

## Global Challenges to Religious Freedom and Opportunities for Change

Testimony before a joint hearing of the House Foreign Affairs Committee's Africa, Global Health, Global Human Rights Subcommittee and the House Oversight and Reform Committee's Civil Rights and Civil Liberties Subcommittee, January 28, 2020

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### Introduction

Chairman Raskin, Chairwoman Bass, Ranking Member Smith, distinguished members of the subcommittees, it is an honor to appear before you today and discuss ending global religious persecution and the challenges to religious freedom around the world.

My testimony in brief is this: religious freedom is a precious and fundamental right, it is facing a global crisis, one for which the United States should prioritize an all-of-government response.

### The Meaning and Value of Religious Freedom

The scale of the problem is truly staggering and, as my fellow witnesses will attest from their own experiences, it is also deeply personal. It impacts real individuals and communities in tragic and devastating ways.

According to the latest figures from the Pew Research Center, more than 55 countries, with a combined population in excess of 6 billion people, have high or very levels of restrictions on religion.<sup>2</sup> These restrictions do not impact every individual in those countries in the same way, resulting in societies rife with religious inequalities.

Religious freedom produces precisely the opposite effect, providing for full equality before the law for all people.

Whether as articulated in the First Amendment to the United States Constitution or core international covenants such as Article 18 in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, or as a growing body of contemporary research is demonstrating, *religious freedom is understood to be a fundamental human right, the cornerstone of a successful society, and a source of national and international security.*

This principle is grounded in the dignity and value of every human person and is based on the understanding that all people by nature search for meaning and seek answers to ultimate questions.

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<sup>2</sup> "A Closer Look at How Religious Restrictions Have Risen Around the World." Pew Research Center, July 15, 2019. <https://www.pewforum.org/2019/07/15/a-closer-look-at-how-religious-restrictions-have-risen-around-the-world/>.

Religious freedom means the right of all persons to believe, speak, and act – individually and in community with others, in private and in public – in accord with their understanding of ultimate truth.<sup>3</sup>

To secure this fundamental right requires that it be both protected in law and respected in culture.

I will focus the balance of my time on three trends that account for much of the global religious persecution in the world today, and then offer a few recommendations for what the United States can do to address these challenges.

### **State-Led Repression of Religion**

Perhaps the greatest threat to religious persecution, both at present and for the foreseeable future, is found in authoritarian regimes at the helm of technology-aided surveillance states.

China has laid out a blueprint for government repression of religion through its use of emerging technology and artificial intelligence (AI) to bolster its state surveillance programs. In efforts that are tantamount to a second cultural revolution, the Chinese Communist Party is deploying these tools to enforce an ideology of “government as god.”

The victims of this oppression include Tibetan Buddhists, Falun Gong practitioners, and tens of thousands of Chinese Christians who have been impacted by systematic campaigns to shut down churches and imprison religious leaders.

And, in what is perhaps the most egregious violation of religious freedom taking place at present in the world, we must consider the Uyghur Muslim community. More than 1 million Uyghurs have been detained in so-called “re-education camps” because of their religious beliefs and identity, which the Chinese government has labeled as a “security threat.”

The systematic repression of the Uyghur community provides a chilling picture for where these trends may be heading.

These tools of repression, such as the social credit score system, linked with government surveillance of every part of life, facilitate “otherization,” denial of rights, and targeting of citizens because of their religious beliefs or identity. These patterns have often been precursors to mass atrocities and genocide, including the 2017 violence against Burma’s Rohingya Muslim community, which was carried out in large part through Burmese military attacks.

The Chinese government is not only refining these practices domestically, but is also actively seeking to export this technology for use by other governments. The widespread adoption of these methods is likely to be devastating for all freedoms, particularly religious freedom.

### **Non-State Hostilities Facilitated by Inept or Complicit Government Actors**

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<sup>3</sup> See Thomas Farr, “What in the World is Religious Freedom?” Religious Freedom Institute. <https://www.religiousfreedominstitute.org/blog/what-in-the-world-is-religious-freedom>.

A second trend of significant concern is the violence carried out by non-state groups against religious individuals and communities. This may be the work of designated terrorist organizations such as ISIS, Al Qaeda, Boko Haram, or Al Shabab and their affiliates, or quasi-official armed actors such as the Popular Mobilization forces and other militias active in Iraq and Syria, or even more localized actors or mobs who may be incited toward acts of violence.

The actions of these organizations and individuals are often facilitated by inept or complicit government actors who are unable or unwilling to protect their citizens. These responses are often paired with a failure to pursue meaningful accountability mechanisms, creating a culture of impunity that perpetuates cycles of violence against targeted communities, often religious minorities who find they have no recourse to the law.

The result is continuing violence against these communities until they are completely decimated or flee the areas that have been their homelands, often for centuries or millennia.

While the specific details and scenarios vary from place to place the combination of violent non-state actors and ineffectual governments often has a devastating effect on religious minorities. This trend is at work in Iraq and Syria where Christian, Yazidi, and other minority communities are on the brink of extinction.

As many as 350,000 Yazidis and more than 50,000 Christians remain displaced from their traditional homelands in Sinjar and the Nineveh Plains in northern Iraq.

Only small percentages of their co-religionists have returned to their homes, most in towns that remain decimated by conflict and unsafe due to the continued presence of non-state actors including ISIS and its affiliates and the Iranian-backed militias known as the Hashd al-Shaabi or Popular Mobilization Forces.

The Government of Iraq has failed to ensure the security of these communities, address corruption in the provision of resources for relief and reconstruction, or to sufficiently address the sectarian nature of politics that has marked the country over the past 16 years, since the U.S.-led toppling of Saddam Hussein in 2003.

It is a failure to address these issues that forms part of the reason for the massive protests that have been taking place in Baghdad, Basra, and across southern Iraq since October of last year. These efforts are a sign of hope as they are calling for a more inclusive and representative government.

While the dynamics are different, the situation in Syria is similar in its impact on vulnerable religious minorities. Elsewhere across the Middle East, such as in Egypt's Sinai region and parts of Upper Egypt we can see similar trends.

In addition, a major focal point for religious persecution is in sub-Saharan Africa, particularly across the Sahel region where some of the most violent religious persecution in the world is currently taking place.

In its 2020 World Watch List of 50 Countries with severe persecution of Christians, the non-profit Open Doors included 13 countries from this region, including many of those with the highest levels of violence, namely Nigeria, the Central African Republic, and Eritrea.<sup>4</sup>

One of the most disturbing elements of this trend is the assaults on religious institutions. According to the same report, more than 9,400 churches and Christian institutions were attacked across the world.

The assault on houses of worship has spanned the globe, affecting not only Christians, such as the Easter bombing of churches in Sri Lanka, but mosques<sup>5</sup>, and synagogues<sup>6</sup> as well.

Providing protection for houses of worship from violence and prosecuting those responsible for such attacks should be a minimum expectation for any government committed to preserve the most basic rights of its citizens.

The failure to provide even basic security perpetuates the conditions for continued persecution.

### **Government as the Arbiter of “Right Religion”: Blasphemy and Apostasy Laws**

A final trend that is a significant driver of global religious persecution is through what are commonly known as blasphemy or apostasy laws. These policies link state and religion in such a way that government becomes the arbiter of what is “right religion.”

As of 2018, according to the United States Commission on International Religious Freedom, more than 70 countries had blasphemy laws. As USCIRF describes, “Blasphemy laws punish expression or acts deemed blasphemous, defamatory of religions, or contemptuous of religion or religious symbols, figures, or feelings.”<sup>7</sup>

While in no way promoting the practice of mocking or defaming religious beliefs, it should be made clear that these laws are often weaponized against religious minorities, disfavored members of majority religions, and atheists or non-believers, often with brutal consequences.

As my colleague, political scientist Nilay Saiya describes, “In countries with blasphemy and apostasy codes, the authority of the dominant religion and the authority of the state are profoundly intertwined, often to the detriment of religious minorities.”<sup>8</sup> As he documents, these laws often have

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<sup>4</sup> “World Watch List 2020.” Open Doors USA. <https://www.opendoorsusa.org/christian-persecution/world-watch-list/>.

<sup>5</sup> “RFI Condemns New Zealand Massacre as Religious Persecution.” Religious Freedom Institute. <https://www.religiousfreedominstitute.org/news/press-release-2019-rfi-condemns-new-zealand-massacre-as-religious-persecution>.

<sup>6</sup> Hassan, Jennifer. “From Germany to America, Synagogues Are Frequently the Target of Attacks.” Washington Post, October 9, 2019. <https://www.washingtonpost.com/world/2019/10/09/germany-america-synagogues-are-frequently-target-attacks/>.

<sup>7</sup> Lavery, Kirsten. “Blasphemy.” Legislation Fact Sheet. United States Commission on International Religious Freedom, November 2018. [https://www.uscirf.gov/sites/default/files/Legislation%20Factsheet%20-%20Blasphemy\\_2.pdf](https://www.uscirf.gov/sites/default/files/Legislation%20Factsheet%20-%20Blasphemy_2.pdf).

<sup>8</sup> Saiya, Nilay. *Weapon of Peace: How Religious Liberty Combats Terrorism*. Cambridge University Press, 2018. <https://doi.org/10.1017/9781108565127>.

the effect of inspiring further religious extremism in a kind of “religious outbidding” or vigilante terrorism to enforce religious purity. According to his research, states that enforce blasphemy laws experience nearly six times as many terrorist attacks as countries without such laws.<sup>9</sup>

These laws represent yet another example of how religious restrictions, drive inequalities, religious persecution and often lead to violence that harms not only their own citizens but becomes a security threat to their regional neighbors, and even to the United States.

### **Recommendations for U.S. Policies**

With the global scale of the threats to religious freedom, a global, multifaceted response that includes both governments and civil society is urgently needed.

Since the 1998 passage of the International Religious Freedom Act (IRFA), religious freedom has been mandated by law as a component of U.S. foreign policy. The challenge is not so much a need for new tools, but for an elevated commitment to fully utilize those that exist to address the challenges of global religious persecution.

As mandated by IRFA and the 2015 Frank R. Wolf amendment to that act, the Country and Entity of Particular Concern designations allow for a menu of options that can be utilized against a country found to have committed systematic, ongoing, and egregious violations of religious freedom. Yet the number of times in which these tools have been effectively utilized has been minimal.

Given the jurisdictional mandate of the subcommittee, consider the tools of foreign assistance:

- Each year the State Department expends tens of millions of dollars on explicit programming for religious freedom. In 21 years of IRF policy has there been a public accounting of the impact of those efforts? What indicators are being tracked? Are those programs reaching their intended goals
- Even beyond that, consider the hundreds of millions spent globally on democracy and good governance programming. Have those efforts been attuned to addressing the dynamics of global religious persecution?
- In addition, the humanitarian and development assistance expended to meet acute needs in conflict or crisis settings, whether through the United States Agency for International Development, United Nations agencies, or implementing partners, are those efforts paying sufficient attention to the particular vulnerabilities faced by religious minority communities?

Each of these areas of foreign assistance has a role to play in addressing the causes and contexts of religious persecution, yet too often religious freedom has remained a boutique human rights concern rather than a central pillar of foreign policy.

### **Conclusion**

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<sup>9</sup> Saiya, Nilay. “Blasphemy and Terrorism in the Muslim World.” *Terrorism and Political Violence* 29, no. 6 (2016): 1087–1105. <https://doi.org/10.1080/09546553.2015.1115759>.

As Rabbi Lord Jonathan Sacks has profoundly said, “Wars are won by weapons, but peace is won by ideas.”<sup>10</sup> I would submit that religious freedom is a necessary idea if we are to win the peace in the effort to end global religious persecution.

If the United States is to do its part in this effort, advancing religious freedom must be elevated as a foreign policy priority such that it becomes an all-of-government effort that informs diplomatic engagements, defense and security decisions, and development and humanitarian foreign assistance programs.

Until that happens, the efforts to address these challenges will remain isolated acts of compassion and heroism, but insufficient to address the full scope of the challenge.

Thank you, and I look forward to your questions.

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<sup>10</sup> Sacks, Jonathan. *Not in God's Name: Confronting Religious Violence*. Schocken, 2017.