scientific perception of the world is manifest in practically all ethnic entities and peoples in all the spheres of life, including even such “theocratic” states as Iran and the Vatican [Oganesyan, 2013]

It follows from the above-said that the Holy Scriptures of monotheism (the Torah, the New Testament and the Koran) are important not only for people in religious mental epochs, but also for our contemporaries and have intransient value for the future generations.

Moreover, the modern level of science and technology may shed new light on what the Scriptures say about the origin of the human race and the strategic direction of humankind’s development.

That is why, in our opinion, the Holy Scriptures today are in a sense rivals of the Constitutions of secular states, a competition in which they may supplant each other. This is highlighted in the modern world by the procedure of inauguration of heads of state. Under the inauguration procedure adopted in most countries of the world community, the person assuming power takes an oath with one hand on the Bible, or the Koran or on the Constitution and sometimes with one hand on the Bible and the other on the Constitution.

Thus, in Indonesia the president elected by Parliament says a brief oath on the Koran and is blessed by a Muslim priest [President, 2020]. In the USA the president elect puts his hand, usually, on the family Bible, and says the oath: “I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United

States. May God help me" (emphasis added – S.O.) [Inauguration of US President, 2020] Note that the US President asks God to help him to "preserve, protect and defend the Constitution of the United States".

In Russia the head of state prefers to be sworn in on the Constitution.

In Armenia the head of state pledges loyalty to the country and the people simultaneously on the Constitution and the Gospel [Inauguration of the President of Armenia, 2020]

Let us compare the functions performed by the Constitutions of secular states today and those performed as recently as two or three hundred years ago in religious states by the Holy Scriptures and then delimit their spheres of functioning in the modern world. Let us list what we believe to be the more important of these functions.

First, the key function the Constitution and the Holy Scriptures have in common is the regulatory one because they set forth the norms and rules (legal systems) determining people's relationships among themselves and their relations with their own and other societies (ethnic groups, peoples, gens and tribes) as well as with the power structures of their own and other states.

The second common function of Constitutions and the Holy Scriptures and Legends is to determine the worldview and attitude of man and society to the way the world is ordered, including cognitive (epistemological), political (in the broad sense of the word) geopolitical, socio-economic and intellectual-ideological aspects.

Third, the two have common axiological functions in that they offer clear-cut criteria of such concepts as "good and evil," "virtue and sin," the individual and society," their "sinfulness, lawlessness," law abidance and legal awareness, including the functions of shaping the values and morality as well as criteria of social norms. Thus, Constitutions, the Holy Scriptures and Legends perform their "educational" and "enlightenment" functions.

Fourth, the functions which are essential for ethnic and state self-identification of the individual. Because over the millennia faith has been inseparably bound up with ethnicity the

Holy Scriptures which underlie faith enabled the individual to self-identify with the relevant social group or state. Similarly, the Constitution ensures a person's identification with an ethnic entity and people through the institution of civic affiliation of every concrete individual.

Fifth, one has to mention the common functions of ensuring the continuity in the political and socio-economic spheres of society's life. Both the Constitutions and the Holy Scriptures play the role of stabilizer of existing social, class, gender, family and other relations.

Without enumerating all the common and similar functions of Constitutions and Holy Scriptures, let us note the fundamental differences between the two. First, they have different "terms." While, for example, the Torah was handed down "in perpetuity," which was understandable and justified for the mental level of the addressee who demanded not only concrete prescriptions for every situation, but effectiveness for an unlimited period of time. Indeed, why change established traditions and customs to norms and rules which will be canceled after some time? Meanwhile the Constitution, as a rule, is adopted for a short term and envisages the introduction of amendments in accordance with the bidding of the time. For example, since the Russian Revolution of 1917 the citizens of the USSR have lived under five different Constitutions.

Second, in the modern world the Holy Scriptures perform culturological functions providing insights into the worldview, legal consciousness, moral and other values of ethnic groups and peoples and the whole humankind ever since historical records began. It has to be said for fairness sake that the emergence of the New Testament and then the Koran prove that the Holy Scriptures of monotheism, over time and considering the changed conditions, encouraged those who worshipped one God or had matured for adopting monotheism to adopt new norms and rules of behavior and organization corresponding to the realities of modern times. Think of Christ's words about Saturday, a commandment that is fundamental for Judaists. Christ effectively "upends" the Torah commandment on the need to strictly observe Saturday forever: "The Sabbath was made for man, and not man for the Sabbath."

So the Son of Man is Lord even of the Sabbath.” (Mark.2:27,28) [The Bible, 1992]

The Koran is even more forthright on the inevitability of changes in commandments, laws and precepts revealed by the One God. Thus, Muhammad was to spread the message that the Most High envisaged his scripture (his commandments) and that “Allah effaces whatever He wills (outdated commandments of the past) and retains whatever He wills (in His wisdom, the precepts which should be strictly observed) “For with Him is the Mother of the Book”. (Sura 13:38,39) [The Koran, 2011]

On the other hand, precisely because the Holy Scriptures had been revealed by the Most High Himself they were not to be tampered with, and their parts, phrases and words could not be shifted around. Because they have been revealed in the verbal and composition form by God Himself Who, as religious people believe, has omniscience and wisdom and foresight incomprehensible to the human reason.

What was allowed was interpretation of certain commandments, laws and precepts by “wise men.” Vivid examples of interpretations under the pressure of new times and living conditions are the Jerusalem and Babylonian Talmuds, Agadu, Zogar, patristic writings, Hadith of the Prophet Muhammad, etc.

On the other hand, Constitutions which were adopted in the epoch of scientific world perception, with their ideas of humanism and a sense of man’s boundless cognitive and creative powers, absence of “the ultimate truth,” perpetual search for better forms and methods of organizing people’s lives fully reflect the new times in that they constantly react to pressing problems and try to solve them quickly by adopting amendments, additions and other legal acts.

Religious people for their part should understand that, first, at a certain point God has delegated law-making and norm-setting initiative to people themselves; second, that there is continuity between the Holy Scriptures of monotheism (the Torah, the New Testament and the Koran) and the Constitutions of secular states, above all at the level of fundamental values that have to do with the worldview. Suffice it to recall Christ’s commandment which is seen in the modern world

as the golden rule of morality: “So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets” (Matthew 7:12) [The Bible, 1992].

Needless to say, some functions of the Holy Scriptures which they performed over millennia are not performed by Constitutions today. Such functions, for example, as meeting what is thought to be the human need for mystic practices aimed at calming down people’s souls through sacraments and the like. Constitutions do not perform the “compensatory” and “consolatory” function manifested, for example, in the fact that the very reading of the Holy Scriptures consoles religious people relieving their mental anguish and physical suffering. Religious people feel that they prompt them ways out of seemingly dead-end situations and mental torment.

However, many modern people prefer to turn for solutions to their inner (mental) problems not to the Holy Scriptures, priests or teachers of spiritual practices, but to neuropathologists, psychologists, psychiatrists and psychoanalysts. Indeed there is a distinct trend of convergence of the activities of clerics and psychologists. [Pavlova, 2020]

VII. CONCLUSION

To sum up. In secular states Constitutions are no less valuable and important for optimum organization of citizens’ life than the Holy Scriptures were for religious mental civilizations. For polyethnic and multiconfessional states and for monoethnic states alike the Constitution is the fundamental document for organizing the life of all the country’s citizens irrespective of their ethnicity and identity as well as their spiritual preferences and religious beliefs.

Awareness of the fact that in secular states the norms of the Constitution and not the Holy Scriptures are to be strictly observed not only by the country’s citizens, but by all the persons on its territory regardless of their religious views must become the bedrock principle for each and every one. Awareness of the role and significance of the Constitution for modern secular states is particularly important for migrants who, being still at the religious mental stage, gravitate toward canon law set forth in the Holy Scriptures of monotheism (the Torah, the New Testament and

the Koran). Thus, for the citizens of every secular state the study of the Constitution is just as necessary and obligatory as the knowledge of the Holy Scriptures was in the states of religious mental civilizations.

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