Religious Freedom: Rising Threats to a Fundamental Human Right
July 16, 2015

In partnership with the Institute for Studies of Religion at Baylor University
About the Religious Freedom Project

The Religious Freedom Project (RFP) at Georgetown University’s Berkley Center for Religion, Peace, and World Affairs is the nation’s only university-based program devoted exclusively to the analysis of religious freedom, a basic human right restricted in many parts of the world.

Under the leadership of Director Thomas Farr and Associate Director Timothy Shah, the RFP engages a team of international scholars to examine and debate the meaning and value of religious liberty; its importance for democracy; and its role in social and economic development, international diplomacy, and the struggle against violent religious extremism.

The RFP began in 2011 with the generous support of the John Templeton Foundation. In 2014 that support continued, while the project also began a three-year partnership with Baylor University and its Institute for Studies of Religion under Director Byron Johnson.

For more information about the RFP’s research, teaching, publications, conferences, and workshops, visit our website at http://berkleycenter.georgetown.edu/rfp.

About the Berkley Center for Religion, Peace & World Affairs

The Berkley Center for Religion, Peace, and World Affairs at Georgetown University, created within the Office of the President in 2006, is dedicated to the interdisciplinary study of religion, ethics, and public life. Through research, teaching, and service, the center explores global challenges of democracy and human rights; economic and social development; international diplomacy; and interreligious understanding. Two premises guide the center’s work: that a deep examination of faith and values is critical to address these challenges, and that the open engagement of religious and cultural traditions with one another can promote peace.

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Religious persecution is rising at an alarming rate around the world. According to a recent Pew report, over three-quarters of the world’s population lives in countries with high levels of religious repression. This crisis affects religious groups of all kinds and climes: Jewish minorities walking the streets of Paris and Copenhagen; Muslims fleeing sectarian violence and civil war in Iraq and Syria; Christians persecuted by ISIS, Boko Haram, and other religious extremists. Rising restrictions have particularly affected women and girls, who are targeted because of their gender.

On July 16, the Religious Freedom Project—in partnership with Baylor University’s Institute for Studies of Religion and the American Bar Association’s Section of Individual Rights and Responsibilities—organized a day-long conference to examine these and related issues. Who are the perpetrators and victims of this religious freedom crisis, and which countries and regions deserve our attention? Why, exactly, is religious persecution on the rise? How can US international religious freedom policy improve conditions for religious minorities abroad? What important role do women play in resolving this issue?

The conference began with a keynote conversation featuring Judge Ken Starr, president and chancellor of Baylor University; Congressman Keith Ellison, representing the fifth district of Minnesota and the first Muslim-American to serve in Congress; and Dr. Katrina Lantos Swett, commissioner and past chair of the United States Commission on International Religious Freedom. This was followed by two dynamic panel discussions. The first, “Rising Global Restrictions and Social Hostilities on Religious Freedom,” dug deeply into the specific forms of persecution that persist around the world. The second, “Religious Freedom and Women’s Rights,” was moderated by the RFP’s Claudia Winkler and featured four talented female professionals and academics. Finally, the day closed with a riveting address by former congressman Frank Wolf, who shared several prescient observations on religious freedom based on his decades-long career defending human rights on Capitol Hill and around the world.

We believe that religious freedom is one of the foremost human rights issues of our time, and we think you will find this report inspiring and enlightening. So read on!
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THOMAS FARR: Good morning, ladies and gentlemen, and welcome to another in a series—now a long series, going on about five years—of vigorous conversations about religious freedom sponsored by the Religious Freedom Project here at Georgetown University. Today’s event is entitled Religious Freedom: Rising Threats to a Fundamental Right. I’m Tom Farr, director of the Religious Freedom Project. On behalf of all of my colleagues, we want to welcome our co-sponsors for this event: the Committee on Religious Freedom of the Section of Individual Rights and Responsibilities of the American Bar Association. Throughout the day you’ll be hearing from representatives of the ABA, including Mark Schickman. But let me give a hearty thank you to Richard Foltin and Engy Abdelkader for having the idea for this conference and for working with us over the last several months to make it happen.

Before we begin our keynote conversation I would like to say a word about the Religious Freedom Project. Tim Shah and I began the project in 2011. We were joined last year by a new strategic partner, Baylor University and its Institute for Studies of Religion, which is directed by Byron Johnson, a distinguished professor of the social sciences at Baylor who is here with us today.

Think about that: two great faith-based institutions—Georgetown University, the oldest Catholic university in the land, and Baylor University, the largest and one of the oldest Baptist universities in the United States—partnering together on issues of religious freedom. If you know anything about Christian theology, you will know the Baptists and Catholics don’t always agree. I speak as a Catholic, and we are delighted about this alliance on religious freedom.

When we had a conference in Rome a couple of years ago, we were fortunate enough to get an audience with Pope Francis. We told him about this Baptist-Catholic alliance on religious freedom. He clearly liked that. We hope you will find it of interest as well.

The Religious Freedom Project is the only university-based center for the study of religious freedom in the world. Our goal is to research, build, and disseminate knowledge about religious
freedom. What is it? Why is it important? Is it important for everybody? We think it is. Whether you’re religious or not, no matter what your religious tradition is, we think you need religious freedom. We think it’s important for every religious community, for every society, and for every nation, no matter how religious or secular that nation might be. Indeed, we believe religious freedom is necessary for international stability, justice, and peace.

We define religious freedom—and this is very important, we’ll be talking a lot about this today—in a very broad and capacious sense. We think it’s the right of every person to believe and worship or not, and if one is a religious believer, to act on the basis of belief. People have the right to act not only individually but in community with others, and not only privately but in the public life of one’s nation, as a citizen bringing to bear one’s religious beliefs in the workplace, an NGO, a profession, a business, and—perhaps most importantly but most controversially of all—in the political life of one’s nation.

We define politics as Aristotle did: the way we organize our lives together. We consider it a bizarre proposition that religious people should not have an equal opportunity to contribute to politics. And indeed, we would argue that the First Amendment of the United States Constitution was written precisely for that reason. So religious freedom is far more than a private right to worship. It necessarily and properly entails public things.

Unfortunately, notwithstanding the importance that we attach to religious freedom, we think it’s in crisis around the world. The Pew Research Center, which is represented here today, produces the best report out there, as far as I’m concerned. It’s an annual report now called Global Restrictions on Religion, and the current estimate is that 77 percent of the world’s population lives in countries in which religious freedom is severely restricted. Their term is either “highly” or “very highly” restricted. To put it differently, three out of four people on the planet live in countries where religious freedom is virtually non-existent. This, I think, entitles one to use the phrase “crisis” without being accused of rhetorical excess.

Outside the West, those restrictions are often manifested in violent religious persecution, particularly against religious minorities but also against disfavored members of the majority religious community. Inside the West, while violent persecution is not the norm—and please, God, never will be—reports of the Pew Research Center are troubling. They show that in the West government restrictions on and social hostilities toward religion are rising, including in our own country, the United States.
Our goal at the Religious Freedom Project is to talk about this issue, to raise its profile, and to examine it, both here and abroad. We want to change this conversation. We were talking before about how people shout at each other. Well, these conversations will be vigorous, but people will not shout at each other. They will employ reason to support their most sacred beliefs. That is precisely an exercise of religious freedom. We want to change the conversation particularly among people who could do something about this crisis: the opinion-shapers, the governments, the policy world, the media, the academy, and civil society itself, including the business world.

We do our work through teams of international scholars, some of whom are here today; through books and articles; through workshops and consultations with governments, here and abroad; through public addresses; through congressional testimony and testimony before legislatures of other countries; through media appearances; through conferences like this one, here and abroad—we’re going to have a major international conference in Rome in December; and of course through a vigorous web and social media presence, including a blog. In all these activities we seek to engage not only religious groups and people that agree with us, but secular society in general, in particular the skeptics of religion and religious freedom. We don’t just preach to the choir—that’s an old Christian phrase that some of you may be familiar with, although I have to tell you the choir could use some preaching. Ours is an attempt to conduct a conversation about religious freedom for everybody and with everybody, especially those who don’t share our premises or our views.

So in that respect, let me mention our new blog, Cornerstone: A Conversation on Religious Freedom and Its Social Implications. Notwithstanding the importance of this issue, as far as we know there is not another blog in the world that is devoted exclusively to the study and the debate about religious freedom. Many of the people you’ll see today have contributed to our blog. Please take a look at Cornerstone. Engage in the conversation online or just let us know what you think of it. We want your views. Whether you agree with us or not, we want to hear from you. There’s a wonderful phrase from the great Jesuit theologian and political theorist, Father John Courtney Murray, who’s associated with this university. Murray said that religious freedom is exemplified by “creeds intelligibly in conflict” within a canopy of respectful discourse. Well, that’s what religious freedom is. That’s what we’re about and that’s what we’re going to do today.

Now to our conference. I’ve already noted that the evidence strongly suggests an international crisis in religious freedom. During our various conversations today, we’re going to discuss that evidence and the dimensions of the crisis itself, including whether it can properly be so labeled. There are those who would argue that it’s not a crisis, that it’s something else.

Well, let’s back up a minute. We want to engage some of the foundational questions as well. What do most people think religious freedom is? I daresay everybody in this room would say, “I’m for religious freedom.” But if we asked you what you meant by it, we’d probably get some different views. So we’re going to discuss that. Wherever you come out on that, we want to know what your reasons are. Do you think it’s important? If so, why? Is it just because you are a religious person or can you make an argument that it’s important for people that really disagree with you? We think you can but we’re going to hear from people with different views on that.

Is religious freedom really important for nonreligious people? What about the indifferent? Why should they care about religious freedom? Is it really important for all societies, or is it just a nice thing to have but at the end of the day is discretionary? Saudi Arabia, a great ally of the United States, doesn’t have religious freedom. Well, so what? China doesn’t have religious freedom. Does it matter that they don’t have religious freedom?

We all agree it hurts the victims. Does it somehow harm us? If so, why? What about religious freedom in the United States? Is it really in decline as some studies suggest? If so, why? And again, what difference does it make? Is the worldwide crisis primarily one of religious minorities or are majorities affected? And very importantly—we’re going to have a full panel on this today—what about women? Are women affected in particular ways with respect to religious persecution and do they have a special relationship with the issue of religious freedom because of their gender and their experience? We’re going to deal with these and allied questions throughout the day. Let’s get to it.
To kick us off, I’m going to introduce Judge Ken Starr. Now, I’m sorry about using that football metaphor, Judge—“to kick us off”—to the president of a college football team that almost made it to the playoffs this year but didn’t quite. Apologies for that little joke. He’s going to get me back for that. [Laughter]

Judge Ken Starr is the president and chancellor of Baylor University, which is, as I’ve already noted, a strategic partner of the Religious Freedom Project. He is a former solicitor general of the United States who has argued some three dozen cases before the Supreme Court of the United States. He has brought his great faith-based university, Baylor University, to a new national prominence, which it richly deserves. And frankly, as important as anything else, what you’re going to see here if you’ve not seen this man before, is that he is a wonderful, friendly, winsome gentleman who conducts a conversation—civil, enlightening, and fun—as well as anybody I’ve ever seen.

Judge Starr is going to introduce Congressman Keith Ellison. Dr. Katrina Lantos Swett is not yet here, but she will join us in due course. Congressman Ellison, I welcome you on behalf of the Religious Freedom Project. I know you’ve been to Georgetown before, but this is your first visit for the Religious Freedom Project. I hope you’ll come back. It’s an honor to have you. And Dr. Lantos Swett is an old friend and colleague and we’re just delighted to welcome her back. So ladies and gentlemen, if you’ll welcome our two gentlemen up to the stage now, we can begin.

KEN STARR: Good morning, everyone. We look forward to the arrival of the commissioner; her aircraft malfunctioned, but she is on her way. And we’re so delighted to be here to discuss this vitally, indeed imperatively, important subject, and I’m delighted to have, figuratively speaking, to my right, Keith Ellison.

KEITH ELLISON: Somewhat ironic? [Laughter]

KEN STARR: I love being in the middle, the vital center, to launch the conversation. [Laughter] Congressman Ellison began his service to the people of the United States, but in particular the district that he’s privileged and blessed to represent in beautiful Minnesota, the “land of lakes.” Are you Scandinavian by background?

KEITH ELLISON: By adoption. [Laughter]

KEN STARR: By adoption. Do you fish?

KEITH ELLISON: Oh, yes, I do. I’ve even had lutefisk before.

KEN STARR: Oh, very good. And you have been such a prominent member of Congress, a great spokesperson on a wide range of issues. I know that the Walter Mondale Law School is very proud of their very distinguished alumnus who felt the call to public service and not surprisingly went to law school. You’ve done a variety of things for the good of people of Minnesota, now focusing on issues that affect all of us and in fact affect the global community.

I think I will not introduce—as in the old movie about Harvey the rabbit—the commissioner until she arrives. Somehow it seems inappropriate to introduce someone who’s not here. Does that sound right? Do I hear a motion? Okay. This is a town hall, so we also want to hear from you. I’m sure we’ll have ample time for conversation.

I welcome you all on behalf of Baylor University and the Institute for Studies of Religion, headed so ably by my esteemed and beloved colleague, Dr. Byron Johnson, who we stole from Penn a long time ago—but my hands are clean; I was so grateful that he was there when I arrived. He has assembled an impressive array of sociologists, historians, and social scientists at the Institute for Studies of Religion, which we call ISR, who do a deep dive into issues of religion and society. They’re certainly one of the most prolific centers in the United States, period. The output of our ISR is just extraordinary; I commend their very important work to you.

And it really is through Byron, if I may be permitted to say just another word, that we came into the orbit of this great university, in particular the Religious Freedom Project at the Berkley Center. So we’re very honored to participate, as we have informally for more than two years and now formally for a year and a half, with the partnership between Georgetown University, which was present at the creation, and then Baylor University.

Tom Farr is a prince among men who has sort of done it all—from serving our country in uniform to his very distinguished diplomatic career, including focusing on issues of religious freedom as they affect US diplomacy. He is also a great teacher and a great scholar. And I commend to you the scholarly work that he has referred to. I have profited much and learned much from Tom’s own scholarship. His Ph.D.—and I’m a Duke man—from the University of North Carolina has given me renewed respect for our friends in Chapel Hill. It is a very distinguished institution and he is one of their most distinguished doctoral graduates. Tom, thank you for framing the issue so beautifully. So let’s put the ball in play and ask Congressman—may I call you Keith?
KEITH ELLISON: Certainly.

KEN STARR: Would you call me Ken?

KEITH ELLISON: I will.

KEN STARR: Great.

KEITH ELLISON: Keith and Ken.

KEN STARR: There’s a future here: the Keith and Ken Show. [Laughter]

KEITH ELLISON: That’s right.

KEN STARR: Why don’t we begin with where Tom began? He talked about religious freedom and that from his perspective there should be a very broad definition—he used a wonderful word from SAT prep—a capacious definition of religious freedom. Would you be willing to share your worldview as well as your faith journey, and then your perspective on the meaning of religious freedom?

KEITH ELLISON: Sure. If I could, Ken, I’d like to just recognize a friend who’s here, Congressman Frank Wolf. I just want to say, “Hi,” to you Frank, because you’ve gone on to other greener pastures from Congress, and even though you and I subscribe to different schools of thought on a lot of political and economic issues, I think we had a lot of commonality on the issue of religious freedom. I respect you a lot for that.

You know, I had my own personal faith journey. I was raised in a Catholic household. I went to an all-boys Catholic high school. I went to a Catholic junior high school, Immaculate Heart of Mary. I’m a Jesuit-trained student. And yet, when I got to Wayne State University in Detroit, Michigan, I was sort of open on the issue of religion. I was a person of faith, but I was in a seeking mode and I was ready to hear some new messages. And this was not due in any way, you know, to the fact that I wasn’t well trained by my family or by my schools. I just was kind of an open-minded person, ready to listen to different ways and different paths forward.

I went to a study session one day. I think we were studying calculus or something like that, and a friend of mine on a Friday, right at midday, got up and abruptly said, “I’ve got to go.” And I said, “Well, where are you going? We’ve got a study session.” “Well, I’ve got to go to something called juma’a prayer.” I said, “What is that?” “Come on and see,” was his answer to me. Since he was leaving and that pretty much shut down our three-person study session, I decided to go on. I walked with him, and when we showed up at the prayer room, I realized we weren’t going to any sort of religious institution. It was a room in the student center and there were all these shoes everywhere, and I’m like, “Wow. You’ve got to take your shoes off?” I took my shoes off and I looked in there and there were no chairs. “You’ve got to sit on the floor?” So I sat down.

Then I heard a message that I found compelling that day and I kept going back. And before you knew it, I was a part of this Muslim community at 19 years old. That was in September. We got to November, and we were having Thanksgiving dinner. I still hadn’t told my parents that I was a Muslim, and my mother said, “Honey, you’ve got to have some ham. This is good ham. You know it’s going to be tasty.” And I said, “Well, I can’t eat that, mom.” “Well, why not?” “Because I’m a Muslim.” “What?” To my mother’s credit, she’s a very tolerant and open-minded person. My mother’s from Louisiana, she’s Catholic, and for her, food is love and love is food. And she said, “As long as you’re a faithful person, you’re an honest, decent person, do what you think is right.” My brother got into more religious disputes in our household than I did because he’s now a Baptist minister and a pastor, and I think my mom debated with him more than me. [Laughter]

So that’s the kind of religious household I came up in. It was a tolerant place, and it was a religious place. It was both of those things at the same time.

And even to this day, when I was sworn into Congress, almost by accident I ended up having a reporter ask me, “If you get elected, will you swear in on the Qur’an?” It was on a late night, cable access Somali-language television in Minneapolis. I was like, “I don’t know.” And the guy kept pressing me, and I said, “Yeah. Okay. Sure. I haven’t won the election yet, but if I do win, I’ll swear it on the Qur’an.” You know, that was one of my first lessons in dealing with reporters like that. [Laughter]

Anyway, I didn’t think anybody was watching but it so happened that some people who were really offended by my decision were watching or got wind of it. This torrent of activity took place about Ellison swearing in on the Qur’an. One day I got a letter that said, “You should swear in on Thomas Jefferson’s Qur’an.” And I don’t always come up with the good ideas, but I know a
good one when I see one, and I said, “This is exactly what we’re going to do.” And so when I was sworn in, there was this wall of reporters, shutters clicking everywhere, and we swore in on this great book that is a part of the Library of Congress and all the debate about me swearing in on the Qur’an stopped.

And the truth is I’ve never led a Friday prayer as the person who gives the sermon. In Islamic parlance, it’s called a khatib, but I’ve never done that, I’ve never led a prayer outside my home. I reject the opportunity when I’m offered it. And the reason is I don’t want to be confused as a religious leader. I’m not a religious leader. I respect what religious leaders do, the schooling they go through, the understanding that they have. But I don’t have it. They do their thing, and I do mine. I’m a politician and used to be a lawyer.

So that’s a little bit about my journey. Let me just say this: I think that our country got a lot of things wrong from the start and we’re trying to heal from those wounds, but there’s one thing I think we did pretty well even from the start, and that’s get religious freedom right. And George Washington said this: “Of all the animosities which have existed among mankind, those which are caused by a difference in sentiment in religion appear to be the most inveterate and distressing and ought to be deprecated.” That’s George Washington. I could share with you quotes like that from Thomas Jefferson, even Benjamin Franklin. Our Constitution says in the first clause of the First Amendment, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.” It mentions religion again in the sense that it says, “There shall be no religious test to hold office,” and this applies to the states as well.

So there were early religious fights in our country, make no mistake about it, and we fought over religion in America just like everywhere. But the attitudes of the framers set us on a trajectory which I think has served us well over time, and I like the way the American Constitution sets it out because there’s no one who needs to police it. You can wear a kippah, you can wear a hijab, you can wear a cross, and nobody’s going to stop you. Some European countries see secularism as freedom from religion. You can’t wear these things in a public space and somebody’s going to have to come and say, “Don’t do that.” We don’t do that in the United States. I think it makes a lot of sense and it has helped us a lot. But there are some disturbing trends.

In my view, freedom of religion—and I think I mostly agree with Washington—also implies a few other things. One is the freedom to be unorthodox. This is fundamental to religious freedom because we are all individual and unique. And though I’m a Muslim, God might inspire me to understand Islam slightly differently than some other Muslims. And if people say you are a heretic and you are not a true believer, and therefore we’re going to kill you even though you say you’re a Muslim, that’s not religious freedom. It’s not freedom to be just like me or see the world the same as I do. This is particularly true in every faith.

Think about all the diversity in the Christian world. It’s really quite remarkable when you think about it from Catholics to Protestants to Mormons, just a whole range. Judaism is by no means monolithic. You’ve got Reform, you’ve got Orthodox, you’ve got ultra-Orthodox. You have a broad array in Hinduism and in Buddhism. All our faiths have the same attribute of being very, very diverse. Therefore, the freedom for unorthodoxy is implied in any understanding of religious freedom. You must be free to be a Shi’a in a predominant Sunni environment, or an Ahmadiyya. The Ahmadiyya are a Muslim group in Pakistan and other countries who believe that there was revelation after that of the Qur’an from the Prophet Muhammad. Most Muslims would say this is absolutely forbidden to believe such a thing and be a Muslim. I think that we should leave it up to God to decide that. But yet the constitution in Pakistan doesn’t even recognize them as Muslim and their mosques are blown up and they suffer tremendously, yet these people do tremendous good in the world. And we can go on and on and on. The freedom to be unorthodox is essential to religious freedom.
The freedom to make a public expression of your faith—not in an intrusive way but just something that you want to wear that is a sign and signal of your devotion—I think you ought to be able to do that. We shouldn't be offended by somebody wearing a yarmulke or a kippah or a hijab or a habit or whatever it is. We've got to make freedom for that to happen.

I'm just going to close right here, Ken. I think it's dangerous for us as Americans to think we've got the answers here. On this thing, I think we're on to something really good, and I think that we should not be shy about offering our views on this matter, particularly when you have people who want to pass laws and who want to punish people for heresy or make it a crime to deprecate religious views. I mean, this is an ongoing debate raging throughout the world. I think we should stand up and say that freedom of faith, which implies the freedom to be unorthodox, the freedom for public expression, and other things as well is, I think, not a uniquely American value. But it is in fact an American value that we shouldn't be shy talking about.

KEN STARR: I think one of the key things that Keith has emphasized is the public dimension of faith, including expressive behavior, garb and the like, whereas some countries, as you rightly point out, just say, “No. We want you to keep the religious clothing or any other indicia of religious faith outside the workplace—not just the government workplace, but outside all workplaces.” But as you see it, it is the ability—this is the capacious word again that Tom used—to really express that faith in the public square. And what I'd like for you now to do, Keith, is turn to the political dimensions and the cultural dimensions of that kind of society.

I'm going to tee it up by quoting from the First Congress of the United States, so your predecessors. In 1789 the First Congress of the United States reenacted the Northwest Ordinance, which included Minnesota. The territory had to be governed. The Continental Congress in 1787 had passed the Northwest Ordinance, and then Minnesota was not yet a state. There had to be territorial government under the new government of the United States under America’s Constitution. These are the words of Section 4 of the Northwest Ordinance of 1789: “Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.” As a pro-education thrust—and everyone here in this room will be very sympathetic and supportive of that kind of vision—notice what is the predicate: “religion, morality, and knowledge being necessary to good government and the happiness of mankind.” So that generation, for all their faults, nonetheless had the soaring vision that religion and religious activity was good for the happiness of mankind. Now translate that into what you see in terms of the global perspective. How can we say that religious freedom, in light of all the conflict, is good for societies, including countries like China and Burma? Take any country that you want.

KEITH ELLISON: Well, that's a great question. I'd love to hear your views on it too, Ken. Where I would take it is this: Religious freedom is good in this context because freedom of conscience is good, right? And people, in order to be creative, in order be free, which I think is a good thing, have to be able to express themselves freely in this area.

You know, it occurs to me that religion is not inherently a good thing but the freedom of expressing it is. Religion is not inherently good. Why? Well, on the one hand people like Dorothy Day and Martin Luther King and Gandhi, all religious people, used their faith to make the world a better place. And then there are people who are also equally devout who did a whole lot of things that aren't so good and that we're not proud of. I think it really matters what are the most prominent values in the religious expression that turn it good or not good are. But freedom of religion is absolutely awesome, and that's sort of the idea. Teaching religion and using religion as something that promotes the common good is a good idea as long as you have in mind that being nonreligious is just fine, too.
But we have a lot of things that we learn from religion. Religion promotes many important values, like honesty. Of course, you don’t have to be religious to be honest, but religion does promote honesty. Religion promotes charity. Religion is an important source of teaching us that it’s a good thing to do things for people other than yourself. From a purely rational standpoint, you might say, “Why should I ever do anything for anyone except me?” But faith tells us it’s our duty to extend beyond ourselves and give charity and be people who have a public sense of responsibility.

I think that freedom of religion and freedom of expression of religion is in fact inherently good as long as it’s coupled with tolerance, because religion so often carries these important values that we all hold dear. But we should understand that those values don’t necessarily come from religion—because religion can be neutral in many ways—but it is what we bring to that religion and what we promote as being most prominent in that religion.

KEN STARR: Well, let me come at it this way. I was walking onto this beautiful campus this morning, and I’m always inspired, Tom and Tim, when I come down Prospect Street. Alice dropped me off—she had to find a parking place and did, which is difficult at Georgetown University, believe me. [Laughter] And so I’m walking here to this wonderful historic building and there is a presentation underway. It’s in Mandarin, and I paused just for a second to take in the scene. A Georgetown guide, I assume a university tour guide, had a fairly large group of Mandarin-speaking Chinese, and—I don’t speak Mandarin—but they’re all being very respectful, and they’re looking up at these very important representations of the Roman Catholic faith. So again, I don’t know who that group was, but if you were there and you’re just asked impromptu to address—let’s assume they speak English—that group of visiting Chinese, what would you say to them about religious freedom? Why in China? It’s good for America, but why is it good for China?

KEITH ELLISON: Well, I would say that the people have gifts, they have creativity, they have imagination, and they’re useful and pragmatic to solve the problems that we’re all facing. Now, when you say that we can’t have religious freedom, what you’re really doing is saying that we’re going to place restrictions on your imagination and your creativity. We’re not going to allow you to think about that or to talk about that. We’re going to put limits and fetters on your thought process. A lot of ideas, by the way, aren’t any good. But many are good, and we’ve got to let them all sort of get out if we ever hope to advance society forward.

You know, I think that people might think that we need homogeneity in order to have social cohesion, right? If we’re not all the same, we won’t get along. Of course, this is ridiculous. Somalia is a very homogeneous country. Everybody there is a Sunni Muslim. Everybody there speaks the same language. But they’re the quintessential example of internal conflict. And this is no crack on Somalia or Somali people. They know that this is the reality. They’ll be the first to tell you.
And yet here we are in the United States, an incredibly diverse country, and you really don't see conflicts over religion. I mean, we do have mass killings, but it's usually about a whole different debate about guns or race or whatever. Conflicts over religion are rare. And so I think that the philosophy that we've got to be all the same in order to get along is something that should be challenged. In fact, homogeneity in thought is probably incredibly dangerous to society, because if you ever face a problem that everybody doesn't understand, you are completely ill equipped to address the problem. It makes a lot of sense to encourage different ways of understanding the world, because you never know where the answers are going to come from. I don't know if they'd buy it or not, Ken, but that's what I'd tell them.

KEN STARR: In the Georgetown conference at the Vatican in December 2013, there was a presentation. Tom referred to it earlier. We also had the honor of visiting and being blessed by the then very new pope, Pope Francis. This is something I think members of Congress should know, as you travel about and otherwise interact with people from other cultures, but especially in those countries included in the Pew Research Forum report: 75 percent of the world's population is living in countries where religious freedom is not only not the norm, but there's oppression in one form or another.

One of the very, very intriguing presentations at the December conference was by a social scientist who is at the University of Singapore (Robert P. Woodberry). Some of the people in the room were there. His research, published in the American Political Science Review, was to this effect: Where countries allow Christian missionaries to be present and to operate in freedom, the following outcomes are improved: health, education, and income. And thus if you want a country like Somalia to be more prosperous, healthier, more educated, you will allow—and I'm only speaking about the social science aspect here—Christian missionaries to enter. Does that make sense to you?

KEITH ELLISON: You know, it does make a certain degree of sense to me because, of course, within the Catholic community in particular, I know they've done a lot in terms of education. I know there are many countries in the world that if you want to get a liberal arts education, the Catholics are offering it. I don't think it's anything inherent to their religion, but I do think that certain faith communities have said their going to specialize in liberal arts education.

For example, you go to Pakistan, and there are schools that kids can go to, and in many of those schools kids will learn, but they will not learn critical thinking. They will learn memorization. In fact, they're not even learning how to read the Qur'an—and I think that there are a lot of things to be learned in the Qur'an, a lot of scientific knowledge, a lot of astronomy and there's all kinds of things—but those kids aren't even learning what the words mean. They're learning how to sound the words out based on phonetics, so it is possible for somebody to recite the Qur'an from the first word to the last and not really know what any of it actually means, although they could look at the word or they could sound it out. It's as if I taught somebody here Spanish letter sounds and then taught you how to sound out the word, but you wouldn't know what that word meant, you would just know how to say it. That's not actually education.

I'm the product of a Catholic education and I could tell you that when I was sitting in those English classes and in those math classes, they weren't talking about religion. They were talking about math. They were talking about science. And that was tremendously beneficial to me and a whole lot of other kids who were not Catholic. Like I said, I was Catholic when I was going to University of Detroit High School but a lot of kids were not. There were a lot of Jewish kids there. There were some Muslim kids there. There were some Hindu kids there. But we all went there and we all learned how to look through that microscope and record what we saw on the other end, and we were never talking about learning certain things about the tenets of Christianity. So that does actually make a lot of sense to me. I think it's a model that needs to be duplicated.

But the real issue is in many of these other countries that are in the 75 percent, they're not actually trying to educate. They're trying to indoctrinate and breed loyalty to the leader, so the last thing they're going to do is actually teach you how to think critically or read critically because you might read something that they don't approve of and that would put you in a situation.

KEN STARR: We want to come back to the effect of religious freedom on religious majorities and discuss it, but I want to go ahead and move to what we had contemplated would be the last part of our conversation in light of what you've been saying. Reflect on US foreign policy and religious freedom. What role should the goals and aspirations of religious freedom be playing in your view on US foreign policy?

But first would you join me in welcoming the commissioner from New England? We're so glad that you're here. [Applause] Yes. We just gave you a standing ovation. [Katrina Lantos Swett takes the stage]
KATRINA LANTOS SWETT: You know, I have to say that since I arrived late, I wonder does that mean, Congressman and Judge, that I get all the remaining time to talk? Because all I can say is my husband would consider that to be a very dangerous concession to make. I'm quite a talker off the bat. [Laughter]

KEN STARR: Will the gentleman yield?

KEITH ELLISON: I will gladly yield.

KEN STARR: Well, we've had a wonderful conversation, and we began with what does religious liberty mean. We're calling one another Keith and Ken, is that okay?

KATRINA LANTOS SWETT: Absolutely.

KEN STARR: We'll call you Commissioner.

KATRINA LANTOS SWETT: Well, you can call me Katrina and then we have an onomatopoeia going here. [Laughter]

KEN STARR: Yes, that's very good. What a distinguished career, an academic as well as someone who has served so beautifully in the international human rights area, especially focused on religious freedom, and she teaches about human rights generally. Let me scroll back if I may, and then we'll move directly into US foreign policy.

I'd just ask you that opening question, building on what Tom Farr so elegantly shared with us in his opening. Religious freedom: What does it mean to you?

KATRINA LANTOS SWETT: Well, it's such a simple and such a big question. I think there is sort of a straightforward answer to that question. At its core, it's the right for people to live their lives according to the dictates of their own conscience.

In Europe, that right is very often referred to a little more broadly as FORB or Freedom of Religion and Belief. I like that somewhat broader designation because it makes it clear that it's an incredibly comprehensive right that encompasses the right to, of course, believe and act upon one's beliefs. That includes the full range of beliefs, so it encompasses the rights of those who would identify as agnostics or atheists as it does of those who are people of religious faith. So in that sense, this right to live one's life according to the dictates of one's own conscience is, I think, the simple definition of what freedom of religion means to me.

But I think the implications of that are really very deep. It is a right that goes to the very essence of our dignity and our identity as human beings. I absolutely am convinced that it is the well-spring from which the vast majority of our other very treasured and honored basic civil rights spring: the right of association, the right of free speech, the right of a free press, the right to assemble. You know, we can go on and on. So the follow-on implications of what it means if we do or don't defend that fundamental right of freedom of religion are quite far reaching.

KEN STARR: Thank you. Let's go ahead and turn then to foreign policy. Keith, I'd like to get your reflections in light of the importance as we see it of religious freedom, or freedom from orthodoxy. One of the things that Keith made absolutely clear is that freedom of religion means that the government cannot say, “This is what is orthodoxy. That's it and we will not tolerate or permit other kinds of perspectives or world views.” Just reflect on that and what role religious freedom values should be playing in the conduct and implementation of US foreign policy.

KEITH ELLISON: Well, you used the word “should” and I think that's an important word to consider here. The reality is that no matter what anyone might say, US foreign policy is always going to be a blend of our values measured against economic, political, and security necessity. That's unsatisfactory, but it's not for the idealist. The truth is as it is. So I think what we should do is insist that people have freedom of faith, have freedom of belief and religion; that they have their freedom to subscribe to a religion and be unorthodox according to the powers that be; that they have the freedom to express their view. That means that they should be able to go to their places of worship and assemble there together without fear that either the government is going to attack them or the government is going to allow others to attack them and sort of look the other way, because I think that's basically the same thing.

I think that we should speak about these values in international forums, and I think that we should make it clear that if countries go too far—and I don't know how to define that, of course it's a case-by-case deal—but if they go too far, our country is prepared to take action in the form of not doing trade with them. And if they're slaughtering innocents, I personally subscribe to the belief that there should be a doctrine of protection. When a government is abusing its own population, when that population can't get any protection any other way, I believe the international community has a certain responsibility to protect that community. I'm thinking of Rwanda. I'm thinking of Srebrenica. I'm even thinking of Syria in some cases. I think there's a very high
bar for that, a very high bar. But I don’t think that it’s something that should be beyond the pale of discussion.

The people of Saudi Arabia are wonderful people. I’ve been there six or seven times. I always have a wonderful time. They show great hospitality. But there’s no religious freedom there. None. And the problem there is they have conflated religious freedom with their own culture. There’s nothing in the Qur’an, or the hadith, the sayings of the Prophet, or the sunnah, the ways of the Prophet, or the sura, the culture and the context—nothing in what Muslims use to judge what is or isn’t proper behavior says that a woman can’t drive a car. Yet they say this is the law and until you press them, they’ll say, “That’s our religion.” Where does it say it? And then they’ll say, “Okay. It’s not our religion. It’s our culture.” You know what I mean? But the bottom line is we rely on them for security agreements, we rely on them for energy, we rely on them for all this stuff. So we’re sort of like, “Okay. How far are we going to push this before we annoy our ally.” Right?

This is an important conversation because there are some folks that say, “We’re not going to annoy our ally at all.” And there are some folks who say, “We’re going to annoy our ally only so much and then we’re going to shut up.”

And this is an interesting line, you know, because it’s really easy to make declarative platitudes about religious freedom but what do you do when the rubber’s hitting the road? In India there was this massive murder of 2,500 Muslims 10 years ago. The current prime minister of India [Narendra Modi] was implicated in that—not directly but by what he didn’t do and could have and should have done and maybe had a duty to do—and yet he couldn’t even get a visa to come here because of that incident. Now that he became head of state, he can come. I was proud that I objected to his visa.

But I guess these issues can be complicated. That’s all I want to say. But we should stand by our values. We should make the world knows what we believe, because they make sure we know what they believe. And yet these situations have to be dealt with a certain degree of care because there are economic, political, and security considerations that cannot simply be ignored.

KEN STARR: It’s a judgment call. It’s about balancing competing factors.

KEITH ELLISON: Yeah. And it’s kind of case-by-case too.

KEN STARR: Katrina, reflect on your very distinguished service on the United States Commission on International Religious Freedom. You chaired that commission. What lessons did you take away from your service that you would share with us?

KATRINA LANTOS SWETT: Well, I learned a number of lessons. And first I want to endorse what Keith said because I think you laid out very succinctly for us the tug in American foreign policy between our pragmatic interests and our principles. But I would suggest—and I actually have come to believe this very strongly—that it is absolutely in our pragmatic interest to put the cost of religious freedom much higher up, not so much on the foreign policy agenda, but to put it right at the table with other concerns.

My experience as somebody who’s been involved in human rights more broadly and religious freedom specifically has been that there’s a tendency to sort of put religious freedom in its little box and at certain strategic moments—not strategic in a rubber-meets-the-road sense, but in convenient moments—that little box is brought out and put on the table and some nice platitudes are said, and then it’s very quickly put back in the corner where it can’t kind of get in the way of the real business of government, the real business of foreign policy. I think we make a huge mistake in approaching it that way.

The evidence is growing and the evidence is already strong that societies that do a good job providing robust protection for the conscience rights of their citizens are exactly the sorts of societies we want to see built around the world. They are more stable. They are more tolerant. Interestingly, in those societies, women have a higher status, and there is a higher standard of living and higher educational achievement. And as one might imagine, the reverse is also true. Societies that in an ongoing and far-reaching and comprehensive way crush the freedom of religion and con-
science tend to be violent and unstable. They tend to be breeding grounds for not only internal hostility and violence within those societies, but breeding grounds for terrorism that doesn’t stay within their borders.

And I would make the case very forcefully that it is in our hard-nosed interest to put religious freedom right in the center of our security strategy and our foreign policy strategy. It serves our very pragmatic interests. And you know, it makes sense: There is no more insightful marker of a mature society than one in which people of varying religious confessions and no religious beliefs are able to come together on a basis of, if not mutual respect, at least mutual restraint in the public square and learn to live with one another. That really is the ultimate example of putting our big boy and big girl panties on. It’s when you can sort of say that these are the things we hold most deeply, these are the things we believe most passionately, these are beliefs of ours that transcend the power of the state, that transcend the civic rules that we have to operate under, and we are ready and willing to live side by side with those who don’t agree with us on our most fundamental convictions.

There’s one final point I’d like to make, and this is sort of a subtle point. It’s not out there in terms of the kind of policies we specifically adopt, but it’s something I’ve become very sensitized to, especially as I travel around to other countries. God bless them, a huge percentage of our super talented Foreign Service officers, many of whom of course get their education right here at Georgetown, are themselves such deeply secular individuals. They are not always as effective as they might be in understanding how best to advance American foreign policy at this intersection of religious freedom and other interests. It’s hard to really resonate with your interlocutors in other countries when they sense that our representatives view religion, view faith, view that whole world as sort of a fascinating—and certainly respected—artifact of a bygone era, when people sense that in some ways they’re viewed as a specimen in a museum as opposed to a truly worthy partner. It’s a little hard to make as much progress as we otherwise might.

And you know, one of the things that USCIRF has recommended—which doesn’t really get to my point but is, I think, valuable—is making religious freedom a mandatory part of Foreign Service officer training. And this is more aspirational and just my own wish list, but I think it would be a really healthy thing if our Foreign Service was more welcoming to people who themselves bring their faith, whatever it may be, into that sphere, because I think that there is a common ground that people who actually have faith convictions often sense when they wrestle and deal with these issues.

KEN STARR: And it doesn’t need to be the same faith perspective.

KATRINA LANTOS SWETT: Definitely not.

KEN STARR: Just a sense of respect for the religious worldview.

KEITH ELLISON: You know, Ken, interestingly we’re right here neck deep in this whole nuclear Iran deal, and I know people have different feelings about it, but one of the things that came out in the report is that Kerry would take breaks to go to services on Sunday and Zarif would go to Friday prayers, and this was sort of part of the dynamic of the debate. It’s interesting to note that.

KEITH ELLISON: And I also just want to note that, with regard to what Katrina said about religion and culture, it’s important to understand how sometimes they are conflated, because in the foreign policy realm, one thing I’d love our country to do is be more vocal against female genital mutilation, and sometimes people will say, “Well, this is our religion.” Well, it actually doesn’t really matter if it is or it isn’t, but it’s damaging and destructive and suppresses women and kills them and maims them and all these kinds of things. I think religious sensitivity is one thing, but we also should understand that just because somebody claims something as their religion doesn’t make it a good thing all the time. And that’s kind of an assertive thing to say, but if you’re going to try to cut some infant girl’s genitals up in the name of your religion, I think that the United States should be saying that this is something we cannot tolerate, and I think we should be willing to think about what we’re going to do about it if we don’t see the progress that we believe is needed. This is after all our
USAID money. We should be thinking about how we’re going to impact that situation. I think it’s perfectly legitimate for us to think about that.

KEN STARR: Well, the International Religious Freedom Act of 1998, a very important statute, contemplated exactly the kind of religious freedom training that we’re talking about. And Tom Farr in his wonderful book, World of Faith and Freedom, notes that there has been some of this. But now there are proposed amendments called the Frank Wolf amendments to the International Religious Freedom Act now pending before the Congress, specifically in the House of Representatives, with over 100 cosponsors. It’s HR 1150. And there’s a specific provision in that bill that says—I’m paraphrasing obviously—we really do mean it that we need training for our State Department officers. As able as they are, there seems to be some sort of gulf between their service in a country or across the table and the ability to understand and relate to the culture, since religion is so important to the formula of culture.

Let’s turn to you, Katrina. You’ve thought about these issues. What kind of training should State Department officials have?

KATRINA LANTOS SWETT: Well, it’s a great question and it’s something that USCIRF has strongly supported, that this training be mandatory and that it be really in depth. I guess the key thing is to go beyond simply underlining for our Foreign Service officers the protections that exist for religious freedom in the various international instruments that the vast majority of countries that we have diplomatic relations with have become signatories to. So of course, first and foremost, the Universal Declaration’s Article 18 has a wonderful, broad, capacious definition of religious freedom. It pretty much covers the waterfront.

KEN STARR: Including the freedom to change one’s religion.

KATRINA LANTOS SWETT: Exactly.

KEN STARR: It’s right there almost at the top of what religious freedom means.

KATRINA LANTOS SWETT: It is. That Article 18 definition is, I think, a really brilliant example of getting it right. So part of it does need to be having greater focus and training on the international legal instruments and treaties and protections that various countries we have relations with are signatories to and therefore subject to following and to honoring. But beyond that, I think it really does require persuading them and educating them to understand that, as I said earlier, this isn’t a sidebar issue. This should reside at the heart of our foreign policy, at the heart of our relations with countries that struggle and have problematic issues in terms of protecting religious freedom. Why? First, because it represents our principles and our values, it represents the very foundation of what this country was about. Second, because it has been shown that societies that do a good job protecting these freedoms are going to be better partners, they are going to be more stable, they are going to have better situations for the women in those societies.

And I suppose, you know, if you were to do an interesting overlay of the countries that right now pose the greatest threat to our national security, where we have the greatest diplomatic challenges, the greatest security challenges, the vast majority of those would-be countries that are Class 1 religious freedom abusers. And so persuading the rising generation and the existing generation of Foreign Service officers to believe it in their DNA that this counts, that this matters, is, I think, critically important.

KEN STARR: We want to invite the town hall dimension of this and there are microphones for the audience, but Keith touched on something that we also wanted to cover: the limits of religious majority rights. You used the specific and unpleasant and tragic example of abusing little girls. How do we go about measuring the limits to the expression of religious freedom?

Now recently the Supreme Court of the United States decided a very intriguing case in interpreting a law passed by Congress, the Civil Rights Act of 1964, which provides for employers—private ones, we’re not talking about the government—needing to reasonably accommodate religious belief and practice. Not just belief—you can believe what you want to believe—but also in practice. And this was the Abercrombie & Fitch case where a young woman in Tulsa, Oklahoma, was not hired because, as a young faithful Muslim woman, she could not abide faithfully by the Abercrombie & Fitch “cool” look—they had a term for it—and the Supreme Court almost unanimously ruled in favor of the young woman, saying that Congress has required employers of a certain size to reasonably accommodate.

So in this country, in the spirit of civility and of welcoming, Keith mentioned the Constitution’s prohibitions against religious tests, which was a very open-minded, liberal view for the eighteenth century—liberal in the sense of, “You all come, You’re all welcome. There is no orthodoxy here.” What are the limits on majoritarian expression or majoritarian practice?
KEITH ELLISON: You know, I think that there certainly have got to be some restrictions. At the end of the day, I think the right to religious freedom is an individual right and I think that the limits on the majority have got to be balanced against what the individual right is. I think the individual right should have some deference, but not necessarily complete deference. But you know the majority often will try to impose its will, and that’s why we have the Bill of Rights, that’s why freedom of religion is so prominently displayed in that First Amendment as we mentioned already.

But the truth is in our own country, when do the kids take off school in the winter time? On Christmas. Or in the spring time? On Easter. In many ways, we're a country that isn't supposed to be favoring one religion, but in many implicit ways it’s really kind of a Christian country, and you find that out if you happen to not be Christian, right? I think that it’s important that we have an ongoing discussion about this and that there be a certain eye toward recognizing that not everybody quite sees it the same way.

Tomorrow is a really important holiday in the Muslim world. It’s Eid al-Fitr, the first day in 30 days that any of us can eat or drink during the daylight hours. And it’s not a holiday for anybody else other than the Muslim community. I’m going to be working on that day because I’ve got obligations, but again, in a majority Muslim country, nobody’s doing anything other than eating until they can’t eat anymore. [Laughter]

So that’s sort of the reality of it. There is a Christian majority. That’s a fact of life. And that’s to be respected, too. There’s a context to our nation. But given the prominence and the importance in the individual’s right to religious freedom and tolerance, the majority is going to have to impose some limits on itself; even though it has the power to roll over the individual, it’s important that it not do that in order to be the great country that we all feel so proud to be a part of.

KEN STARR: Well, interestingly, just staying with the 1964 Civil Rights Act, Muslim practice will have to be reasonably accommodated.

KEITH ELLISON: Yeah, that’s right.

KEN STARR: Right, by private employers. Now, it’s not anything that the Muslim or Hindu or Buddhist or Christian person wants. They don’t have a carte blanche to say, “This is what I want and therefore this is what I get.” It’s reasonable accommodation so it’s a judgment call. And there’s also a look at what is the hardship to the other employees, right?

KEITH ELLISON: Yeah.

KEN STARR: Katrina, your reflections on the limits on religious freedom of the majority in particular?

KATRINA LANTOS SWETT: Well, you know, I think Keith is right that when we understand that conscience rights are individual rights, that helps us to understand and to see both legally as well as instinctively that there has to be that sort of reasonable accommodation that you have just referred to.

These issues are ones that for the most part I really think we have tended to get right in this country. Not always historically, but in recent years we have tended to navigate that terrain where there are clashes and conflicts between either majoritarian rights or individual rights as it relates to religious freedom. And increasingly as we look down the road in light of evolving social consensus on certain issues and certainly evolving Supreme Court law, we are going to have to find a way to navigate the conflict between competing constitutional rights, and I think we can see that it’s already present, it’s here.

And this sort of native American spirit of pragmatism and looking for a way to reasonably accommodate will serve us well if we rely upon it as we go forward. I think that in matters of finding the right balance between majoritarian rights and the rights of the individual or minority groups, between conflicting constitutional rights, absolutism and triumphalism tend not to yield very good outcomes for us as a society. And so I think that there needs to be that sense of mutual respect, mutual tolerance, and under-
standing that people are going to have to find a way to acknowledge and respectfully deal with one another without demanding of individuals that they violate their conscience in order to be full participants in our society.

There’s a couplet somewhere, and I never know who to attribute it to and perhaps one of you will know, but it has been said that government must not forbid people to do that which their conscience demands nor require them to do that which their conscience prohibits, and I think that that’s a good rule of thumb. And I think that we are a country and we are a people that can find a way to accommodate that simple concept in a way that will, I hope, help us to navigate some of those kinds of issues and challenges.

KEN STARR: A great example of that is what the Supreme Court did years ago in *Wisconsin v. Yoder*—and Congress smiled on this in the Religious Freedom Restoration Act—protecting the right of the Amish community to maintain their cultural community and to insist that children be withdrawn from the public schools in the face of a compulsory education requirement after the eighth grade. So even though Jonas Yoder’s daughter, Freda, had not reached her sixteenth birthday and so under Wisconsin’s law had to stay in school, the Supreme Court—and so many folks here know that case intimately—said almost unanimously—there was a partial dissent by William O. Douglas—that we have to protect the rights of these religious minorities. And so despite a powerful, compelling, secular interest in education, the majority right has to yield to the interest of those minorities. And so those are limits on the majority’s rights to insist upon very benign social laws.

KEITH ELLISON: Yeah. They’re going to call votes in about a half hour, and it’ll take me that long to get over there. But I just want to say thanks for having me here, Ken. I really enjoyed being a part of the panel today. And you know, in Minneapolis we just hired our first female police officer who’s Muslim and she’s Somali. And talk about the majority accommodating religious interests of the minority, she wears a hijab, and they had to design it so that if she ever gets into a tussle with a suspect, it’ll just pull away right away. But she’s wearing a hijab. I was proud to see the city say, “This is what we’re going to do because we do need a diverse police force, and we believe this young woman could be a good cop, and we’re going to make it so that she can be one even though she needs to wear her hijab according to her own conscience.”

KEN STARR: Would you join me in thanking the Congresswoman? [Applause as Ellison exits stage] This is a classic example of “duty calls.” But we have a few more minutes to go, and I invite questions from the audience.

TOM GETMAN: My name is Tom Getman. For 25 years I served as the executive of a faith-based agency, and now I run my own consulting organization. One of the things that seems obvious to me, and I’d like to know your response, is that when many of us travel in restricted countries—I think of Frank Wolf and Tony Hall traveling with NGOs to Sudan, Vietnam, and Israel-Palestine—often people under the cover of darkness, Ndemus-like, will come and say, “Would you pray with us?” Faith-based agencies, even those that aren’t evangelical, find that people want to know why we do what we do, and they want counsel. Is that an experience you’ve had that may be a path of light to get to some of what you’re talking about with the State Department and others who would like to be available to give counsel and to make a movement happen around the world?

KEN STARR: Do you want to tackle that one, Katrina?

KATRINA LANTOS SWETT: Yes, but only in a very personal and anecdotal way. I have had the opportunity during the time that I’ve served on USCIRF to make a number of trips to countries where I have met with religious communities or leaders or individuals who are dealing with very significant forms of repression or persecution themselves. And I will say that there often comes a moment in our meetings where the talking points get set aside and where we are connecting at a much more personal level. Those are very often moments where I’m sort of holding back the tears in my eyes, but I do think that it is those times when the people on whose behalf we’re advocating and whose cause we are trying to lift up in our professional work and in our very serious professional capacity do get a sense of strength and humanity.

Many of those meetings don’t end with the handshake, but they end with pretty powerful warm hugs and just an understanding on my part that these are not abstract things we’re fighting for. It’s very easy when we sort of deal with the language of our authorizing legislation or the challenges of re-authorization or preparing testimony for a congressional hearing to become, frankly, somewhat detached from what it is we’re doing. At a personal level
I’m always grateful for those encounters because they remind me that at the end of the day, we are fighting for the rights of people just like you and me who have deep claims of conscience upon them and their claims have a claim upon us. I always feel very strengthened and kind of emboldened by those encounters, but I also think it works the other way.

And you know, one of the things that I think is important in all sorts of human rights battles and not just those on behalf of religious freedom, is the recognition that for the people who are on the front lines of these battles, the people whose rights are really being deprived and who are very often suffering in very real ways, we are not always going to be able to actually address their specific circumstance. But we do strengthen them, we do re-inject some steel in their spine and some warmth in their heart when they know that people who are in very fortunate circumstances—like all of us in this room—know of them, will not forget them, will speak on their behalf. You know, I see Congressman Wolf here in the first row and I know you’ll be hearing from him later, but people’s lives are changed in ways that can’t always be calculated when somebody like Congressman Wolf speaks on their behalf on the floor of the House of Representatives or at a hearing. They know of it and their persecutors know of it.

Some of you may know that my late father was Congressman Tom Lantos, the only survivor of the Holocaust ever elected to Congress, and shoulder to shoulder with heroes like Frank Wolf, he carried that banner on a regular basis. And he knew from the other side what it meant, what it felt like to be forgotten, to be living in a nightmare, to have become a hunted animal in his own country because he was a Jewish boy in Hungary during the Holocaust, and to feel that somehow that reality, that unbelievable nightmarish reality, was of no interest to most of the world around him. Well, when religious freedom heroes or human rights victims know that they are not forgotten, they are strengthened, they are emboldened, and those who persecute them know of our interest, know of what we are doing.

KEN STARR: That’s a powerful answer. That’s the power of encouragement. There’s a character in the New Testament, Joseph the Levite from Cyprus, who found a new name and finds himself, who says, “Oh, I’ve got a new name. It’s Barnabas, son of encouragement.” And it’s a great gift that we all can give one another, especially when you find yourself, as Frank Wolf did during and after his years in Congress, in harm’s way.

I love the Washington Post description of Frank Wolf, one of the only members of Congress who goes to places where bullets fly and babies die, the forgotten who Jesus called the least of the least of these. So just being there—even if you don’t have power in the temporal sense—or having the power to encourage is extraordinary. It’s an extraordinary gift to convey.

IMAD-AD-DEAN AHMAD: I’m Imad-ad-Dean Ahmad of the Minaret of Freedom Institute. In discussing negotiating the boundary between religious freedom and majoritarian policies, nobody mentioned the strict scrutiny test which has served freedom of speech so well, although somehow it’s become controversial in the application to freedom of religion. So I would like to hear your views on whether that could serve as a guide.

KEN STARR: Well, I think Congress has ordained that that be the guide with respect to actions of the federal government in the Religious Freedom Restoration Act of 1993, and again Congressman Wolf was at the vanguard of that effort. The Supreme Court of the United States during the days of the Warren Court imported “strict scrutiny,” which means the government is going to have to really do a very good job of saying, “We’ve got to have this law. We cannot bend. We just can’t create this religious exception that whomever is seeking.” And that was imported into free exercise law in 1963, so during the Warren Court era, by a 7-2 vote in Sherbert v. Verner. I’m going to get over this very quickly because I don’t want people to fall asleep, but Adele—

KATRINA LANTOS SWETT: I’m very interested.

KEN STARR: Oh, good.

KATRINA LANTOS SWETT: This is my law student in me coming out. I need my notes. [Laughter]

KEN STARR: Adele Sherbert is a textile worker. Remember when we had a textile industry in this country? [Laughter] But
time goes on and we're the knowledge society now. But anyway, Adele Sherbert, a devout Seventh-day Adventist, was working in a textile mill in South Carolina. The manufacturer shifted from a five-day to a six-day workweek which included—this goes back to Keith's point—Saturday, not Sunday. So you're working Monday through Saturday. She could not do that, and so the employer said, “You will either work on Saturday or you will lose your job,” so she was fired. And she sought employment elsewhere. This was not a ruse; no one suggested that she was a malingerer, wasn't willing to work hard, et cetera. She was sincere. Ultimately, the Supreme Court of the United States said that the state of South Carolina had to acknowledge and to accept her claim for unemployment compensation.

Now, the arguments on the other side were very strong. They were to this effect: “Excuse me. This parent over here may want to devote Saturdays to soccer coaching or to camping with children and so forth, boy scouts or girl scouts activity. You're favoring a religious exception.” And the Supreme Court's argument is: “Congress shall make no law respecting an establishment of religion”—Congressman Ellison quoted it—“or prohibiting the free exercise thereof.” So interpreting the Free Exercise clause of America's Constitution and the Bill of Rights, the Supreme Court embraced this very capacious approach including strict scrutiny, saying, “We're going to really scrutinize what government has done.”

That was the same methodology that the Court then used 10 years later in the Wisconsin case that I just described. Then in 1990 the Supreme Court, in a very controversial case, was deeply divided in a case involving the Native American's use for sacramental purposes of peyote. The Supreme Court majority adopted the following approach: If the law that Congress passes and the state legislature passes is neutral toward religion—if it's not targeting religion and has general applicability to one and all—then the courts will not create the kind of exception I just described in Adele Sherbert's case or in Jonas Yoder's case.

Congress was outraged, and in brief—it took several years because there was a conversation underway, laws have to be drafted, there has to be debate, this is bicameralism—the Religious Freedom Restoration Act unanimously passed the House of Representatives in 1993 and passed the United States Senate 97-3. Now think of that, 97-3. That's fairly substantial bipartisan majority. I think every friend of freedom, I think every American school child should in the course of his or her education read the Religious Freedom Restoration Act. The Religious Freedom Restoration Act specifically identified the two cases that I just described by name and by citation, embracing Sherbert v. Verner and Wisconsin v. Yoder in saying that's the law of the land. Now three cheers for Congress, and Frank, you were there, you were driving this, you were helping to drive it on the House side and you got a unanimous vote out of it.

So three cheers for Congress. And sometimes, by the way, we forget and we say, “Well, the Supreme Court has ruled.” Yes, and that is the authoritative view. However, Congress has said we like strict scrutiny and we intend for it to be used with respect to federal activity.

The briefest follow-up, Imam Ahmad. I'm sorry, I took much too long. That was a really good question.

**IMAD-AD-DEAN AHMAD:** There are two parts to the scrutiny test: Not only does the government have to show a compelling interest, but it also must show that it met that interest in the least restrictive means possible.

**KEN STARR:** Thank you. That was a very friendly amendment and addition. Let's go to the back of the room.

**JIM TONKOWICH:** I'm Jim Tonkowich from Wyoming Catholic College. On religious liberty, you talk about it being an individual right. The Tenth Circuit just decided the case of the Little Sisters of the Poor, that this religious group, mostly elderly women, may certainly wear their habits and dress as they wish according to their religious convictions but are now going to have to pick up the tab for contraceptives and abortifacients and sterilizations in their health insurance for employees. First of all, I'd like your comment about that, specifically as it relates to religious liberty.

But also you've talked about religious liberty as an individual right. What about the right of Baylor University to be a Baptist University, not the right of Ken Starr to be a Baptist, and the right of the Little Sisters of the Poor to be Catholic and to abide by the teaching and the precepts of the Catholic Church?

**KEN STARR:** Right. Typically, religion is in fact exercised in community. It's almost hard to imagine a person having his own religion. The entire faith community comes together.

The Little Sisters of the Poor case does in fact raise the question of the least restrictive means. The Supreme Court in the Hobby Lobby case also involves the very same federal governmental requirement—the HHS requirement incorporating the Institute
of Medicine’s contemplation that there are 20 different methods of contraception, several of which are very controversial to the pro-life community. The four at issue in the Hobby Lobby case decided a year ago were deemed by the Supreme Court of the United States as satisfying the compelling interest test but that the government had failed to use the least restrictive means to accomplish that purpose. So I think the battle, if the battle continues, concerning the Little Sisters of the Poor will be about that least restrictive means test. So that’s the specific on that particular case.

But the broader point is that the strict scrutiny test does not mean that the religious community will always win. This is—I’m just going to be blunt and also I mean no disrespect to any lawyers litigating any of these cases—but you’ve got to build your record. You can’t just go in and say, “I’ve got religious liberty and so, please, judge, give me the judgment.” You have to build your case. And some of the principal losses in the courts to religious liberty have come because lawyers, in good faith, have not built an overwhelming case. It was Louis Brandeis who said, “Facts, facts, facts. Give me facts. Don’t just give me theory. Give me facts.” And sometimes I think we view the Supreme Court of the United States as a philosophical society. Well, they’re all steeped, I’m sure, in philosophy, but that is not their responsibility. They are deciding specific cases and the Supreme Court emphasizes the words in Article 3 of the Constitution, that we are to decide “cases and controversies,” not philosophical disputes. So it’s up to the lawyers who are friends of freedom to build the very strongest case, call it the “record,” that they possibly can. And I have seen instances where that just was not done.

Next question, way in the back.

JAY KANSARA: Thank you for holding this panel. I’m Jay Kansara. I’m the director of government relations for the Hindu American Foundation.

The Pope just recently, on his trip to Latin America, issued an apology to indigenous communities for the crimes against humanity that were committed against them in the spread of Catholicism in Latin America. We hope he makes similar apologies to peoples of Africa, even Europe and Asia, because indigenous cultures throughout the world have been destroyed as a result of the historical proselytization in these parts of the world. And this also extends to the Muslim world as well—the Zoroastrians, the Yazidis—who are now in the public light because of ISIS. What role do these apologies play and how appropriate do you think they are, for crimes committed hundreds of years ago that shape the religious conflicts that exist even today?

KEN STARR: Katrina, do you want to tackle that one?

KATRINA LANTOS SWETT: That’s a really interesting question you have. I’ve never been asked that question before. I would say that one of the reasons I think that this Pope has become a public figure for whom there’s such wide affection is partly because he does project a sense of humility, and I think it clearly requires humility for the leader of a billion-plus faith community with that spirit to apologize for past brutality that may have occurred. And so I think most people would welcome both the demonstration of humility and the acknowledgment of past wrongs and the pain and terrible consequences that may have resulted from those past wrongs.

But there’s one piece of what you said that I want to sort of pull out a little bit because I think that it could be problematic—and maybe I’m reading more into your question than you intended—and that is, I think it would be wrong to equate proselytizing or the effort to share a faith as being itself an abusive practice. And again, I don’t want to put words in your mouth, but I think that there are many religions, many faiths, that have in fact a scriptural command to share their convictions, to take that faith into the world. For Christians in the New Testament
you have what's sometimes called the Great Commission, “Go ye into all the world.” And there are other faith communities. And so I think what I would suggest is that one needs to be able to distinguish what we can all agree is wrong, which are any sort of abusive or cruel practices that clearly were used historically to convert populations.

Both of my parents were Hungarian, and Hungary honors St. Stephen who was sort of the king who Christianized the pretty brutal and barbarian Hungarians. But he used equally brutal methods. His method was to pour molten lead into the ears of those who would not open up their ears to hear the good news of the gospel—not an appropriate way to share a faith. It was, I’m sure, very effective at that time. So I guess I would just say that one needs to draw a distinction. And this is again where we sometimes have inevitable tensions, if not outright conflict, between competing dimensions of the right to religious freedom.

There is and has to be included within the right to religious freedom a right to share, to proselytize, to bring one’s message of faith to other communities, just as we noted, or I think you noted, Ken, that Article 18 protects the right to change a faith, to adopt a new faith, to leave a faith. And so we need to understand and honor that dimension of religious freedom while being very sensitive to the risk of abuse of the rights of others. And in our modern day, it probably doesn’t take so much the form of some of the abuses of the past, but one does hear complaints raised of inducements in some poor countries or poor parts of countries for people to adopt a new faith, because they feel that it may improve their financial situation or their family’s physical well-being. It’s a tricky issue.

KEN STARR: I want to add my own footnote to what was a beautiful response to a very thoughtful and troubling question. There are in fact sins of the past, the use of instruments of oppression, sometimes the most painful kinds of torture, all in the name of faith, and we do well to acknowledge that and to set our faces against it. On the “proselytizing”—and that’s a very loaded term—I would say it means to seek and to share one’s faith, one’s faith journey, and one’s faith vision, and to call others into that community. But it means to invite—that’s the key—it’s an invitation, and it should be a hospitable and warm and welcoming invitation.

The Supreme Court of the United States got into this business. This is now the footnote. In 1940—so the clouds of war were gathering in Europe and indeed the war was already underway, and so it was a time of real friction—a Jehovah’s Witness family, Jesse Cantwell and his two sons, started knocking on doors in New Haven, Connecticut, not at Yale but in a heavily Roman Catholic neighborhood. They asked for permission to play a phonograph—they had literature and they had a phonograph—and they said, “We’d like to share with you this phonograph.” And the phonograph—they’d just play it at the door—was quite offensive. It used quite inflammatory language against the Roman Catholic Church. So this is not good. This is not treating one another with civility and respect but it was nonetheless freedom of religion. The Supreme Court of the United States held unanimously that the Cantwells had that right, and they did not have to go get a license from the city of New Haven to do what they wanted to do. So the baseline here is freedom. But freedom also means freedom from coercion.

Would you join me in thanking our wonderful congressman and commissioner? I’m so glad you made it. It would not have been the same.

THOMAS FARR: Thank you so much to both of you, Katrina and Ken. And thanks to Congressman Ellison, too. That was a feast, if I might put it so.

I would like to say something on this last subject of proselytism. It wasn’t specifically about proselytism but it certainly got into that area. We actually had a major event just a few months ago and we just put out a booklet which you’re free to take called “Sharing the Message: Proselytism and Development in Pluralistic Societies.” And among other excellent people, we had Rick Warren and Ruth Messinger, who had a conversation very much like this one on the ins and outs of sharing the message. Proselytism, you’re right, is a very loaded word, but as Katrina said, a number of faith communities have this as a religious obligation, as an imperative. How do you deal with this? We put it in the context of development. And we had Bob Woodberry, the scholar from Singapore that you mentioned earlier, discussing some of the social science and what it says about the effects of proselytism.

Once again, please join me in applauding Judge Ken Starr and Dr. Lantos Swett. Thank you. [Applause]
RICHARD FOLTIN: I’m Richard Foltin, director of national and legislative affairs at the American Jewish Committee. I also serve as co-chair of the Religious Freedom Committee of the Section of Individual Rights and Responsibilities of the American Bar Association. My co-chair is Engy Abdelkader, whom I’ll introduce along with the others in a moment. We’re thrilled to be part of this program that the ABA is co-sponsoring together with the Religious Freedom Project, and we welcome all of you. Before we get into our topic of Rising Global Restrictions and Social Hostilities on Religious Freedom, I’ll introduce the panelists.

Brian Grim is president of the Religious Freedom and Business Foundation and the leading expert on the socioeconomic impact of restrictions on religious freedom and international religious demography. He’s an associate scholar with the Religious Freedom Project and an affiliated scholar at Boston University’s Institute on Culture, Religion, and World Affairs. We’ll hear from him first.

Engy Abdelkader teaches graduate seminars on international human rights at Rutgers University, serves on the US State Department’s Religion and Foreign Policy Working Group and is a religious freedom adviser to the Organization for Security and Co-operation in Europe’s Office for Democratic Institutions and Human Rights. She’s also a legal fellow with the Institute for Social Policy and Understanding.

Following that, we’ll hear from my colleague, Rabbi Andrew Baker, who is director of international Jewish affairs for the American Jewish Committee, where he’s responsible for maintaining and developing AJC’s network of relationships with Jewish communities throughout the diaspora. He’s been a prominent figure in addressing Holocaust era issues in Europe and international efforts to combat anti-Semitism and also is the personal representative of the OSCE Chair on Combating Anti-Semitism, a position that he has held since 2009.

And finally, we’ll hear from our fearless leader, Tom Farr, who is the director of the Religious Freedom Project at the Berkley Center for Religion, Peace, and World Affairs, and a visiting associate professor of Religion and International Affairs at Georgetown’s School of Foreign Service. So with that, let’s get right into it.

We’ll then hear from Engy Abdelkader, who teaches graduate seminars on international human rights at Rutgers University, serves on the US State Department’s Religion and Foreign Policy Working Group and is a religious freedom adviser to the Organization for Security and Co-operation in Europe’s Office for Democratic Institutions and Human Rights. She’s also a legal fellow with the Institute for Social Policy and Understanding.

One of the questions we heard a lot about this morning is how would you define religious freedom, and I’d like to hear from the panelists about that. In addition to that question, another thing I think that we need to bring out is that the reports by the Pew Research Center indicate that government restrictions
on and social hostilities toward religion are rising around the world. So I would ask each of you, do your observations and studies tend to confirm these findings? What are different ways in which these restrictions are manifesting themselves? And can you give us a general overview of what is happening in terms of government restrictions on and social hostilities toward religion?

Let's begin with you, Brian.

**BRIAN GRIM:** I think for defining religious freedom, it's already been mentioned from the Universal Declaration of Human Rights: It's the freedom to have a faith or not have a faith, change your faith, exercise that in the community, and pass it on to your children. That's the definition I operate with. But I'd like to add one other that I think is not an actual definition of religious freedom, but it's why religious freedom is important and it's often overlooked: It gives freedom for people of faith to do good. So if people of faith are not using the religious freedom they have to love their neighbor or to help their neighbor, then religious freedom becomes something like a hollow drum that's just being beaten.

But if we're using our religious freedom to care for our neighbor, and I'm thinking of the story of the Good Samaritan—which I'm sure many of you know—that a guy on his way somewhere gets beaten up, and religious leaders walk past on the other side of this guy. The Samaritan comes and picks him up, cares for him, takes him onward, and puts him in an inn and says, “Give him whatever is needed to get him back on his feet.” That's what's needed. And Jesus told that story to demonstrate who is my neighbor and whom we must love. He used the Samaritan—a foreigner with a foreign religion—as the example of love, of neighborly love.

So, I think that's how I would define religious freedom in terms of why it's important. Because there are so many problems in the world, some of them unfortunately caused by faith, and faith has unique solutions to problems that are also associated with faith.

Regarding the study you mentioned, the work that Pew has done was work that I had started back at Penn State with Professor Roger Finke, and then for a good number of years Pew has been carefully combing through international religious freedom reports, reports on hostilities, reports on human rights, to try to assess the level of restrictions on religious freedom around the world and then the changes in that level. That study is really the first ongoing quantitative study to measure these things. And that's brought a number of breakthroughs.

One is that you can see if things are getting better or getting worse. So in my review, just looking at the rise of ISIS, I'll just give that as the one example of how things are really getting worse and the missed opportunity the world had to deal with it. Northern Iraq was a place with many educated people, but no real business, and ISIS looked at that as an opportunity to move in. What if businesses had looked at that as an opportunity to bring in development and used the freedom that was there to achieve a more peaceful understanding? These hostilities that rise up are preventable, I think. And so, as we see around the world, we shouldn't be hopeless, and as Pew documents continuing problems—they go up and down, but generally they're getting worse—I think there are things that we can do, and maybe in this discussion we'll have a chance to get some ideas of what can be done to reverse this rising tide.

**RICHARD FOLTIN:** I think as the conversation goes forward, I'd like first to start with an assessment of what's happening and then we'll move into a discussion about responses. So Engy, are things getting worse? Perhaps you and Andy could focus on particular impacts on the Muslim and Jewish communities, respectively.

**ENGY ABDELKADER:** First, I want to thank the Religious Freedom Project and the ABA for making this conference possible. It's really a pleasure to be here and I want to recognize the tremendous efforts of the staff at both those organizations for making this come to fruition. Oftentimes, it's not realized how much hard work and diligent effort is involved. So, thanks to all of you for your continued efforts.

I'll try to respond to both questions regarding how I conceptualize religious freedom as well as whether or not there are rising restrictions and social hostilities around the world, with a particular focus on Western Europe, Burma, Russia, and the Middle East.

With respect to religious freedom and definitions, often when we think of religious freedom, we immediately think about government interference with our right to believe and worship as we like. That is typically the first thought that comes to mind: state interference. That commonly refers to “official restrictions.” With respect to official restrictions, a notorious example, from the American perspective, is the French ban on religious
symbols, which has in turn produced the current prohibition on headscarves in public schools. This restriction impacts students, teachers, and school administrators. In recent months, it has actually metamorphosed to justifying the expulsion of female Muslim students who have removed their headscarves but who are wearing long skirts. That is considered by school administrators to be an act of “protest” and “provocation.”

Unfortunately, these restrictions are not only found in France. We also see them in Belgium, for instance, where there is a national ban on the face veil. Moreover, returning to the long skirts controversy, 30 Muslim female students were expelled this spring from a Belgian school because the principal deemed their loose pants and long skirts, which they sometimes wore on top of their pants, as religious in nature and therefore not permissible.

What’s particularly interesting is the popular reaction to these official restrictions. Essentially, there was a Twitter campaign launched in response to both the French and Belgian incidents. The Twitter campaign hashtag translates into, “I wear my skirt as I like.” As part of the campaign, individuals began tweeting pictures of celebrities and other individuals and landmarks—including, for instance, the Statue of Liberty—wearing a long skirt. As a result of that Twitter campaign, at least in the Belgian example, those 30 Muslim students were permitted to return to school because of the pressure exerted by the public—not because of a legal decision and not because of a decision by politicians. They were permitted to return because the lay public, people of good conscience, came forward and expressed the sentiment, “This is absolutely ridiculous. These women are entitled to an education and they should be able to wear lose pants and long skirts and pants on top of skirts if that’s what they choose in school.”

So those are some examples of official restrictions. But, official restrictions don’t only concern religious attire. Let’s look at Austria, for instance. Austria just recently renewed its law regarding Islam and Muslim communities. Since the early 1900s, it actually had sort of an antiquated law on those subjects and it felt that it was time for an update. The ensuing reform, which came into effect earlier this year, was controversial. The results were essentially mixed. On the one hand, the law recognizes Muslim holidays and the fact that Muslims should have their own cemeteries and burial grounds.

On the other hand, it places restrictions on the Muslim community that don’t apply to other faith communities in Austria. For one, it restricts the community’s ability to receive foreign funding. Specifically, mosques are not permitted to receive funding from any foreign donors. This restriction doesn’t apply to any other faith community. The law also mandates that all Muslim clergy speak the German language. That requirement doesn’t apply to any other faith community. Additionally, the Austrian law provides that mosques and Muslim organizations must maintain “a positive outlook” on society and state or risk
Official restrictions aren’t limited to religious dress and attire. There are also official restrictions on ritual slaughter practices in Western Europe. Just recently, in 2014, Denmark enacted a ban on ritual slaughter practices. The politician, who self-identifies as an animal rights advocate—and I also care a great deal about the welfare of animals—publicly stated when he introduced the legislation that animal rights trump religion. Of course, the law doesn’t specifically state that Jewish and Muslim communities are not allowed to keep halal or kosher. Essentially, the law states that animals may not be killed unless they are stunned first, which contravenes Jewish and Muslim slaughter practices.

The Danish law includes an interesting, secular-based exemption. If the animal is sick and needs to be killed immediately for humanitarian reasons, they are permitted to do so. But no exemptions are permitted on religious grounds. In the American legal context, that represents a violation of the Fourteenth Amendment, which provides for equal protection under the law. According to the US Constitution, if you’re going to provide exemptions on secular grounds, then exemptions should be similarly permitted on religious grounds as well.

Denmark is not alone in its prohibition on ritual slaughter practices. We see similar prohibitions in Sweden as well as in Switzerland. In Sweden, that law has been on the books since 1988 and Switzerland has restricted ritual slaughter practices since 1979. The Swedes are very proud of their law. Neither law contains exemptions on any grounds. And the Swedes are actively involved in lobbying efforts for similar prohibitions throughout the European Union.

So, again, those are official restrictions on religious and belief practices. We’re seeing restrictions with respect to religious dress; we’re seeing restrictions with respect to Muslim clergy and communities; we’re seeing restrictions in terms of ritual slaughter practice. How about mosques? Well, there are also official restrictions. I’ll go a little further afield to Southern Europe. Many of us have fond sentiments for Italy. But unfortunately, in Italy’s Lombardy region, there are specific restrictions on faith communities that are not recognized by the government. Specifically, their ability to construct houses of worship is limited. In Italy, Islam is the only major world religion that is not actually recognized by the government. Islam is not recognized as a religion in Italy.

So the Lombardy law restricting the construction of houses of worship actually impacts Muslims very directly. It places limits on what kind of structures can be built. It also provides that mayors can hold public referendums concerning mosque construction projects. Anytime a Muslim community comes together to build a mosque in their neighborhood, a mayor can hold a related public referendum. He can put it up to a vote for the people to decide whether or not that mosque should be built. The law also states that mosques must provide closed-circuit cameras inside to facilitate police surveillance.

Finally, let’s discuss official restrictions on prayer. In Germany, for instance, there is a recent case involving a young Muslim student who wanted to pray in school. He wanted to pray during his free school time, but school officials prohibited him from doing so. So he brought a legal challenge that went up to one of Germany’s highest courts. It found in favor of the school. The court reasoned that prayer would be disruptive to the school environment. They also had security concerns. So school prayer is not allowed in Germany.

Those are some examples of official restrictions. As I said, we often think of religious freedom in terms of state restrictions on freedom of religion or belief. But there’s another component to religious freedom that is integral to this discussion as well: social hostilities. What do I mean by that? I mean religious discrimination by private actors, and not necessarily those sanctioned by the government per se or in our books of law. Why is that significant? It’s important because in certain contexts, religious freedom may be protected in theory, but in practice, it can remain a real challenge.

“Now in Western society there’s a hopelessness among many people. What attracts young people growing up? What attracted the two Michaels from Nigeria to become radical extremists? It wasn’t the teachings of Islam. It was the social situation that they found themselves in, and they grabbed hold of this radical, twisted view of what jihad means, which simply means ‘struggle.’”

Brian Grim
to actually manifest those beliefs or to live your life according to your conscience in a way that doesn’t harm other individuals.

Consider the United Kingdom. In the United Kingdom, where there has been a long policy favoring multiculturalism, there is fortunately no law banning religious attire, such as the headscarf. However, according to recent academic research from the University of Bristol—an elite educational institution that is part of the Russell Brand Group, the equivalent of our Ivy League—researchers found that Muslim women are 71 percent more likely to be unemployed and searching unsuccessfully for work than their white Christian counterparts who have identical language skills and educational levels. This is a significant finding. And high unemployment levels are not specific to the United Kingdom alone. In France, for example, Muslim men and women suffer from severe unemployment levels—two to three times higher than the national level, respectively. Oftentimes, the response to those figures is, “The people who are getting the jobs have better language skills and academic credentials.” But this recent research from the United Kingdom demonstrates that that’s clearly not the case.

So we are seeing a rise in official restrictions by public actors, as well as increased social hostilities by private actors. I’m looking forward to discussing more.

RICHARD FOLTIN: Thank you so much. Andy, if we could hear from you. We’ll just amplify the question by asking specifically about the experience with the Jewish community. Does the Jewish community also face government restrictions and social hostilities in the areas of the world that you’re dealing with?

ANDREW BAKER: You know, I think when you talk about what is religious freedom, in a very basic way, it’s simply about having the freedom, the ability, and the comfort to openly express your religious identity without fear or anxiety. This is really the challenge we see. I also really want to focus largely on Western European countries that share our democratic values about the rule of law. For the most part, one would not think they are the source of special concerns and problems today.

Within Europe, the Jewish community—perhaps a million and a half or more—really represents the third largest concentration of Jews in the world today after Israel and the United States. And there is a level of anxiety that many Jews feel today that one really has not seen in decades. First and foremost, they simply fear about their physical security.

Three weeks ago, I was with the OSCE in the Netherlands. Now, as a result of the terrorist attacks in France and particularly Copenhagen—the Dutch feel a particular affinity to Scandinavia—the government has stepped forward in terms of providing security. So in front of every synagogue, in front of every Jewish school in the Netherlands, there is now a kind of mobile police trailer that’s been erected. If threats are identified, it’s there to deter attackers and call in more trained and experienced troops. What we’ve seen in France after the attacks in January—I was there I think only 10 days afterward—is essentially that the military has rolled out. And so, in front of every Jewish school in France, there is now military protection.

Now bear in mind, you have a large Jewish community in France. It’s the largest in Europe. A generation ago, virtually all French Jews would tell you they were educated in public schools. But over really the last decade or more, most of those Jewish kids have left the public schools. They were encountering bullying, harassment, and so on, and decided they really couldn’t stay there anymore. Many left for Jewish schools, others for Christian or Catholic schools. You might be able to say that such a large number coming into the Jewish schools is something positive for building Jewish identity. But now you see that parents taking their kids to the Jewish schools are literally crossing military barriers just to deliver their students every morning. Jews are really wondering about the future.

There was a survey done by the EU Agency for Fundamental Rights (FRA) in eight EU countries in 2012. While the numbers vary from country to country, I will generalize to say that in the range of a third of those who were surveyed indicated that they would not wear something that would identify them as being Jewish out in public, like a kippah or a Jewish star around their neck, simply for fear of physical or verbal harassment. Over 20 percent of those surveyed said they were now avoiding going to Jewish events or even Jewish sites for fear of encountering an anti-Semitic incident or an anti-Semitic attack.

Admittedly, I think it was only when you had the Islamist, extremist terrorist attacks at the kosher market and at Charlie Hebdo in Paris that the large majority of the population in Europe, certainly in France, recognized that Jews had now become targets of these extremists. The extremists in some cases are foreign fighters who’ve returned from Syria and Iraq, and in other cases they are self-radicalized. It has put governments on notice and it has elevated this issue of physical security, which is a paramount concern in most of these communities today. But that FRA survey, which goes back a few years, reflected anxiety and concern over a kind of day-to-day discomfort and degradation just about being Jewish in public.
I mentioned this visit to the Netherlands a few weeks ago. But when I was there four years ago, I met with Frits Bolkestein, who is retired now but a former prime minister and leader of the Dutch Liberal Party. He drew quite a lot of public attention when he announced that, as he put it, “If I were an observant Jew, if I looked identifiably Jewish in public, I might think about leaving the Netherlands, perhaps going to the United States or going to Israel,” and he said to me, “perhaps even Germany.” You can imagine the reaction in the Netherlands. It’s a small Jewish community—40,000 to 50,000 people—but the idea that a political leader would himself wonder about the Jews’ comfort or future, at least those who are traditional in their orientation, surely says something.

Now a second concern which threatens long-standing religious practices—and in a way it echoes what Engy had said—that you see again in much of Western Europe is because these societies are quite secular. Not only is there not a high regard for religion in general, but there are certainly anti-Muslim sentiments, and to some degree anti-Jewish or anti-Semitic sentiments, in these societies as well. I think it’s largely animal rights activists and children’s rights advocates who’ve been leading the charge to ban ritual slaughter and circumcision. They think there should be electronic stunning of the animals before they are slaughtered, which means it would be impossible for them to be considered kosher or halal.

And also there is the practice of *brit milah* or ritual circumcision. In fact, Congressman Ellison made reference to the practice of female genital mutilation. This is very different from the practice of male circumcision in Islam and in Judaism. But there was a declaration two years ago in the Parliamentary Assembly of the Council of Europe that grouped it—literally in the same paragraph—with female genital mutilation. And so, you do have efforts to ban circumcision. In fact, a court in Cologne, Germany, three years ago ruled that circumcision—infant circumcision or circumcision of a non-adult—should be banned. Those who know ritual practice for Jews and Muslims know this idea, which may sound to a general audience as being reasonable: “We’re not opposed to circumcision. Let that young man grow up, and when he’s 18 he can decide for himself.” But this would be impossible. We’ve had an obligation that we have observed for millennia, that at eight days our male children are circumcised.

Again, I don’t want to say that these banning efforts are being led by people who are anti-Muslim or anti-Semitic, although that has been present in much of the public rhetoric when you see these ef-
I'd like to add just one more line before I conclude. We see, with dissatisfaction and anxiety about economic turmoil and immigration, growing support for right-wing, extremist, xenophobic parties. They have different primary targets—maybe Muslims, maybe Roma, maybe immigrants—but the one thing that still links all of them is that thread of anti-Semitism. So it adds to the anxiety that Jewish communities in these countries feel, and that really does impact how they believe they can live openly and fully as Jews.

RICHARD FOLTIN: Thank you. Tom, we turn to you. We've heard about the experience of Muslim and Jewish communities, particularly in Europe. Perhaps as you respond you might turn your attention to other communities as well and which challenges they are facing.

THOMAS FARR: I'd be happy to do that. A couple of preliminary matters first, if I might. In an extraordinary act of humility, I managed to leave myself off the program's list of people who were on this panel. I can hear somebody saying it was actually senility. [Laughter] But I am, in fact, here. The other thing I would like to do is acknowledge the presence of Ambassador-at-Large for International Religious Freedom David Saperstein, who has joined us. David, thank you so much for coming. [Applause]

I see religious freedom as consisting of three levels. One, the most intimate level, is the right to believe or not. This is like freedom of conscience. It's the most absolute of the elements of religious freedom. That is to say, it is impossible to rationalize or explain as legitimate the restraint of someone's interior right to believe or not.

In the second level we move partially into the public realm. This level includes the right of individuals to join with others of like mind and spirit. Here we are talking about communities as well as individuals enjoying the right to religious freedom. This is important. As Ken Starr said, there are very few people, if any, who have their own religion, that is, in which there is only one member. Most of us join religious communities. And so, the second level involves the rights of religious communities to do the things that are natural to them. They train clergy. They raise their children in the faith. But this is not an unlimited right. For example, there is a right to build mosques and churches, but that right can properly be limited by the requirements of residential zoning, equally applied to all.

The third level though is where the real difficulties emerge. This level takes place entirely in the public realm. We've already discussed this a bit with the clothing and the symbols that people wear and the public expressions of religious identity. But I'm going to take it into the business world and civil society, into the way you live your life publicly, and into the political world. This is so important, not only in the history of our own country, but in our understanding of what it is we are going to do in our foreign policy, which we can come back to later.

I think religion is inevitably political. Why? Because religious people have opinions. They're citizens, and politics is the way we organize our lives together. So as I said earlier this morning, it would be odd indeed to say that everybody gets an opinion and everybody gets a voice except those who have religious opinions. The First Amendment reflects precisely the opposite understanding. It invites religious people into the political life of our nation. George Washington in his farewell address said—and we heard some of this this morning—that “political prosperity requires religion and morality.” The First Amendment provides the constitutional basis for religion in politics.

Now let me quickly add that there are limits to religious freedom. No freedom is without limits, including this one. My religious freedom does not give me the right to use violence against anyone else, nor does it give me the right to restrict the fundamental rights and freedoms of other people. These are proper limits. I cannot use religious freedom as a reason to propose a state-imposed monopoly of my religion, which happens to be Roman Catholicism. This has been historically a problem in the Roman Catholic Church.
entitled *Dignitatis Humanae*—this year is its fiftieth anniversary. I ask you all to check it out if you haven’t, whether you’re Christians or non-believers. That Latin phrase is the core of the argument—the “dignity of the human person.” That is the source of the right to religious freedom, defined as an immunity from coercion in civil society. *Dignitatis* also argues that whereas the Catholic Church in the past has demanded privileged access to the civil and police powers of the state—it doesn’t say this but it acknowledges it—the Church no longer demands that. What it does demand is the freedom of the Church, *libertas ecclesiae*—the freedom of Catholics to make their case in public wherever they are in the world. But here is the real revolution of *Dignitatis Humanae*: The Church demands that same right for every other religious community within the society in which it is operating.

This is my definition of religious freedom. As we said earlier, it’s a big one, it’s very important, and it really gets you into some heavy weather, particularly in its protection of religion in politics. But it also brings to bear a lot of the research that scholars like Brian Grim are doing. Religious liberty is good for the economy. It can make contributions to democratic consolidation. We’ll come back to that.

Now let me say something about the religious communities around the world that are being subjected to religious persecution and the patterns of religious persecution we’re seeing. I was delighted to hear Engy and Andy focus on Europe. Those of us in the religious freedom field don’t do that very much, even though I should note that the Religious Freedom Project has had an event on Europe and has held several conferences in Europe. But we seldom have a thorough discussion of the problems that are arising in Europe. I’ll treat that subject only briefly because it’s been covered this morning very well.

But if you ask why this is happening, there are many answers. I think some of it is anti-Muslim sentiment. Some of it is clearly the historic scourge of anti-Semitism in Europe, of which we should all be deeply concerned. But there is also in Europe a rise in aggressive secularism which is against most religions, certainly in the public aspects of religion. In France, for example, you don’t get into much hot water if you just do your thing inside your cathedral or your temple or your synagogue. It’s when you bring it out into public that you get into problems, and I think this creates problems for France.

Outside Europe there are many patterns of persecution. I would say among the worst, if not the worst, are the totalitarian systems that still exist. It’s hard to argue that there’s anything worse than the status of religious believers in North Korea who are treated savagely by a savage regime. And there are other regimes, let’s call them post-totalitarian or post-communist regimes, that are not this savage but they’re very harsh. There are the regimes in China and Vietnam, as well as in Cuba, where the pope is going to be visiting right before he comes to the United States. So there is communism and authoritarianism, which is a particular kind of opposition to religious beliefs. It isn’t difficult to understand why the North Koreans don’t want as citizens religious people who believe the state is not the ultimate authority. This is the same problem the Chinese have.

This is indicative of a limit on religious freedom, by the way, that our forefathers understood. We have a First Amendment not just to give us individual rights. The Founders feared the authority and power of the state as much as anything. That is why the First Amendment limits the state by empowering religious individuals and communities to do services that the state would otherwise have to do—religious freedom includes, after all, the freedom to serve others. It also protects the belief that there’s something greater than the state. That is a powerful restraint on the state. It explains why authoritarian states do not want religious freedom.

Another category of religious persecution is religious nationalism. There are different ways to put this, but it often entails the combination of majoritarian religious groups with the power of the state. We see this happening in India, the largest democratic country in the world which by and large is a successful democracy with economic growth. But as Congressman Ellison said this morning, the prime minister of India is the only man or woman who has ever been barred from the United States because of the International Religious Freedom
Act. Some would argue that until the present ambassador became ambassador, that’s the only thing that’s ever been done under the International Religious Freedom Act. But I’m not going to go there yet. I’ll come back to that later.

So we have authoritarianism, religious nationalism, and other various reasons to persecute minorities. But in my opinion the greatest threat to religious freedom in the world is the threat of radical interpretations of Islam. The most virulent example, of course, is ISIS, but there are many others. There’s Al-Qaeda, Boko Haram, the al-Nusra Front. There are Islamist radicals in Iran. This is not only a Sunni phenomenon. There are Shiite variants of it. There are many variants of it. Now, I’m not an expert on Islam. I consider myself a respecter and a student of Islam. I’m eager to embrace the proposition that these are distortions of Islam. But they are threats to religious freedom. They are real. They are threats not only to the Christians that they aim to extirpate from the areas where they operate, but they are even greater threats to Muslims, both minority and majority groups, whom they consider to be apostates or heretics. So I think this needs to be part of the conversation. It is one of the most difficult things that American foreign policy has to deal with.

I’ll sum up by saying it’s a perfect storm. We’ve got secularism, we’ve got aggressive religious nationalism, we’ve got totalitarianism and communism, and we’ve got this virulent form of Islamist extremism, all of which threaten religious freedom. In my view these forces are responsible for the proposition that we have a worldwide crisis in religious freedom.

I’ll just end with this. No one has mentioned our own country, but I’m going to say that as a Catholic, I’m concerned. Earlier today, Jim Tonkowich asked the question about the Little Sisters of the Poor. Some of you may not know that the Tenth Circuit has just ruled that the Little Sisters must adhere to the provisions of the Affordable Care Act which require them to trigger a mechanism which will provide not only contraceptives but abortifacients to their employees. I believe this is an assault on religious freedom. I believe this is an assault on religious freedom. I believe this is an assault on religious freedom. I suspect many would disagree, but we need to put it on the table and talk about it. This country has never been perfect with respect to religious freedom for all religious groups, whether it’s Catholics or Muslims or others. I believe it has had the fullest expression of religious freedom in history, but I believe there are reasons to be concerned.

RICHARD FOLTIN: Well, as we turn to that, let me just say—and we’re not here to debate the healthcare act or to get very deeply into that particular case or that law—but let me just in response to that comment say that the case has been won to some extent by those championing religious liberty in the Hobby Lobby case, in that the Court found that an accommodation has to be made for religious practice. And what the Little Sisters’ case poses is the question of whether there isn’t some obligation of a religious organization to at least provide notice that it needs an accommodation. And so, I do think it’s fair to say there’re going to be those that differ very strongly with the idea that this case somehow represents an encroachment on religious liberty.

THOMAS FARR: Of course. But to the Little Sisters, when they are forced to trigger this process, they’re being forced into complicity with evil.

RICHARD FOLTIN: But the point I would like to make as we turn to the international scene is whatever the challenges we face to religious liberty in this country, I think we all have to concede that we’re very lucky to live in a country with a First Amendment and in which religious liberty is respected as it is. Having said that, every society, including our own, is imperfect.

Let’s turn our attention to the far graver threats to religious liberty that are taking place across the globe. I think Brian earlier alluded to ideas and responses that might be put in place. We’ve talked about authoritarian and totalitarian governments, but you also have governments in Europe which are democratic,

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Engy Abdelkader
which aspire to respect the rights of others. Before we turn to the realm of the authoritarian regimes or even to the horrors that are taking place under ISIS and similar radical groups in the Middle East, what’s the role for all of us in pluralistic Western democracies? What should we expect governments and civil society to do in response to the encroachments on religious freedom that are taking place in these democracies, where one imagines we would have a better chance of having an impact on their actions and seeing a positive result? Brian, we’ll start with you.

BRIAN GRIM: You know, I agree with what you, Engy, were saying about Western Europe. The social discrimination, the hatred of Muslims, anti-Semitism, even hatred of religion is a problem. But I see a lot of hope. But I want to begin with a disturbing story and then show how that leads to hope.

I think many of you may remember a couple of years ago there was a British soldier in the streets of London who was hunted down by two jihadists and hacked to death. He was beheaded. And you know, the names of the two attackers, it begins with an M: Michael. They were both called Michael. They were both from Nigeria. They were Pentecostal Christians who found no meaning, no hope, no reason for their life, and they wanted something more exciting and dramatic, so they gravitated to jihadism. They thought, “Boy, we’re going to get our names in the paper. We’re going to be something.”

Now in Western society there’s a hopelessness among many people. What attracts young people growing up? What attracted the two Michaels from Nigeria to become radical extremists? It wasn’t the teachings of Islam. It was the social situation that they found themselves in, and they grabbed hold of this radical, twisted view of what jihad means, which simply means “struggle.” There’s a very positive connotation of jihad, the struggle for what’s right and struggle for good. But they grabbed hold of the violent, twisted side and they saw that as meaning.

Two weeks ago I was in a meeting with the outgoing head of MI5, which is the British spy agency, and he said this radical extremism is the hardest thing that any government in Europe faces because we don’t know what to do. We don’t know how to address it because it’s complicated, just like the story I’ve given. It’s not just an Islamic thing. It’s a human thing but it’s wrapped up inside of religion.

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In this meeting I presented what I see as a very hopeful response. With my foundation we’re leading a pilot in East London, which is a very ethnically diverse area concentrated with Muslims but also many other groups. It’s something we call an Empowerment Plus Project involving businesspeople, people from the community, church people, mosque people, synagogue people, and people of faith to reach out and love their neighbor and show them that the community that they’re living in is exciting and vibrant. And faith is part of it, because that’s part of what I think drives even this jihad or religious radicalism, this idea that the faith is being pushed or attacked.

It’s the responsibility of people of faith in Western countries to stand up and say, “No, faith has solutions and faith is something good for society.” And in this program, we take people through and they first see, “Okay, what are my needs? And can I take care of myself? Can I take care of my family?” Well, they’re in the group because they can’t. So what’s the next step? Well, we ask them, “What are your strengths? What’s your calling? What’s God made you to do and what’s blocking you from achieving that?” And part of what’s God made you to do is to care for yourself and care for your neighbor. Boy, what a radical faith that is—you’re supposed to love those two Michaels who just slaughtered a British soldier. That’s the call of faith. That’s really radical.

If you’re engaging people and just reaching out and loving people you don’t know, people that you’re afraid of, people that are different from you, and then giving them this program that
teaches them practical skills, you’re taking them through and saying, “Okay. Maybe you can’t get to where you’re going because you don’t have the right education.” So in 12 weeks they can look at what they want to do, apply for an education, and get it. Or maybe they don’t have a job, so in 12 weeks they can go through how to build their résumés, how to figure out what they’re good at, what they’d like to do, and apply for jobs. And then the other option—which I think really taps into this radicalization issue—is maybe you should start your own business.

I have another disturbing story. Do you remember from the news “Jihad John,” who was the one decapitating a number of Westerners in Syria? Well, he was from London. He grew up there. He was looking to do more in life. He got a computer science degree from college. He was in business a little bit. Well, he’s really an entrepreneur of evil now, but he was really looking. And the security response to him was to monitor him, because he was at risk and there were good reasons to monitor him. The screws were being put on him over and over. But there was no love to him; there was no one saying, “Here is another vision of what you might do.” No one encouraged him to set up businesses that could help lift Muslims in the community or lift them up out of the situation they’re in.

So that’s what this project is doing. And so, just to conclude, I think that that’s the solution in Western countries. I have the ability to mention Jesus here today, right? And people can mention whatever their faith is; that’s power that we can bring to this equation. We’re motivated by it, whether it’s Christianity, Islam, Judaism, or Buddhism, whatever the faith, and we can step in and we can say that motivates us to do good. That is what I think needs to be done. It’s not very political. It’s very grassroots. But we need movements of people helping each other.

RICHARD FOLTIN: Thank you. Engy, please.

ENGY ABDELKADER: Thank you. There is a lot to address here. First, in the interest of full disclosure, I should share that when I refer to terrorists, I generally use terminology such as “radical extremists” or “violent extremists.” I shy away from phrases such as “Islamic extremist” or “jihadist.” I do that because as a practicing Muslim, I understand the significance of that terminology. To non-Muslim ears, the term “jihad” tends to have negative connotation, evoking very violent images, particularly of terrorist actions. In contrast, to a practicing Muslim, “jihad” refers to very noble conduct. As Brian noted, “jihad” denotes a struggle, generally an internal struggle, to better oneself. That could mean betterment in terms of becoming more charitable; it could be betterment in terms of ceasing your gossiping habits; it could be betterment by controlling your temper.

Terrorist organizations, such as ISIS, Al-Qaeda and Al-Shabaab, seize these religious terms and concepts to help legitimize their political goals and agendas. That is very dangerous because they are able to mobilize support among vulnerable, alienated, marginalized, isolated individuals by using religiously charged terminology. For that reason, I subscribe to US Secretary of State Kerry and President Obama’s position on this: I refer to “violent extremists” while not associating violence, extremism, or terrorism with any particular religious group or faith tradition.

With that said, I appreciate that Brian highlights the complexity surrounding radicalization and violent extremism and the various factors motivating horrendous actions such as the gruesome murder of the British soldier, Lee Rigby. Brian correctly stated that one of the primary motivating factors for that crime was the perpetrators’ need for publicity. This was evident. As soon as they committed their horrific acts on the streets of London, they asked people, “Tape me. Take a picture of me. Take a picture of me.” That was their first, immediate thought. They wanted public attention.

Obviously, this is deranged. But it also supports research evidence from academia as well as law enforcement agencies, including the MI5. That evidence suggests there is no strong relationship between an Islamic faith identity and extremist ideologies culminating in criminality. There is also no magical checklist in terms of what causes an individual to radicalize. We can say it’s just economic, but we have a lot of unemployed people—Muslim or otherwise—who do not commit violent acts. That is important to note.

In fact, it’s good that we’re talking about this. In Western, pluralistic, democratic societies such as those found in Western Europe, one of the challenges that Muslim minority communities face is the stereotype of the terrorist “other.” That stereotype is overrepresented in the media—both popular and news media. That may sound strange. Perhaps you are thinking, “Well, there really is terrorism being perpetrated by Muslims. Look at what happened in Paris or in Copenhagen, for instance.” But actually, if you look at research data from Europol, the equivalent of our FBI, it shows that between the years of 2009 and 2013, only 2 percent of all terrorist acts within the European Union were religiously inspired. Let me repeat that. According to Europol, from 2009 to 2013, only 2 percent of all terrorist acts within the European Union were religiously inspired.
So, where is all the violence emanating? It’s emanating from ultra-separatist groups and right-wing extremists. This, of course, mirrors our own experience here in the United States. Just several weeks ago, there was a survey released that asked police commissioners and law enforcement agents across the United States where the greatest security threat emanates from. Was their response Muslims or so-called “Islamic terrorists?” No. It was right-wing extremists.

All of this seems kind of strange to us. Why? It seems strange because we are consumers of a 24/7 news culture. That news culture continues to present these images of Islam and Muslims as violent security threats. We are seldom exposed to any positive, alternative image of Islam and Muslims, or of other entities that actually pose a greater threat to our security, which is what research evidences. Consider the consequences. First, we are misinformed. If we are forming our public policy based on what we’re consuming from the media, we’re in trouble. It’s not necessarily responsive to the realities in terms of where these threats are coming from. Second, it has a dehumanizing effect on Muslim communities.

Why is that important to this religious freedom discussion? As a result of this dehumanization, when we’re speaking about the religious freedom challenges that confront Muslims, there’s a total lack of empathy or sympathy. There’s almost an attitude of “they deserve it.” And sometimes you can find this expressed rather freely on social media sites like Twitter and Facebook. When you talk about a Muslim woman in France being physically assaulted or Muslim women having their veils forcibly removed, people say things like, “They deserve it.” One Muslim woman actually miscarried in France. She was pregnant when men assaulted her and she miscarried. And yet people say, “They deserve it.” There’s a complete lack of sympathy.

There’s a recent law—and again, this ties into the fact that Muslims are seen primarily through a security lens—that was enacted in the United Kingdom, a counter-terrorism measure. One of the really disturbing, ridiculous aspects to this law is that it mandates school teachers—beginning in preschool—to religiously profile kids and report any “suspicious” behavior or leanings toward “extremist” ideologies. We’re talking about 4-year-olds. And we’re talking about individuals whose primary role in school is to educate. Law enforcement officials should judge whether or not there’s a security threat based on indicia of criminal activity. Teachers should not be involved with determining “suspicious” or “extremist” leanings. That is a completely subjective assessment. What I may view as “extremist” may be very different than what Tom or Richard may consider “extremist” because we tend to view “extremism” from our own standpoint. We all think that we’re moderates. Every single one of us in this room thinks that we’re moderates, irrespective of whether you’re a Jew or a Christian or an atheist or a Muslim.

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BRIAN GRIM: I think I’m a radical. [Laughter]

ENGY ABDELKADER: Well, you may be the exception.

RICHARD FOLTIN: I may or may not be moderate, but I am the moderator and we have to move on.

ENGY ABDELKADER: I’d like to just conclude my thoughts. One of the strengths that we have in America is our law. My experience working in Europe has really opened my eyes to that fact even more. I love this country. Every time I walk through JFK Airport after returning from Europe, I want to just wrap myself in the American flag. I love the fact that we have such strong laws.

For instance, earlier in the morning, we were talking about the US Supreme Court decision in EEOC v Abercrombie & Fitch. The reason why we have that case outcome is because the 1964 Civil Rights Act requires employers to provide a reasonable accommodation on the basis of religious belief practices. Guess what? In the EU, there is no such corollary law. Right now, in the EU, the only basis for a
reasonable accommodation at work is on account of disability. This allows employers to discriminate on account of religion or belief.

In terms of what can we do to improve the status quo—and I have a lot more to say about this but, as you can see, Richard is a little anxious—we need to begin with the laws in Western European countries. So whether we’re discussing Belgium or France or the Netherlands or Denmark or Sweden or Switzerland, we need to begin with the laws. We are nations where the rule of law—the rule of just laws—is a value that we hold dearly. But we need to make sure that we hold true to that ethic, and so we must start with the law.

RICHARD FOLTIN: Thank you. Andy, let me turn to you and ask: Does your information about the attacks on Jews in Europe, in terms of where the attacks are coming from, correlate with these statistics that Engy was talking about?

ANDREW BAKER: You know, last year the Ministry of Interior in France indicated that over 51 percent of all violent racist incidence attacks occurred on Jews. While France has the largest Jewish community in Europe, it’s barely 1 percent of the overall population. If you ask French Jews where these attacks come from, they come primarily from parts of the Muslim population in France. This is an issue that I think one has to address clear-eyed and squarely. We’re not talking about incidents that are coming in some amorphous way from all segments of the population. Anti-Semitic views may be held by various groups in society, certainly not limited to Muslims. But when we’re talking about incidents, we are talking about incidents that are coming largely from one segment of society. However, because of its republican laws, France does not have the legal ability to even acknowledge this in ways that would give the Jewish community some sense that they understand the problem. This makes it difficult to then design some kind of effective programs to deal with it and put it in a context.

Now, I don’t dispute much of what Engy said—European Muslims and French Muslims confront a high level of prejudice and discrimination in their day-to-day life. But while many of these countries adhere to commitments to collect data on hate crimes, none of those commitments require them to indicate information about perpetrators. The French Interior Ministry does indicate the sources of these incidents, if they fit certain categories. If they come from right-wing neo-Nazi elements, they’ll report that. If they come from left-wing anarchist groups, they can report that. But there is no category of a religious identity. You can’t say Muslims. And you can’t identify a race.

But one official in the Interior Ministry said to me, “We have a category now. We’re going to use the term ‘intercommunal tension.’” Intercommunal tension—like this is somehow a problem between two groups. I said to one official, “If we were talking about battered women, would you call it intergender tension?” I mean, there’s no logic here. And it adds again to the sense that if the government cannot recognize the problem, how is it going to be able to address it?

I’m not talking now about radical Islamist extremists—though I think you need to be more particular than just speaking about extremism in general; that doesn’t mean all extremists fit that mold, but this is the real security threat that we see in many of these countries. Also, where we do have surveys done largely by independent outside polling companies, not by governments, you do see a correlation among Muslims in France and Muslim youth in Belgium of higher levels of anti-Jewish sentiments and anti-Semitic views than in the population in general. I think you need to acknowledge that in order to address it.

Now, there is a challenge that many of these countries face in terms of what goes on in elevating Islamic life and religion, where you don’t have government support for religious institutions. In France it’s barred by law, but you have authorities in France saying, “We want to have French imams trained in France.” It’s an aspirational goal. Although you can’t fund those schools or those efforts, you will contract with foreign governments like Turkey or Algeria to provide imams.
Engy spoke about a law that was passed in Austria. Again, the idea of saying there shouldn’t be any foreign funding for a mosque in Austria certainly seems discriminatory. But we also know that you have significant efforts of a very fundamentalist view of Islam, Wahhabism, coming out of Saudi Arabia and other places, that are funding much of what you see now in parts of Western and Central Europe. So it becomes a challenge. How do you essentially say, “We want imams to share the same values that the rest of society should have in our countries,” when you’re not prepared to help fund training for them in your own country and instead have to import them from countries and from societies that are far more intolerant? There’s also the issue of language. So I think we have to recognize this is the context.

And by the way, it is the particular context—not exclusively—but in many Western European countries, Jews are feeling embattled. Because of a political correctness or because of legal restrictions, there isn’t the ability to acknowledge this. Well, if you can’t acknowledge it, how are you going to design the kind of programs, educational and the like, that are going to deal with this in the long term? It is a challenge, I think, and there are well-meaning people across society and certainly a majority of Muslims in these societies who want to see progress being made. But some generic approach to teaching tolerance in general—and again, adding to what has already been said—in societies that are almost radically secular in their orientation, makes it far, far more difficult to see progress coming in any quick timeframe.

RICHARD FOLTIN: Okay. Tom, we’ll turn to you last and then we’ll turn to the audience for questions.

THOMAS FARR: I’ll be brief. If I could just try to address this tough issue of the relationship of religion to terrorism, I think it’s very important to be careful but to be realistic. I have no doubt that when you look at these groups in the Middle East and in South Asia and elsewhere like Boko Haram or Al-Shabaab or Al-Qaeda, or for that matter Hezbollah or the others, clearly there are economic reasons. And Brian has spoken very well to some of that.

There are economic reasons. There are psychological reasons. There are issues of alienation. There are issues of lack of education. But it’s reasonable, it seems to me, to ask or listen to any group of violent people and let them tell you why they’re doing what they’re doing. And so, if you want to ask why Al-Qaeda did what it did on 9/11, there’s a 1998 fatwa that tells you precisely what they’re doing. That fatwa doesn’t say we’re doing this because we’re alienated or because we’re uneducated—the hijackers weren’t. It says we are carrying out our obligation to God. It quotes the Qur’an and the hadith extensively. I do not argue that this is authentic Islam. I am eager to give authority and a voice to Muslims in those societies who will counter these messages. That’s what religious freedom is and that’s what I believe we should be doing in our foreign policy.

I’ll end with one story which I tell to my students. It happens to be a true story. They aren’t all, but this one is. [Laughter]

RICHARD FOLTIN: It has the added advantage of being true, as the saying goes. [Laughter]

THOMAS FARR: Well, we say at the Religious Freedom Project, start with the truth and then move out from there.

Many of you may have read this story. There was an Afghan graduate student, a Sunni Muslim. This was after the American liberation of Afghanistan and the brokering of an Afghan democracy—I think this was 2006 or so. He wrote a paper on the rights of women as understood in the Qur’an. He did a graduate-school exegesis on the Qur’an saying the Qur’an not only permits, but requires the equality of men and women. His professor turned him in—this is in democratic Afghanistan—for blasphemy. He was tried, convicted, and sentenced to death.

This reflects a mainstream view among some of these Muslim-majority countries that if you offend my religion, you have to be punished. And I think this is what Al-Qaeda is doing. At some level this is what ISIS is doing and all the rest of the violent extremists. Some version of this has happened throughout history. The Roman Catholic Church in its thirteenth century believed that heresy had to be punished by the state. That’s why we had the Inquisition.

So what has to happen in the lands of Islam—as has happened elsewhere among other religious communities—is to learn that...
Muslims can defend their religion without violence. Like Muslims, I believe I must defend my religion. I must. But I have to do it with reason. The New York Times offends my religion daily, if not more frequently. [Laughter] But I cannot, as much as I may be tempted, respond with violence. So this is religious freedom and we're seeing it practiced here today.

RICHARD FOLTIN: Thank you. Let's take three questions and then folks on the panel can respond and then hopefully we'll get to another round. And please identify yourselves as you ask your questions.

GENE RIVERS: I'm Reverend Gene Rivers.

THOMAS FARR: He doesn't need a microphone, but please go ahead, Gene. [Laughter]

GENE RIVERS: My question is about Rabbi Baker's point about realism. John Kerry and President Obama, when they didn't want to talk about Islamic terrorism, were tap dancing around an issue which resulted in the president completely misreading ISIS and saying it was a “JV team.” They were trying to weave and bob and there was an absolute conceptual political disaster for which this country and the world have paid. That’s just a fact. When Obama was confronted about it, he said, “Ah, not a big deal. JV team. Nothing serious.” He was completely wrong. And because of ideological political-correctness stuff, there was not a candid, conceptually coherent discussion.

Now my question is this: Why is it that, in the course of this entire discussion, there was no conceptual framework that introduced identity, race, and culture as an interchangeable marker between that and religion? In Paris, part of the problem is that being Muslim is also a marker for race for North African men, who are alienated because they aren't registered. Jews are recognized in France. They're recognized as a category. But the race, ethnicity, culture, and identity of those alienated men from North Africa are not factors in the discussion. When you talk about the United Kingdom, this is a subtext that people are not addressing conceptually.

My question is: How could one—given the nature of racial conflict in, say, the Algerian war, in France, in Britain—miss race, class, and culture as a factor that informs the political theology? Sayyid Qutb came to the United States, and as most of you know who read the biographies, he was treated like a Negro. Race and class are important factors. Please introduce some elementary reality that informs this discussion.

RICHARD FOLTIN: Thank you. Can we get a few more questions?

CATHY COSMAN: Hi. I'm Cathy Cosman. I work on the US Commission for International Religious Freedom. I'm surprised that other than a one-word reference to Russia which Engy made, there's been absolutely no discussion of government restrictions on religion in post-Soviet countries. Russia has four official religions. Other than Islam, Buddhism, Russian Orthodoxy, and Judaism, you tend to have difficulties with the state if you're not a member of one of those religions. Uzbekistan has an estimated at least 10,000 prisoners who are imprisoned if they practice unofficial Islam, mostly peacefully. And just one other example, in Tajikistan it is against the law for children to attend religious service.

RICHARD FOLTIN: Let's take two more and then we'll proceed to the panel.

AUDIENCE MEMBER (Unidentified): Just a quick question. Restrictions have been named in a negative light, but is there a role for restrictions by government on religion as a way to combat violent extremists? And have there been studies that have shown positive results of that?

RICHARD FOLTIN: Okay. One more, please.

AUDIENCE MEMBER (Unidentified): My question is about the practice of Islam in the United States and the development of Islamic theory in the United States. And we found that many of our mosques have become cultural centers. So there's the Arab mosque and the Turkish mosque and the Desi mosque. Before 9/11, in the Muslim student associations in our universities, the office holders were all from the Arab world; there were very few American students on those boards who were actually American Muslims. We find that young American Muslims are now starting these third spaces, and one of the founders of these third spaces

“We all think that we’re moderates. Every single one of us in this room thinks that we’re moderates, irrespective of whether you’re a Jew or a Christian or an atheist or a Muslim.”

Engy Abdelkader
Richard Foltin talks with Ambassador David Saperstein and other audience members

said, “You know, what the government could do to develop peace and a more progressive view of Islam is just to put a ban on any foreign Muslim imam. Just give American Muslims a chance to breathe, to develop their own grassroots form of Islam.”

So my question is, what do you think about encouraging each country to encourage education where French Muslims can be educated by French imams, or American Muslims by American imams, without the input of Wahhabism or other ideologies so that it’s more endemic to this country?

RICHARD FOLTIN: Great. Thank you. We’ll start at the other end this time. Tom, if you would begin and we’ll work our way down.

THOMAS FARR: Let me address these last two where I think there is a commonality. I don’t like the idea of solving religious problems by passing laws that say you can’t do this and you can’t do that. Now, I have no problem with laws targeting violence; they aren’t targeting religions, they’re targeting violence. So I’m for restrictions on violence. But as for the idea that you can give American Muslims space or French Muslims space or anybody else space by passing a law saying people can’t come in from another country to preach or be an imam, I just don’t think it works. I think the genius of the American founding was to do precisely the opposite—to invite all religion into the public square, within due limits, and to subject it to public scrutiny.

John Courtney Murray said that America had the advantage of not decaying into religious pluralism. Pluralism was its native condition. That is what many of the Federalist Papers are referring to when they talk about the proliferation of “factions” or interest groups being a protection for freedom and order. I know that’s a very American thing, but I think it’s a far better way of encouraging not only religious freedom but order. Let Muslims and Catholics and others police themselves if they can, not by passing laws. It’s government involvement in a lot of these issues that causes problems.

Now, Gene, I’m not going to answer your question. I’m going to let the other panelists answer it.

I just want to say something about Russia. I should have mentioned Russia, absolutely. In the Central European republics, the post-Soviet republics, there are terrible problems. I would just say that among the problems of Russia is not only the authori-
tarianism of the Putin regime, but the collaboration of the Russian Orthodox Church with authoritarianism in Russia in order to maintain what it believes is its rightful monopoly on religion in Russia. There cannot be any such thing in the twenty-first century as the monopoly of a particular religion in any country unless it is voluntarily chosen by its citizens. In Russia it is the cooperation of Russian Orthodoxy with the state and its police and civil police powers that maintains that illegitimate monopoly. As a result we've got a terrible situation in Russia. It is one of the major offenders of religious freedom in the world.

RICHARD FOLTIN: Thank you, Andy.

ANDREW BAKER: Identities are multidimensional, of course, and to say French Muslims or Dutch Muslims also misses the reality. For many years, we've been talking about Moroccans, Turks, Algerians, and people of other ethnic backgrounds. Concerns in Switzerland are focused on Bosniaks, not on Muslims. But somehow Muslim became a new term, and it's maybe replacing these others, which are also sources of some of the problems. When I speak, I'm also concerned and reflecting on Jewish communities in these countries who feel that governments and certain political leaders have trouble being clear even that these are anti-Semitic attacks and that in some cases—certainly with Charlie Hebdo in Paris—this was a radical Islamist. I mean, that was what was driving that individual. In some places, it becomes almost surreal. After those incidents, the government of Austria wanted to issue a statement showing its solidarity and expressing its condolences to the attacks in Paris and it indicated three groups of victims: the journalists at Charlie Hebdo who were murdered for their commitment to the freedom of expression; French police who were murdered for performing their duty under the law; and when it came to those Jews who were killed in the kosher supermarket, it said, “People of various confessions who had the misfortune of being in the wrong place at the wrong time.” Now, I mean to me that's a kind of political correctness carried to extremes. That's what made Jewish communities so frustrated. They were saying, “At least be clear about the source of the problem. Then we can discuss how to solve it.”
RICHARD FOLTIN: Thank you. Engy, please.

ENGY ABDELKADER: Is this the last opportunity we have to speak?

RICHARD FOLTIN: Yes. I’m afraid so.

ENGY ABDELKADER: I’m honestly a little disappointed at how quickly time went by. We were actually prepared to speak about the vast persecution—the alleged genocide—happening right now in Burma, also known as Myanmar. We haven’t even touched upon that, which is really disappointing. Perhaps that speaks to the need for a follow-up panel, an event where we have an opportunity to delve into that.

THOMAS FARR: It’s a big world, with big problems.

ENGY ABDELKADER: Regarding Russia, it is also disappointing that we haven’t had more of an opportunity to delve into that or the complexities surrounding religious discrimination, including intersectional discrimination or multiple discriminations.

GENE RIVERS: Yes, sometimes they overlap.

ENGY ABDELKADER: I write and speak about intersectional discrimination. A person’s experience with discrimination can be informed by their identity as a woman, their African descent, their socioeconomic background, and so on. They may also be a member of a minority faith community that is marginalized and exposed to severe discrimination and prejudice. To develop solutions, we need to really understand the complexity of the problems that are before us so that we can be effective in the solutions that we’re crafting.

Concerning the question about Russia, it’s interesting to note, particularly in light of this morning’s discussion around EEOC v. Abercrombie and Fitch, that the Russian Supreme Court recently came down with its own case involving a Muslim female student who wanted to wear her hijab in school. The court found she has no constitutional right to do so. So you do see this divergence in terms of approaches to religious freedom, whether we’re talking about Western Europe, Russia, or the United States.

At the end of the day, I’m really proud to be an American. While our traditions are not perfect, and we may not always get things right the first time, we have a really strong commitment to religious freedom and we have an ability to acknowledge when something is going wrong and sort of step up and make things right. We do that through our legal system as well as our political process. Kudos to us.

RICHARD FOLTIN: Brian, go ahead.

BRIAN GRIM: Well, I’ll just end with one story from two weeks ago at the United Nations. Secretary-General Ban Ki-moon has set up a group called Business for Peace. We invited business leaders from around the world to come and speak about how business is a powerful force for supporting interfaith understanding and peace and religious freedom broadly defined. We had a retired three-star general from the Pakistani military who’s the CEO of the largest fertilizer company in Pakistan. His chief financial officer was there on the panel with me and he’s a one-star general, and they told the story of their company. They said, “We’ve set up this company after we left the military so we can hire anybody coming out of the military. We want them to have a viable job to do what’s beneficial for society rather than being tempted to keep that gun in their hand and go fight for someone else.” Now, that’s real. That’s something really productive. And there’s a lot of stories like that.

I didn’t want to take a poll but I’ll do it anyway and that’s what I’ll end with. How many people are here representing a business? I see one, maybe two. Why? Well, part of what we need to do is take this discussion to people at the crossroads of culture, creativity, and commerce and have gazillions of dollars and interest to make the world a more peaceful place where everybody gets along. So that’s what I want to end with, that there’s a lot going on. We need to learn to communicate the ideas expressed here to entirely new audiences.

RICHARD FOLTIN: If I might just wrap up, I think what I’m hearing is we can’t disregard the role of ideology. But on the other hand there are many other factors at play that are complicated. Looking at only one factor alone gets in the way of coming up with positive solutions. And of course, we have to have regard for invidious discrimination and stereotyping, wherever directed and whatever the situation some of the communities may be facing.

With that I want to thank our panelists and thank all of you for coming. [Applause]
THOMAS FARR: Ladies and gentlemen, please take your seats. We’re going to start back up with our final panel discussion. Claudia Winkler, the moderator of this panel, is going to frame this discussion for you in a minute. But I just wanted to say a word about Claudia. And don’t worry, I’m going to embarrass you. [Laughter]

Engy was kind enough at the beginning of her remarks in the last panel to say that people who put these conferences together are often not properly thanked publicly, and of course, though Tim and I try to do that, we sometimes don’t do it well enough or frequently enough. But I want you to know that the young woman sitting to my left is not only going to lead this panel. She’s the one, along with Nick Fedyk, our colleague in the back, who put this thing together. Talk about a switch-hitter; I mean, Claudia Winkler is a woman of many talents, which we’re going to see here in just a minute. So Claudia, kudos to you. Thanks so much for everything you’re doing. [Applause] Please take it away. I am really looking forward to this panel.

CLAUDIA WINKLER: Tom says all of that not knowing how I moderate panels, so we’ll see how everything goes. [Laughter]

As Tom said, I work for the Religious Freedom Project. I’m the senior project associate there. And working at the RFP, I’m constantly confronted with issues of rising restrictions on religious freedom. There are human rights violations that go along with those restrictions and some really staggering statistics on growing hostilities. And one of those statistics that’s been mentioned today by Tom but that really merits repeating is that 77 percent of the world’s population lives in areas with high or very high restrictions on religion. That’s three out of four people. Just let that sink in for a minute. Three out of every four people live in these kinds of communities. And I think it’s fair to say that at least half of these people, just by common statistics, are women. And I would venture to say that it’s probably even more than half that are really affected quite dramatically by these restrictions. And that’s what this panel is going to talk about today.
What I really want to get out of this conversation is how women and girls are faced with violence, oppression, and hostilities that are unique to the fact that they are women. What happens to them that's different from what happens to their broader faith communities? What is it about being women that maybe causes them to be persecuted in harsher ways than their broader community? And then, on the positive side, we want to talk about unique ways in which women of faith can promote peace, security, women's rights, and religious rights around the world.

To talk about these issues, I have four excellent panelists on stage who will give us insights into different areas of the world and different communities. I think we'll have a nice, broad view by the end of our 90-minute discussion.

To my very far left is Jackie Rivers. Jackie Rivers came down from Boston. She's the executive director of the Seymour Institute on Black Church and Policy Studies, which seeks to create and promote a philosophical, political, and theological framework for a pro-poor, pro-life, pro-family movement within the ecumenical black church, both domestically and internationally. And on top of that, Jackie has lived and worked among the poor for the last 27 years. Welcome, Jackie.

Next to Jackie is Helen Alvaré. Helen is a professor of law at George Mason University School of Law, where she teaches and writes about family law and also law and religion. She advises Pope Francis’ Pontifical Council for the Laity, especially on women’s issues. She also participates in a lot of public discussions concerning sex, marriage, parenting law, and culture. She’s very well versed in this area and we’re excited to have her on the panel.

Then we have Aisha Rahman. She’s the executive director of KARAMAH, and she also serves as the head of the organization’s Family Law Division. Now, the word KARAMAH means “dignity” in Arabic, which I think will be important to this discussion and is an important part of her organization’s mission. They are a nonprofit organization that works to educate, advocate for, and provide legal services for people all around the world, but particularly for Muslim women. And Rahman came to KARAMAH from Legal Aid of East Tennessee, where she was a staff attorney litigating domestic violence cases.

And then finally we have Elizabeth Cassidy. She’s the deputy director for policy and research for the United States Commission on International Religious Freedom. Before joining the commission, Elizabeth worked at the UN Watch in Geneva. Before that, she worked as a legal consultant to several human rights NGOs in Windhoek, Namibia.

We’re very excited to have all of you. Without further ado, we’ll jump into our first question. And I’d like to start with you, Elizabeth, since your work with the commission gives you a broader view of what’s going on in the world. Could you just tell us a little bit about what kinds of religious persecution you see in various parts of the world and specifically how the experiences of women differ from the broader communities?

ELIZABETH CASSIDY: Sure. Thanks, Claudia, and thanks, everyone, for coming. And thanks to the organizers, the Religious Freedom Project and the ABA, for having this great event and for inviting me to speak.

For those of you who aren’t familiar with the commission, we were created by the International Religious Freedom Act and our mandate is to monitor religious freedom conditions around the world and make policy recommendations to the US government. We tend to focus on the countries with the worst problems, because a big part of our mandate is to recommend to the State Department those countries that we feel meet the statutory standard in the act for “countries of particular concern”—so really, the worst of the worst, the egregious violators of religious freedom. I’m going to focus on some of the countries in that category, and I know that others are going to focus on other countries in other regions where there are issues, although not the sort of violent type of persecution that we’re mostly following.

In thinking about this topic, I thought about what some of my colleagues were working on and what we’ve been reporting on in our annual report. Our most recent one came out in April about the way women and girls suffer persecution differently than men. One very obvious and horrible thing of course is sexual violence. And in our most recent report, one of the major developments was the rise of ISIS in Iraq especially and also in Syria, and what all that entailed. This particularly affected the
Yazidi community and the horrible abuses that Yazidi women and girls have suffered. We have been following the situation in Iraq for quite some time. The Yazidi community had already been marginalized, discriminated against, and persecuted for a long time, but ISIS took it to a new level—the rape, the selling into slavery, and other sorts of violations. It was a difficult experience for all of us just researching it and writing about it in the report. So that was one immediate example that came to mind. You also see similar abuses by Boko Haram against Christian women and girls in Nigeria.

Sexual violence, though, isn’t only being committed by these organized groups that are getting all this attention. For example, we continue to report on and hear cases about forced marriages and forced conversions of Hindu girls in Afghanistan and of Hindu and Christian girls in Pakistan. So it not only involves these more organized, prominent groups, but also other actors within society.

And then there are also appalling sexual abuses perpetrated by governmental actors in some countries. For example, in Burma or Myanmar—another country that has been for a long time a country of particular concern under the International Religious Freedom Act—there is a long history of sexual violence by the Burmese military against women and girls in some of the ethnic and religious conflicts in that society. There is also a long history of lack of accountability for the military and security force members who have been perpetrating those abuses.

In addition, in countries like North Korea and Uzbekistan, these are countries where it’s hard to get information. But there are probably tens of thousands of religious prisoners, including women. There are reports of appalling sexual violence and abuse against women prisoners in both countries. So those are two very, very severe examples.

Another case that we reported in 2014 came out of Sudan and arises from another theme we see. The laws in a country or societal norms presume that a woman is of a certain religion regardless of her own conscience or choice. In Sudan in 2014, a woman named Meriam Ibrahim—some of you may have heard about her—was convicted of apostasy and adultery and sentenced to death by hanging and 100 lashes. She said she was a Christian and had been raised a Christian, but a family member claimed that she was a Muslim and had been raised a Muslim and therefore had committed apostasy by converting. And she had committed adultery by being married to a Christian man. A court in Sudan convicted her. She was put in jail with her 2-year-old son. She was also pregnant and gave birth to her daughter in prison.

The story does have a happy ending, I’m happy to say, though some of our stories don’t in this business. But there was a lot of attention to this case internationally. The United States and other governments put pressure on the Sudanese government—her husband is an American citizen so her children were American citizens, too—and ultimately her conviction was reversed and she was released. She’s now in the United States, but the laws and policies and societal norms that led to this case still exist.

CLAUDIA WINKLER: In Sudan, is it just women that this policy against conversion applies to, or is it broader than that?

ELIZABETH CASSIDY: No. I mean, apostasy is a crime, but this is sort of a case where it uniquely falls on a woman. And it also illustrates one thing with women’s persecution as well: You often see family-member involvement. Someone in Meriam’s own family turned her in.

Another thing we’ve seen in some countries is that women can be presumed to be guilty because of things that their husband or their father did. In North Korea, for example, the government imprisons entire families; you could be in prison simply because of someone in your family engaging in clandestine religious activity. But that could equally apply to men as well.

You know, in some of these countries it’s hard to get information, but there was a specific case in Uzbekistan where a woman died in prison. She was only 37 years old. She had been in prison because of the activities of her husband and father who were both independent Muslim theologians. So there are governments going against a woman because of her family affiliations.

“So if you have a robust version of religious freedom, which means religious freedom for all, you’re then going to be empowering women, religious minorities, and dissenters within the religious majority.”

Elizabeth Cassidy
Another area where we see some of these restrictions and persecutions relates to restrictions on marriage and childbearing. The situation in Burma has been mentioned, and for the Rohingya Muslims, it’s one of the worst situations in the world. They are a stateless community and there’s a really extreme degree of anti-Muslim sentiment. In the last year or so, one of the ways this has become evident is in the passage of a series of new laws. There’s a new interfaith marriage law that was passed out of anti-Muslim sentiment, but actually restricts the rights of Buddhist women to marry someone from another religion. Again, there is this idea that Buddhist women need protection against interfaith marriage, and so the new rule will be that if a Buddhist woman wants to marry a non-Buddhist man, they have to get government permission. They have to publicize the intent to marry, and anybody can object, and an objection can stop a marriage. And if the woman is under 20 years old, she has to have the permission of her parents. So that’s an intersection of religious issues that affects both the minority and majority. Anti-minority sentiment leads to restrictions on women of the majority religion.

Burma also just passed a new family planning law that’s targeted at Muslim women, which will allow the government to impose restrictions on the spacing of children. It’s not entirely clear how all this is going to play out. I mean, there already have been in the past couple of years local restrictions in the state with a high Muslim population, such as a two-child policy. But there are real concerns about a new law that requires births to be spaced 36 months apart, and about how that will be applied and directed at minority women. As I mentioned, there are restrictions that fall on the majority in Burma as well with this new marriage law, but in a lot of these cases you see an intersection of discriminations—this was mentioned in the last panel. If someone is both a woman and from a minority, marginalized community, she can be targeted on account of both of those bases.

And finally—this has been touched on in other countries as well—one thing that you often see about women and religious persecution and discrimination is that there are many issues around religious dress, especially Muslim women’s religious dress. But in some places, there is a high level of concern about how women look and what they are wearing, not only Muslim women but all women, whereas there isn’t always the same concern about men. There are not so many restrictions on Muslim men wearing beards or Jewish men wearing yarmulkes. So this is something that stands out when you review these issues. And it’s been talked about in the previous panel about restrictions in Europe.

I’d also like to go back to Sudan. Sudan has public-order laws, and these impose dress norms and behavioral norms. But they are quite vague; indecent dress is not fully defined. And in our monitoring over the years, these are disproportionately enforced against women. You don’t see enforcement against men for behavior or dress; it’s particularly enforced against women in minority communities. For example, these laws have been enforced to fine and flog both Muslim and Christian women for so-called “indecent dress,” which includes wearing trousers or having your skirt too short. Again, because the laws are so vague, it’s up to the discretion of local police officials to decide what indecency means. So those are very troubling.

There have been similar issues in Aceh, Indonesia with enforcement of behavioral norms. They are supposed to apply to both genders but the enforcement is overwhelmingly against women. And we have of course already talked about the issue of headscarves for Muslim women. Some countries require it and some countries forbid. But under a principle of religious freedom, women should have the choice. So that’s also one of the big issues.

CLAUDIA WINKLER: That actually provides an excellent segue to Aisha. I mentioned before that she works primarily with Muslim women, and that spans the Middle East, Europe, and the United States. And so, Aisha, I was hoping that you might give us a sense of the hardships that these women face...
on the basis of their gender and religion in these various parts of the world.

**AISHA RAHMAN:** Sure. Before I begin, I also would like to echo what Elizabeth said and thank everyone for coming here this afternoon to discuss this very important topic.

I’d like to first address some general points. Whenever you talk about persecution, whether it’s religious persecution or violence against women, domestically and abroad, DV 101 [domestic violence training] teaches you that a lot of this persecution is about power and control. And I think that when we talk about gender and we talk about women and girls particularly being marginalized—definitely more than men—it really is about an assertion of power and control. Women are seen as a vulnerable segment of society, and so it’s easy to mark and persecute them.

I’d like to talk a little bit about what’s happening in Europe, especially in regard to Muslim women. There are a lot of cases that are coming out that are really, really changing the narrative of Muslim women’s experiences. And I think one example—something that Elizabeth already touched on—is that whenever you talk about women, patriarchy dictates that you talk about women’s dress. I think that’s the very popular, sexy thing to talk about when you’re talking about women, and Muslim women of course are no different. We see in the Netherlands, in France, and in Belgium very strict laws that have come out banning either the burqa or the head-covering that are really affecting Muslim women and particularly Muslim girls. And I’d like to give you one specific case.

**KARAMAH** has a summer program where we bring together Muslim women from all over the world for three weeks to the District of Columbia, and we teach them about Islamic law, leadership, and conflict resolution. Because of a relationship that we had with the US embassy in Belgium, we actually invited, over the course of several years, about 30 Muslim women from Brussels and Antwerp who have gone back to their communities and have formed KARAMAH EU. And they are currently litigating a landmark case of a Muslim girl who was kicked out of school because she wore a headscarf. It was in the Flemish public school system and they banned the headscarf. KARAMAH EU recently had a success, and the preliminary trial court has overturned the ban. There are still several more developments in this case and it’s being fought on appeal.

But I think what’s really important to talk about when you’re talking about this issue is to not focus on the dress element, but talk about how it’s really impacting young women. In Europe and in the United States, Muslim women have formed an identity. This ban and marginalization of Muslim women is impacting their identity, their pride, their religion, and their access to their basic rights, like the right to an education.

So in the case of this young woman, she was kicked out of school. When I went to visit KARAMAH EU we had several conversations with the young women. The thing that was the most heartbreaking was that they felt they had to choose between their religion and their right to an education, and eventually their access to higher education, to employment, and to other positions of power. And some of the women who did cover their hair and were in professional settings told me that of course it’s impacting the young women, but that they had grown up with these issues. We Muslim women are being marginalized and discriminated against in the workplace, and so it’s really difficult for Muslim women to really rise. So now we have a generation of women who are not getting access to basic rights. That’s one major issue.

The other issue I’d really like to talk about is what’s happening in the United Kingdom with respect to registration of marriages. I’m not sure if that’s come up at all today, but what’s really interesting is that in the United Kingdom particularly, the religious ceremonies of Jewish and Christian weddings are automatically given credence and legitimacy by the state. Muslim, Sikh, and Hindu weddings are not the same. You have to go through several other processes for it to be considered a valid and legitimate marriage.
And people who are sort of naysayers of sharia or of religion in general want to focus on the idea that, “Oh, well, this gives Muslims license to maybe have polygamous marriages.” What they are not focusing on is by denying the legitimacy of religious ceremonies and religious marriages, Muslim women are denied rights at the time of divorce—custody, child support, spousal support, and all of the various rights at divorce—as well as rights within the marriage. Aina Khan, an attorney, is working on these issues, and she’s really leading a movement to start the registration of these marriages. But she has cited in several news articles that the numbers are staggering. Over 100,000 marriages are not considered to be valid.

So those are the obvious issues. But then there are also the subtle issues of how this impacts people, and how public opinion changes once you see that these marriages may be deemed invalid. And especially from a youth perspective—youth identity and this idea of being proud of your religion and your faith and who you are—if you see that your rights are very clearly not the same as your other religious counterparts, it really impacts the issue of identity. That will come up later when we talk about other kinds of issues that are arising with respect to violence. But I think those two cases in Europe are really something that we should be talking a lot more about.

CLAUDIA WINKLER: One of the things you brought up was that these are all issues of power and control. And I think one thing that’s interesting about Europe and maybe the West as well—and Helen can maybe talk about this a little more in the United States, but I think it applies in particular to Islam—is that Islam kind of seen as the antithesis to feminism in a lot of ways in Europe. People think that the two cannot be compatible, especially someone who wears religious garb, who wears the headscarf, and is a feminist. Have you done any work on that or could you comment on that a little bit?

AISHA RAHMAN: Absolutely. I mean, that’s our bread and butter at KARAMAH. We are an educational organization. I didn’t talk a lot about KARAMAH. We’ve been around for over 20 years. But what we are hoping to do is to really educate people about Islam. Because of big words like patriarchy and orientalism and this “othering” of Muslims, people think that you can’t be a Muslim and a feminist. What’s very interesting to me whenever we have these conversations is that I think that the advent of Islam was to bring forth women’s rights. And I think that if you study about Islam and its beginnings, the time in which Islam and the Qur’an were revealed to the Prophet Muhammad was described as a time of ignorance. And why was it a time of ignorance? Because of female infanticide. Because women were definitely seen as property and as second-class citizens.

And then, with the advent of Islam, all of this started to become reversed and women started to enjoy the rights of voting, the rights of having equitable power in a relationship, financial rights, and the right to have an education. I could talk for hours about the legacy of Muslim women from 1,400 years ago who were bringing forth these ideas. They were, by any stretch of the imagination, feminists as we think about it now.

I think that because of patriarchy, these narratives have been shifted to the side, and in order to maintain power and control, we don’t hear these stories anymore. And that started frankly right after the death of the Prophet Muhammad, peace be upon him. So we see that very shortly after his death, this idea of democracy and Islam was shifted to more authoritarian regimes, for example. I wouldn’t say that the time of ignorance came back, but it takes a while to get rid of those.

CLAUDIA WINKLER: Great. Helen, maybe feminism isn’t the right word, but there is certainly a conflict, I think, in the United States between women’s sexuality and perceived women’s rights, and females are just kind of caught in the crosshairs of all of this, especially when it comes to issues of religious freedom. I was hoping you could comment on that.

HELEN ALVARÉ: Sure. So in the United States, there is this narrative that women’s freedom and religious freedom are op-
posed. I think it had its strongest start—the start that lingers into today—in the 1960s and ’70s. Two guys who founded the National Abortion Rights Action League, Larry Lader and Bernard Nathanson, made a conscious decision that in order to attain abortion legality in the United States, you needed an enemy, because an enemy is going to get everybody riled up against one guy, and they decided that enemy would be the Catholic Bishops. And this came out later when Bernard Nathanson eventually pulled away from abortion and eventually published the papers and dialogues that he and Larry had undertaken. That was the beginning of it, the idea that the Church was anti-sex, anti-woman, that the Church believed that women belong as mothers and that’s it. The Church began to be characterized as the enemy of women’s freedom.

A more recent incarnation—and the one we’re all familiar with from today’s lawsuits—started to come about when the states and then finally the federal government began putting contraceptive and early abortifacient mandates into health insurance programs. They were already in the states, but the reason you didn’t hear quite as much about it—though you might have heard something—is because they usually had various ways for religious entities to exempt themselves. They could self-insure or they could stop giving employees prescription insurance, for example.

But in any event, the federal mandate has been running through the courts now for a long time. I sort of judge how old I am by how long I’ve been working on the federal mandate. [Laughter] I can’t believe it came out when it came out and that it’s been that many years. But since August 2011, this has been a factor. The federal mandate allowed dioceses and individual churches and other specific religious entities—whose sole job was to worship or proselytize—to be exempt from what’s called the contraception mandate. It has in it all FDA-approved forms of contraceptives, and by the HHS’s own admission, early abortifacients. They don’t shy away from the fact that some of these drugs are now mandated to be part of insurance plans take an embryo and shed it out of the womb.

But religious institutions that are schools, hospitals, and social services are not exempt. They have this accommodation where they have to either talk to HHS or their insurance company or their third-party administrator and say to them, “We’re not going to put it in the plan but you have to.” The federal government will put it in the plan, and all of the employees of these religious entities will have this insurance. That’s how it works.

So the idea that this is about women versus religious freedom depends, as you see, upon the core notion that sexual expression without children is very, very crucial to women’s freedom. In fact, it’s often posited as the core of women’s freedom. You can trace this historically. You can go back to Freud, Marcuse, Foucault, de Beauvoir, Friedan, et cetera, and it’s very much there. Its modern expression is not quite so fancy. Kathleen Sebelius has said it at a lot of fundraisers that she would do for NARAL [National Abortion Rights Action League] and Planned Parenthood. And then it’s really said in the government briefs in these mandate cases, which claim that these Little Sisters of the Poor, these Catholic hospitals, or these evangelical groups—and there are actually more evangelical plaintiffs than Catholics—are the enemy of women’s social and economic equality. That’s the government’s argument. Anyone who won’t give this out for free is preventing women from being socially and economically equal. That’s the equation.

Here is why that really doesn’t work out. In fact, it instills an ethic, if you will; the government is instilling an ethic. It’s trying to replace the religious ethic on sex, marriage, and parenting. But the idea that the government’s ethic is pro-women and religion is anti-women is just not supported by the numbers. Let me just give you a couple of facts.

Number one, the religions that are opposing the mandate are all religions where women affiliate more and practice more. Women announced their affiliation with evangelical and Catholic religions more and they actually go to services more than men on a regular basis.

Number two, the institutions that are fighting the mandate were mostly founded by women, run by women, and staffed by women. So, again, the idea that this is religious freedom versus women’s freedom just doesn’t play out there.

But number three is a point that has a lot of supporting research. I wrote a really long article on it, and I brought a couple of copies of an amicus brief I wrote to the Supreme Court. I’ll file it again when the Little Sisters’ case gets there, which is likely. It shows that the sex, marriage, and parenting ethic that the government is promoting—they’re saying, “Hey, this is for women. In the end, if you really look at it, sex is nothing terribly special. It’s like any encounter. The fact that it gives birth to new life is to be set aside and separated out”—is really not working out for women. Since the government got involved in promoting this ethic in the ’70s, our rates of unintended pregnancy have actually gone up. Our rates of out-of-wedlock
pregnancy have gone from 5 percent to 40 percent, and out-of-wedlock pregnancy is the number one predictor of women’s poverty. Women in the United States comprise about 86 percent of all single parents.

And here’s where you’ll know I’m from George Mason, the law and economics university: The whole sex, mating, and marriage marketplace is no longer to the advantage of women at all. It has set up an ethic where sex is the price of a relationship. Janet Yellen wrote the most definitive paper on this with her husband, George Akerlof—who is himself know no-slipshod economist, as he won a Nobel Prize—showing that because of the phenomena of risk compensation, you were bound to have a situation where you’d have more out-of-wedlock birth and more abortions with this new ethic than you had before.

So this is a problem. It’s particularly a problem for the poor. Wealthy people don’t follow this ethic so much. They don’t. As Charles Murray said, wealthy people don’t “preach what they practice.” But what wealthy people practice is getting married, having your kids during your marriage, and so on and so forth. They tend to link sex, marriage, and kids more, while the government is disaggregating them and poor women are suffering the most from it.

My final point is: Is the government’s interest really compelling on behalf of women? I mean, if you want to be flip about it, and I’d like to be for just a second, the government could have provided every woman in America with a lifetime supply of contraceptives, and instead it spent its money fighting these few religious institutions that have said, “We just don’t want to provide it for free.”

But I’d like to go back to the lengthy research in my article. The lack of free contraception is not the reason women aren’t accessing contraception. I mean, in addition to all this stuff about the harm that the current sex, mating, and marriage marketplace is doing to them—look at Guttmacher’s studies, look at Planned Parenthood’s figures, look at the Center for Disease Control, look at NIH data, and the data from the White House Office of Women and Girls—the data does not show that free contraception is what’s preventing this tiny number of women who aren’t using it from using it. There are a lot of women who hate it. There is a reason why someone’s paying about $2 billion every year out of one or another pharmaceutical company in order to settle health claims that women file. There are other reasons they are not using it.

So this whole setup of sexual expression versus women’s religious freedom doesn’t pan out because of how women practice, and it doesn’t pan out in terms of the sexual ethic. These religious women—the plaintiffs—are just trying to say that a few of us would like to witness to the good of this ethic. It would be good for us. It would be good for our kids. It would build a stronger society. It would particularly ease the gap between the rich and the poor. If more people practiced this ethic that paid attention to the link between sex and kids—even when you’re not intending to have kids—paying attention to the weight of sex would help everybody. So that’s what these religious women want. The government is on the other side of it now.

CLAUDIA WINKLER: We’ll revisit that, I think, in just a minute, Helen, but I did want to invite Jackie to speak a little bit. You were nodding along with some of the things that Helen was saying, so it seems like some of that resonates in what you see. I imagine, though, that the black church in the United States also experiences some different situations for the women and the faith community, so I’d like for you to maybe explain two things to our audience: What is the significance of the black church in the United States also experiences some different situations for the women and the faith community, and then especially to women within that community? And second, what are the threats and pressures that the black church is faced with in terms of religious freedom, and what effects could those have on the community?

JACQUELINE RIVERS: Thank you very much, Claudia. I’m really glad that we did talk about Boko Haram and the horrendous impact on women in Africa because of a lack of religious liberty. And it’s not just Muslim extremists, but we also have the anti-balaka militias in the Central African Republic. In comparison to what’s happening there, what’s happening here is mild. So I just want to acknowledge that.

But the black church is really a very important factor in the lives of black women. Black people are actually the most reli-
gious ethnic group in the United States. Nine out of 10 of all black people are sure that God exists. Numbers are much lower in the general population. Seventy-six percent of us are praying at least once a day. We’re highly religious and observant—and as Helen just pointed out, that’s even higher among black women. She pointed out that women are generally more religious. And so we’re looking at a situation where for 84 percent of black women, religion is very important, and 60 percent of them are attending church weekly. They are the most observant of any demographic group in the country. The black church is critical to them.

The other thing I’d point out is that among black people, even those who are unaffiliated, their sense of how important God is and their frequency of prayer is equivalent to most Catholics and mainline Protestants, even though they are unaffiliated religiously. So this is really a key factor in the black community, and the black church really plays a very important role.

I’m sure that most people know that blacks don’t vote at the same rate at which the rest of the general population votes, but the place where we are politically engaged is in the black church. Most black preachers are saying, “Look, we don’t just minister to the people in our pews. We are ministering to our entire community. We’re meeting the needs of everyone.” And that means they’re urging involvement in the political process, whether it’s through voting, lobbying, or protesting, which is a much more common thing in the black community. All of that is deeply rooted in the church. A great example of course is the Civil Rights Movement.

But in addition to this political engagement, the black church really provides services. We provide services at a higher rate. Even though black churches are much smaller and much poorer, we provide services at a higher rate than white churches do, and we are addressing the needs of the poorest in our community. And I’m sure a lot of people are familiar with Ram Cnaan’s work, *The Other Philadelphia Story*, where he documents all of this.

For black women, the church is really a central part of our lives and a central part of the good that happens in our community. And I think the threat for us is that we’re also then more socially conservative than the general population. We are more likely to oppose abortion and more likely to be against treating homosexual unions as marriage than the general population. In a society in which there is rising intolerance of faith and of taking a stance against the culture, that really becomes to some extent a threat to us in the black community and in particular to black women.

I’m sure many people know that the Canadian High Court found that a pastor who was distributing flyers against gay marriage was guilty of hate speech. There was actually a pastor in Sweden who served time for doing something similar. So at what point does the teaching on marriage that is common in the pulpits of black churches across the country become hate speech? And given how fragile these congregations are, are we at risk of actually having our doors closed?

And many people probably also know that Mark Oppenheimer ran a piece in *Time* magazine calling for churches to lose their tax-exempt status. Black churches won’t survive that. You know, we’re hanging on by a thread. We are providing services to the community primarily on volunteer labor, which we’re better at mobilizing than the white churches are. But we won’t hang on because we’re barely keeping our doors open. We won’t hang on if we lose our tax-exempt status.

So for all of these reasons, religious freedom is a critically important for the well being of the black community in general, but even more particularly for black women.

**Claudia Winkler:** Thank you, Jackie. Maybe both you and Helen could answer this question, and then I’ll come back to Aisha and Elizabeth. I would like to talk about the positive way that we can spin this issue—not pitting competing rights claims against each other, but talking about what women stand to gain by more robust protections of religious freedom for all people, including those who oppose contraception. So Helen, you talked about this being a problem. But what is the positive side of protecting religious freedom and how does that benefit women in particular?

**Helen Alvaré:** Right. You know, somebody said this morning on the earlier panel that the protection of religious freedom was the protection of the freedom to serve, and you just highlighted that in a huge way. I’m familiar with this one particular black church that’s cooperating with the Chiaroscu- ro Institute that I deal with in New York. I think the pastor has helped like 5,000 kids through grade school in New York. And these are not all kids in his congregation. So the freedom is freedom to serve.

And I’ll say that when the whole religious freedom versus women’s freedom tussle hit several years ago, there was a ques-
tion about how to address it. Do you just say, “I stand on the First Amendment. I stand on the Religious Freedom Restoration Act. Those are my rights,” which would be very familiar in the United States? It’s not just because I’m used to fighting that I’m used to this kind of language. [Laughter] There’s that book by Mary Ann Glendon, Rights Talk.

But I argue that what we’ve really got to say is, “If you let us have our rights, here is what we’ll do with them.” And to me, one of the things we’ll do with our rights is a continuation of some beautiful things we’re doing already. One of the things I heard about in France when they imposed the headscarf ban is that all these girls from the Muslim tradition came into the other religious schools, because they were happy to have them with their religious garb. Young Jewish kids also sometimes go to Christian schools as well as Jewish schools. So to me—and I know this smacks a tiny bit of Pollyanna but I think there’s room for it here—I travel all around the world, and when I come to the United States and I see five different kinds of head-dresses on a sidewalk in Virginia, I want to cry with happiness because that’s who we are, that’s who we can continue to be. I think a lot of religions have done a very good job on this. I realize they haven’t all and sometimes religion is the exact opposite of this. But to the extent that we’ve done a good job on it, we should be invited to have our religious freedom. And the faith-based initiatives program under Clinton, which still exists, said this: “Make sure you take care of people of all religions.” Perfect. Exactly. That’s our genius writ large.

And so, I do think we ought to have freedom. It always has to be freedom to serve. Tom Farr says that in the Catholic tradition, for instance, it says “religious freedom within due limits.” You’re totally cool with that, right? You can’t hurt people. But our genius is giving every person the look of love they crave, allowing everyone to be God’s child. I just think if that is drawn out, whether it’s woman or man or whatever other religion we’re talking about, we can be insisted to do that and we can be invited to do that.

JACQUELINE RIVERS: Seventy-four percent of all black babies are born out-of-wedlock. So a lot of black women are raising their children by themselves. And the Catholic Church and the parochial churches in inner cities are a boon to a lot of those women because their kids thrive in those schools. Let us have our religious liberty so that we can serve the neediest.

In addition, there’s research that shows that just getting our kids into churches does good for them. Pat Fagan finds that that means that they will do better academically. The more frequently kids are attending church, the better their academic performance. And Richard Freeman, a noted economist at Harvard, found many years ago that kids who were involved with church were less likely to get involved with young black men and criminal activity. That’s what we want our religious freedom for: to save our kids. And that’s very important to black women.

CLAUDIA WINKLER: Moving to the international context then, a skeptic might say, “Well, if you let more religious actors exercise their faith in the public sphere, maybe in Muslim-majority countries, you’re going to further destabilize already unstable areas. You could potentially have even more legislation that is harmful to women.” Is there any argument supporting that? Or might greater religious freedom for everybody in these communities better the circumstances of women and of girls? And if so, how?

AISHA RAHMAN: I like this question, and I think Helen got me thinking about it as well. There’s this notion that secularism brings or breeds freedom in general and one of those freedoms is freedom of religion. And I think that’s so ironic, especially when you’re talking about Muslim-majority countries.

It would be too naïve to say that there aren’t religious freedom issues in Muslim-majority countries, and that we don’t have persecution amongst Muslims. We have some sectarian and interfaith issues. That being said, there’s a caveat. I think that religious actors in the public square really have a duty to talk about the advent of religious freedom from an Islamic perspective. There’s a verse in the Qur’an that is often cited with respect to this: “Let there be no coercion in religion.” It’s very clear Islamicly—Muslims believe in religious freedom. God’s own words say that there should not be coercion with respect to religion, and that verse tracks very closely with our own US constitutional right to religious freedom. There are scholars who are writing about the fact that Thomas Jefferson had a Qur’an and that he even replaced it after a fire burned down most of his library. His replacing of the book is evidence that he was aware that the Qur’an was missing from his books that were burned. And so there are scholars who are doing some research on his influence from Islam, especially with respect to religious freedom.

KARAMAH’s role is to remind religious actors and other political leaders in Muslim majority countries that if they are fighting for Islam—and fighting may not be the right word—but if they are advocating for Islam, then they are advocating for
religious freedom because there’s a rich tradition of it in Islamic history. And I think that it’s not just in the Qur’an. There’s a very famous Charter of Medina written at the time of the Prophet, which gave rights to many of the Jewish tribes that were living in Medina at that time. When you go to any religious service for Muslims, they will often talk about the ummah, the community, and the Prophet was very clear about the fact that the ummah does not include only Muslims. It includes all people. And with respect to Medina, the Jewish tribes were included in that community and they were explicitly given rights in that charter: equal rights to life and equal rights to protection.

There are Muslim-majority countries and then there are countries that say they are governed by Islamic law. If those countries that say they are governed by Islamic law are not doing it right, then we need further education, and I think part of that is through the education of women and girls with respect to these issues. But I think that there’s ample tradition and history that cements the fact that religion—namely Islam—secures religious freedom.

CLAUDIA WINKLER: Great answer. Thank you.

ELIZABETH CASSIDY: And just to follow on to that, I also think that an organization like KARAMAH and these points that Aisha is making are perfect examples of why you need religious freedom and why it helps women. There are a number of regimes in the Middle East that have sort of been long-time authoritarian and are moving away from it, and we’ve seen in the short term it’s unleashed a lot of illiberalism. A lot of groups have emerged who believe that they want to exercise their new freedom only for their own freedoms, not for the freedoms of everybody else. That’s not real religious freedom. That’s not the religious freedom that’s protected under the international standards.

Real religious freedom is religious freedom for everybody. And if you have real religious freedom, you empower groups to be able to make these points and make these arguments in the public square about why religion supports religious freedom and what religion should mean, and you can empower women who for too long have been marginalized in these debates in many of these countries. All these debates are being controlled frankly by men, and we’ve seen what that has done for the place of women in many societies.

So in the short term, it’s a bumpy road for some of these new freedoms. This isn’t only in the Middle East. I talked about Burma, where new freedoms have unleashed this extreme Buddhist nationalism that is really restricting the rights of Muslims as well as other groups within society. These governments aren’t yet allowing real religious freedom. There’s not a level playing field. There are some groups that are being allowed to assert their rights and make these arguments and use the political process, and other groups that aren’t. So if you have a robust version of religious freedom, which means religious freedom for all, you’re then going to be empowering women, religious minorities, and dissenters within the religious majority.

I thought Congressman Ellison put it really well when he talked about the right to be unorthodox, that there are many different versions of religions and many different ways that people within religions want to live their own lives, whether it’s to choose whether to wear or not to wear some particular religious garb or whatever it may be.

And then the other thing—and this has been talked about earlier—is that to have real religious freedom, societies also have to protect all these other related rights. You can’t have religious freedom without freedom of expression, freedom of association, or freedom of assembly. All of these things that help create a vibrant civil society allow all of these voices to compete. So this is what I mean by religious freedom.

CLAUDIA WINKLER: I want to shift the conversation a little bit now. When you’re talking about religious persecution and women, it’s very easy to talk about women as victims and to deprive them of agency. I want to talk about them as agents. What can they do to promote peace and security? What can

“Societies who protect religious freedom are much more successful, they are much more stable, they are less violent, they have better outcomes for women and girls, health, and all of those important things. So this isn’t only good for those countries individually, but it’s good for the world.”

Elizabeth Cassidy
they do to promote women’s rights? What can they do to promote religious freedom? And Jackie, I thought we could start with you, because you do work with communities so closely on the ground. What role do women of faith play?

JACQUELINE RIVERS: You know, perhaps to most people it’s the pastors who are the most visible, but 71 percent of the members in black churches in Philadelphia are female. We make the churches run. Without us, the churches wouldn’t even be there. So that’s a place of agency for us. And interesting work done by Evelyn Brooks Higginbotham at Harvard points to the fact that at an earlier point in the history of the black church, in the early twentieth century, black women were kind of a lynchpin. They were bringing in and working with white women on issues of social justice, childcare, and things like that, and working with black men around issues of lynching. So we’ve always had the church as a source of agency for black women. That’s one of the things, one of the areas. And even today, women are running after-school and pre-school programs. This is really important for us as black women. The church is a place where we exercise that agency and where we gain and provide formal and informal support to each other.

One example is also at the West Angeles Church of God in Christ in California, and they run probably about 20 programs that serve the community. They have done about $80 million in development through the West Angeles Community Development Corporation, which was founded by a woman and is currently run by a woman. So the black church is an important vehicle for the agency of black women.

CLAUDIA WINKLER: Does anybody else want to respond?

HELEN ALVARÉ: Women were working on religious freedom nearly exclusively when the HHS mandate came down. So this guy running the committee in Congress—I hope the guy I’m talking about isn’t here—was staffing the hearing to talk about religious freedom. He called me and then in my place he put an older white guy, and I didn’t testify for religious freedom in connection with contraception. Oh, that was good. [Laughter] And he had all these guys on the first panel and then he had a few women on the second panel. That night on the news, it was all about the war on women and how religions are waging a war on women, and “where are the women?” And after calling the staffer and saying a few “that was not wise” comments, I wrote a public letter and I sent it to about 20 of my friends.
And without another move on my part, over 45,000 women have signed the letter.

The letter said two things. Number one, women care about religious freedom. We’re religious. Number two, whether you use contraception or you don’t, you probably don’t believe it’s the centerpiece of your freedom. And so all these women—women who use contraception, women who don’t, Mormons, Muslims, Orthodox Jews, evangelicals, Baptists, Catholics, you name it—signed on to this letter. And then I thought, “Hmm, that’s a nice database.” So every 15 days I send them out some information, and they do stuff with it. They have rallies. They urge their pastors to do stuff. They write letters to the editor. They write gorgeous editorials. They lobby. And they do it constantly. And now I’ve got a Facebook page that’s up to 78,000 followers. When I put something on it, it gets shared like 122,000 times. These are women for religious freedom.

So I’m working on my next project for them. It’s going to be a little surprise, but I hope it comes to your town soon. I’m not going to tell you what it is because it’s still in the works. But it turns out there are tons of women who really care about religious freedom. Why? Because they are sending their kids to school and they want that school to be able to stay religious. One of them is running services for the disabled. She has 29 people whose full-time job is to serve disabled people in their homes. She’s got hundreds and hundreds of clients. She’s going to have to close her business down if she’s forced to violate her conscience.

I just dreamed up this letter. But these women, it turns out, have a hundred different reasons to care. There are from many different religions and both political parties. But it really surfaced for me that there is a market, if you will, for religious freedom as a women’s concern.

AISHA RAHMAN: One thing that I find really interesting is that there is this prevailing narrative of women and girls as victims. I think we see that at every turn; that’s what the news is telling us and that’s what public opinion really is, especially with respect to Muslim women. People think, “Muslim women are the victims. Let us go liberate them and save them.” That is a very problematic narrative.

Just this last week, KARAMAH hosted a student delegation from Georgetown’s MEPI program [Middle East Partnership Initiative] who are coming from all over the Middle East, and in typical KARAMAH fashion, we talked a little bit about our work and then we asked questions of the group. A lot of them had questions about gender equity. And I find it to be so surprising because in my work—and sometimes I have to recognize that I’m in a vacuum and I’m doing work with amazing women—it was all the young women who knew the stories. They were talking about being religious and knowing amazing stories about Muslim women having agency. There are major Muslim women leaders both in our historical traditions and in the modern context. And the young men were just listening to their peers and were wondering how much they really knew about their religion. I think that was very powerful.

So when you talk about women bringing peace and being change-makers, education is that critical component that allows women to have agency. So often that agency is taken away from them, whether it’s because of the public narrative or because of how they are told to be or behave. And in fact, women are shattering that every day, whether it’s in the United States or globally. I think that education is at the root of all of this.

CLAUDIA WINKLER: Okay. I’m just going to check the time here. I see that when we give women agency, we stay on time. [Laughter] We’re very good at that. I will throw one more question out there. Maybe it’s for you, Elizabeth, since you work for the commission. And then we’ll go to the audience’s questions.

To the broader question of the conference, what can the United States do to advance international religious freedom? Why is it in our strategic interest? And what effect—and we’ve talked about this extensively already—could more robust religious freedom, and the better conditions that follow for women, have in our society and on our national interest?

ELIZABETH CASSIDY: Sure. And I’ll try to stay on time. I lived in Switzerland for a few years so you get really good at being on time. [Laughter] This has already been talked about a lot in previous panels, but I think there’s increasing evidence coming out of a lot of work that’s being done, including by Pew and Brian Grim, about how important religious freedom is for stable societies, and that this is not just good because it’s a human right and it’s a value and it makes us feel good, but because societies who protect religious freedom are much more successful, they are much more stable, they are less violent, they have better outcomes for women and girls, health, and all of those important things. So this isn’t only good for those countries individually, but it’s good for the world. In these circles I think this is widely accepted.
But even though this has been talked about for 17 years after the International Religious Freedom Act, I don’t really think that it has been fully incorporated in US policy. I know that there are very good people at the State Department who really believe this and are working very hard on religious freedom and human rights, but there are always all these other competing factors. And so, as someone said earlier this morning, when the rubber meets the road, often what are deemed to be the more strategic interests overtake the others. So I do think there is still work that needs to be done to convince policymakers that this is really in the United States’ strategic interest to do this.

One other thing is clear. Seventeen years after the International Religious Freedom Act, in our annual report last year we did a review of the overall policy, which I urge you all to read. We found some successes. But unfortunately a lot of these successes have been what I talked about before: addressing the symptoms, addressing the individual cases. And these are really important, like getting Meriam Ibrahim and other people out of jail. This is very important human rights work. It makes a difference in people’s lives. But the underlying problems are still there. And those are of course much harder to address. So how does the United States engage with countries to convince them that having these restrictive laws and policies is not in their own interest? That’s what’s really hard.

The other thing that I think becomes clear is that the United States can’t do this alone. You know, we’ve had the International Religious Freedom Act for all these years. There have been some changes in some countries, but still the situation overall is really alarming. And to end on a positive note, one thing that’s happened in the last few years that I think is really reassuring is that the United States isn’t doing this alone anymore. In the past few years we’ve seen other countries make a particular effort to promote religious freedom internationally. The Canadians now have a religious freedom ambassador like the United States does. Some European countries have taken a particular interest in this. The European Parliament has as well.

And also, in the past year or so, there has been an increasing effort to develop international networks. There now is both an inter-parliamentary group—a voluntary group of parliamentarians from all over the world, representing different countries, different regions, different political parties—who have been willing to commit to Article 18 of the Universal Declaration of Human Rights. They engage each other, network, exchange information, and work together on religious freedom issues. There has been a similar effort with governments. There is an inter-governmental coalition that’s been starting to share information, work on combined demarches, things like that. So, I think we’re moving in a good direction, but there’s still a lot of work to do.

CLAUDIA WINKLER: Jackie, did you want to add something?

JACQUELINE RIVERS: Yeah. So I think one of the points that was made on the previous panel is really important, that the people who are working on these issues for the State Department do not have the attitude that religion is—and I will be more blunt than the previous speaker was—an ignorant artifact from our superstitious past, that they do not see religion in that light. I think that’s a very important move. And I think it’s in the strategic interest of the United States for a couple of reasons.

First of all—with my apologies to Engy—radical Islam is proselytizing in the United States through social media. It’s in our interest that we use every tool we can, including religious freedom, to take all of the air we can out of their sails. And because Africa is going to be the center of global Christianity in a couple of decades and that is where much radical Islam is also gaining territory, it seems to me that there is a possibility down the road for a real national security threat to bubble up. Religious freedom, if we advance religious freedom in Africa, is one of the tools to be used against what might become a very ugly situation in Africa with global consequences.

CLAUDIA WINKLER: Thanks to all of the panelists. We’re going to move now to questions. We’ll take three questions and then we’ll answer those.

AUDIENCE MEMBER (Unidentified): Thank you so much. It was very informative. But I think we would be remiss if we don’t mention the issue of Palestine and the fact that the Palestinians don’t have free access to the holy mosques. And actually they have to go through a whole bunch of hoops to get permission and families are not allowed to go together. Husbands and wives are not allowed to go together. Young people are totally barred from making a pilgrimage to the holy mosques. So, I was wondering if USCIRF, for example, did any work on that or if anybody had anything to say about that.

CLAUDIA WINKLER: Okay. Thanks for that question. Next question, please.
SARAH BELL: My name is Sarah Bell. I’m an intern at the American Enterprise Institute. I was wondering about your opinion on the Let Girls Learn initiative. When reading the documents, I think there’s a lot of ambiguous language toward countries where there is a remarkable lack of religious liberty. And so I was wondering if you have opinion on how that language could change and if there is a place for religious liberty in that initiative?

CLAUDIA WINKLER: Could you just give a brief explanation of that initiative?

SARAH BELL: Yeah. It’s basically a funding movement supported by Michelle Obama.

HELEN ALVARÉ: Is it an NGO on its own at this point?

SARAH BELL: No. Well, it’s a combination initiative with the Peace Corps and a few other organizations, but they are funding primary schools and other education opportunities across the world.

CLAUDIA WINKLER: Thanks. And then, over here, Reverend Rivers had a question.

GENE RIVERS: In the interest of women—since Jackie mentioned that they make up the majority of congregations and they finance the churches—how do we discuss, given its impact upon women, the persecution of Christians in Muslim nations? And I know that’s an impolitic question, but how do we begin to have the adult conversation? How do we address that in a real way? We can talk about Israel and the persecution of Palestinians, and we should talk about that. What’s the context for the systemic persecution of Christians in Muslim nations?

CLAUDIA WINKLER: We’ll take one more question.

EDEN SUNG: Hi. I’m Eden Sung. I’m interning with the Ethics & Religious Liberty Commission. The primary reason for opposition to religion is because religions are perceived as oppressive to women in the interpretations of religious texts, which especially influence cultural manifestations. How do you navigate the interpretation of these texts, which delineates certain understandings of gender based on religious values that people are increasingly attributing to antiquated social standards?

CLAUDIA WINKLER: Okay. We have several questions now. Take your pick.

ELIZABETH CASSIDY: I can start with the USCIRF-related questions. Yeah, you’re absolutely right. There are real restrictions on access to religious sites and all of those issues for Palestine that USCIRF has monitored for years. I think you know my colleague, Dwight Bashir. He’s our Middle East person so he’s much more knowledgeable about the specifics of all of those things than I am. But absolutely, there are real concerns about restrictions on access to religious sites.

“I travel all around the world, and when I come to the United States and I see five different kinds of headdresses on a sidewalk in Virginia, I want to cry with happiness because that’s who we are, that’s who we can continue to be.”

Helen Alvaré

I’m not really going to take on any of the more theological questions. I don’t think that’s my role on this panel. But on the persecution of Christians, it’s definitely a real concern and there are places where Christian communities are basically being eradicated from Iraq and Syria, places where they’ve lived for thousands of years, because of groups like ISIL. I think counter-terrorizing a group like ISIL is really going to be hard. Right now, the United States is engaged in military efforts. That obviously has to happen, but it’s not sufficient. I don’t think a group like ISIL can be beaten only militarily. I mean, there’s this ideology that has been talked about in other panels. It’s very appealing to some people for whatever reasons, and so I think there’s a need to counter the ideology, including the people who have being targeted in the United States. And again, there’s this idea that religious freedom is part of this effort if you have a society and a world with religious freedom, which can hopefully marginalize groups like that. But it’s a real concern.

JACQUELINE RIVERS: One of the roots of ISIS is in fact that it’s sectarian rather than religion on religion, but the conflict between the Shi’a and the Sunni had a lot to do with the lack of religious freedom.

ELIZABETH CASSIDY: Exactly. A lack of religious freedom leads to the rise of this group.

AISHA RAHMAN: Actually that was the point that I was just
about to make. I think that, with respect to your question, Reverend Rivers, the time is always. I think that anytime there is persecution of any group, people of faith rise to the occasion of having these conversations. I think oftentimes that doesn’t get as much play, but these sort of interfaith relationships are at work.

With respect to ISIL or ISIS, I don’t have the stats handy, but I know that the death toll amongst Muslims is very high. So they are targeting Muslims. Muslims are dying. And so I don’t really want to think about that particular issue as within Islam and without Islam. I think that ISIS is a concern for all people of faith because it doesn’t have anything to do with faith in fact.

I think again—and I keep beating this dead horse about education—but I think Muslims should be reminded that the Prophet Muhammad, peace be upon him, wrote a letter to Christians at St. Catherine’s Monastery until the end of time, charging Muslims with the fact that we have a duty and obligation to protect Christians, their places of worship, and their clergy. And so, as a person of faith and who ascribes to Islam, I take that mandate very seriously because the prophet actually said, “You will be cursed if you don’t defend the rights of Christians.” The Prophet made this promise to the Christian world until the end of time. And so, I think we need to be reminded of that charge when we talk about interfaith relationships and dialogue.

I don’t know about the Let Girls Learn initiative. Unfortunately, I haven’t read or heard about the movement. I haven’t read the documents. I think that the only thing I’ll say with respect to that is there should be a conversation about access to education. I think that’s where religious freedom comes in, whether it’s in vague terms or with much more with specificity: this idea that women and girls of all religious faith traditions should have access to education and that there are different kinds of education, whether they are secular or religious.

And then, I’d like to respond to the final question. At KARAMAH, because we’re focusing on gender equity issues, we look a lot at interpretations of religious texts. And as I said in my previous comments, I think that there are many interpretations of the Qu’ran. In Arabic it’s called tafsir. There are many tafsir written by women and there is a lot of tradition that talks about how women were narrating the traditions of the prophet and were analyzing religious mandates, traditions, and scripture itself. That again has been shoved aside because of patriarchy.
It's not to say that women are not engaged in interpretation of the text. You can definitely track history of when even Arabic as a language had been slowly eroded in Muslim communities so that people were robbed of the opportunity to be able to read the scripture in its original form and understand it. I think that those stories need to be brought forth, and there are women scholars at KARAMAH who are publishing articles all the time. You can go to our website and read about interpreting text from a gender equitable perspective.

HELEN ALVARÉ: I would offer two quick comments, one on Let Girls Learn. I don't know the curriculum, but I've done some work at the UN since 1994 in the Beijing and Cairo conferences, and then more recently on the Commission on the Status of Women and the Commission on Population and Development. And what you find is that groups that want to take on a particular issue don't want to ruffle the feathers of others. So you'll have certain feminist groups in the United States that will get very crazy upset about something in particular, but if something is going on in another country that’s not in their interest, they’ll just stay silent on it, even though clearly, if they were to be logically consistent, they would speak up.

And in the same way, my work at the UN on the issue of the family is with an array of countries who really do not support religious freedom principles all the time. You’re trying to say, “Let’s make some moves together on the family,” and then maybe another time, “Let’s make some moves together on religious freedom because it serves the family or the family serves religion,” however you do it. But it wouldn't be the first time that a group with a particular agenda said, “Maybe we could do this without ruffling feathers.” But the fact is sometimes you can't move your agenda without engaging these other issues. So when I see someone, like the administration for instance, now trying to promote women without promoting this ethic of sexual integrity and responsibility, I’m saying, “You're not really going to get a lot of women too far if you don’t allow that ethic at least to be spoken.”

On the question of texts, being Roman Catholic, obviously we've been grappling with St. Paul for a while and, you know, there are many ways people approach that, right? Some people say that these are all historically conditioned statements. They say that none of it really means what you think it means. It means everything's cool. That usually doesn't convince many people. But consider the context of St. Paul’s writings and consider that what both he and Jesus said regarding women was actually this tremendous advance for the society of their time—you know, “Husbands, love your wives.” You can't set your wife aside by fiat in a divorce. So to point out the context of when that was said is amazing.

Every once in a while, there are some really great books on that. There's a Yale scholar, Sarah Ruden, who wrote Paul Among The People. There's this incredible history by Kyle Harper of the University of Oklahoma about the sexual transformation between the Roman Empire and the rise of Christianity called From Shame to Sin. The Church was speaking to people who were willing to listen to what the Christian sexual ethic was saying, not just to the low born. They said, “No. High born, you have to follow these rules too.” They didn’t just speak against male-male couples. They said this also applies to female couples. They egalitarianized the whole thing. It was a great accomplishment.

The final thing, though, is that there are some texts, like the one Pope Francis has been dealing with, that say—which Genesis repeats three times—that “the image of God in the world is most glimpsed in humanity through the union of a man and a woman.” You'd think that was not controversial like five minutes ago and now it's very controversial, right? And Pope Francis even said, “I think the way that people are falling away from religion is because they no longer understand marriage. If they don’t understand marriage, they are missing the opportunity to glimpse God, who the scriptures say is revealed in marriage.”

So sometimes there's just going to be text where we do our best job explaining that this is our text. Then my job is always to say, “I think common sense and empirical data can help unpack this and show you why this is actually still the case.” But sometimes you have to grapple with texts that people just don’t like. And then sometimes there are these marvelous treatments that explore the translations and the historical context.

JACQUELINE RIVERS: The one thing I’d add to that is, as Helen says, some of these texts are very difficult for us. But for those of us who are people of faith and the supernatural, the texts require us to believe that there’s a God who transcends our understanding, and some of this we come to understand over time through prayer. Let me point you to Proverbs 31, the end of that beautiful passage on the agency of women, and say something which I know is not very politically correct: The Bible teaches that there are gender roles, and right now a lot of women don’t think there should be any difference between
men and women, that women should do everything that men do. My son teaches in public school here in the District of Columbia. He talks about little nine-year-old girls who fight like boys. That may be a world that some people want to live in, but I don't think that's the world God intended. I think that's actually a very sad world, where women no longer see it as valuable to be different—to be perhaps mediators or peacemakers—but rather believe that a woman should meet the challenge with her fist in the same way that a man would. Forgive me if I'm archaic, traditionalist, and not politically correct, but I think part of the problem is that the women's movement has been far too successful.

We shouldn't be oppressed. We shouldn't be raped. We shouldn't have acids thrown in our faces. The rights of women should be protected and advanced. But that doesn't mean we have to turn into men.

CLAUDIA WINKLER: Alright, we still have five more minutes. Does anybody else have a question in the audience? We've got a microphone right here coming your way.

TOM GETMAN: Thank you. That leads us to a lot of other questions. My name is Tom Getman and I spend one third of my time in Southern Africa. The demographic shift in Christianity has moved to the Southern Hemisphere. In West Africa, there are many women who are performing priestly functions because there aren't any priests. My daughter is an Anglican priest in South Africa and a Ph.D. who studies gender in the church. What's the role, given your perspective, of women in the priesthood? Yes, we have a priesthood of all believers. Is there room for a priesthood of women in the Catholic Church?

JACQUELINE RIVERS: So let me issue a disclaimer: I’m no expert. I struggle with the passages in the Bible that refer to women priests and my position is not popular. I myself believe that I’m called by God to teach, but I don’t think I’m called to be ordained. After reading the passages, putting it in context, taking all the history, I just cannot rise to that. In a situation where there is no one to teach and no one to be a priest, then I think women should play the role if there are no men. But it seems to me that is an aberration; it’s not God’s perfect will for the church and it’s a situation we should seek to address. But I speak just as an ignorant lay woman.

TOM GETMAN: How about in the other religions?

AISHA RAHMAN: I think that was directed to me. [Laughter] I think that what’s happening in the United States is very interesting. My name is Aisha, and I was named after the wife of the Prophet who was the leading scholar of her time amongst men and women. I find incredible strength in the fact that she taught men about their religion. She taught men and women about what the Prophet taught, how he lived, and his legacy. There is ample evidence in Islam for women being teachers and scholars of Islam.

When we look at the role of an imam, especially in the United States, I think it’s a very interesting concept. We don’t have a hierarchy in Islam, and I find incredible value in that because we believe that our relationship with God is direct. It’s not through a person, whether an imam or a scholar, male or female. It doesn’t matter.

My family comes from Pakistan and in my travels there I found that an imam really is just a leader of prayer. My family is from Karachi and so on every street corner you’re going to go to a mosque, and whoever is the most knowledgeable or senior in terms of age is the one who is leading prayer. And it’s a man. I think that is the function of an imam. There is not any other function except they give sermons on Fridays.

We’re seeing in the United States and other parts of the world that there are regularly and routinely educational classes run by women and taught by women, to both men and women. So as I look at it, if there’s this whole movement of women teachers, why should women want to be imams? Imams have their place and women are in other leadership roles. Well, I don’t want to disrespect imams. I think that there is an important role for them. But I think we are putting power in a position that I don’t know was necessarily supposed to be there. And again, there is this idea of one or the other; so imams have power and thus women don’t have power? I just don’t look at the world in those kinds of binaries.

CLAUDIA WINKLER: We’re at the end of our time. Thank you all for coming and please thank our panelists for their excellent thoughts. [Applause]
KEN STARR: “I look to the hills which cometh my help”; Capitoll Hill. [Laughter] Why are you laughing? If you were here for the morning session, you saw time and time again that you look to Capitol Hill. People go running into court. Frequently they don’t like what the courts do, but the good news is that although the Supreme Court has the final word in our constitutional system, there are many people who say, “Well that’s not a very good system.”

The founding generation knew this. Read Federalist 78. So it wasn’t John Marshall making it up in 1803 in Marbury vs. Madison. It was referred to, not emphasized, on the floor in the debate in the Constitutional Convention in Frank Wolf’s native Philadelphia. So that has been our system.

But there come times when the Supreme Court, the Congress, and the president—the three great branches—end up having a dialogue. For the last generation plus, Frank Wolf has been an integral part of that dialogue. How fitting it is that the proposed amendment to the International Religious Freedom Act is known as the “Frank Wolf Amendment.” Frank now holds the Jerry and Susie Wilson Chair in Religious Freedom at Baylor University. Susie and Jerry, would you please stand so we can say thank you for all that you are doing for the cause of religious freedom, so sacrificially and so graciously? [Applause]

When in the 1980s federal courts were telling Christian and other kinds of religious clubs that they could not meet on the same basis as the poetry club or the Spanish club or the chess club, the Supreme Court did not intervene in any of those cases. One of these cases came out of Lubbock, Texas, in the Lubbock Independent School District. The courts were saying that because of the Establishment Clause to the First Amendment, those school groups just had to meet off campus. It was Frank Wolf, among others, who said that really can’t be right. We can’t overrule the courts in a constitutional sense, but we can join the conversation. And Frank helped lead the effort that culminated in the Equal Access Act of 1984, which is still on the books to this day and which guarantees Christian and other religious organizations the same right to meet on public and secondary school campuses as secular organizations.

We referred to the Religious Freedom Restoration Act throughout our proceedings today. Who was one of the key architects of RFRA? Frank Wolf. It was in response to what the Supreme Court had done. Again, we cannot overrule the Supreme Court, but we
can join the conversation and say that we want to restore that vision where the federal courts of the United States can in fact lean into issues of religious liberty and carve out exemptions using federal judicial power. It was a great breakthrough.

And then came the International Religious Freedom Act of 1998. [Gestures to Ambassador David Saperstein] Ambassador, we’re so thankful that you’re here, and thank you for all the work that you engage in day in and day out around the world. [Applause]

You’ve seen the old advertisement: Like a good neighbor, Frank Wolf is there. Please join me in giving a rousing ovation to the person who was willing to go where bullets fly and children die. [Applause]

FRANK WOLF: Many of you might know the words of the song “The Boxer” that Simon and Garfunkel sang in Central Park: “Man hears what he wants to hear and disregards the rest.” There are cries of the persecuted around the world that we are refusing to hear. I stand before you today with a grave and growing sense of urgency regarding the erosion of religious liberty at home and abroad.

All over the world, people of faith are denied the fundamental and inalienable human right to confess and express their faith according to the dictates of their conscience. There has never been a greater need for action on religious freedom than there is now. Right now, there is probably more persecution going on worldwide than any other time in modern history. According to Pew polling data, over 70 percent of the world’s population—5.5 billion people—at this very moment live in a religiously repressive country.

The steady chipping away of religious freedom around the globe is particularly striking given what former US ambassador to the Holy See and Harvard Law professor Mary Ann Glendon recently noted, namely, that “religious liberty has been repeatedly affirmed in international rights documents, and though it is enshrined in constitutions of nearly every country, there are many signs that concrete commitment to its importance is weakening, internationally and domestically.” In fact, Ambassador Glendon went so far as to say that this bedrock first freedom is in danger of becoming a second class right—one that can be trumped by other rights, claims, and interests, saying there is “mounting evidence that less value is being attached to religion and religious freedom in the places where one might have expected it to be more secure—namely, in the minds and hearts of citizens of liberal democracies.”

This is tragic because religious freedom is not only deeply embedded in our own legal tradition reaching all the way back to the Magna Carta, but is also understood as a necessity for human dignity by the international community. Article 18 of the Universal Declaration of Human Rights states explicitly: “Everyone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others, in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.”

“[There has never been a greater need for action on religious freedom than there is now. Right now, there is probably more persecution going on worldwide than any other time in modern history.”

Frank Wolf

But tragically, this not the case for billions of people around the world. The Middle East is aflame with radicalism. Entire swaths of territory are presently controlled by murderous men who have committed unspeakable acts in an attempt to cleanse the region of Christianity and other religious minorities. Probably the most visible example of ongoing persecution are the acts being perpetrated by ISIS.

Back in January, I went to Iraq with a delegation from the 21st Century Wilberforce Initiative. We saw firsthand the desperate situation. We did not use the American embassy, and we were not bound by the State Department’s restrictions prohibiting delegations from spending the night in Iraq. As a result, we had a number of days to get a real feel for the situation on the ground, which obviously is very grim and becoming worse.

The summer of 2014 was marked by the swift and largely unanticipated rise of ISIS. In a matter of days, the Iraqi cities of Mosul and Tikrit fell. Unspeakable brutality followed. A caliphate was declared. Christians were told to leave, and if they stayed, they were forced to convert, pay, or die. Yazidi men were killed and Yazidi women and children were bought, sold, raped, and tortured. Religious freedom suffered a devastating blow.

After a flurry of initial news coverage in August, the story of the men, women, and children whose lives were upended, homes confiscated, and dignity assaulted virtually disappeared from the media and public eye. The August heat—[their enemy during the]
forced march from their homes—faded to a winter cold. Christmas wasn't celebrated in the ancient churches, monasteries, and convents of the Nineveh plains as it had been for millennia. Rather, it was in makeshift camps, abandoned buildings, and unfinished malls that one of the world's oldest Christian communities marked this holy day.

More biblical activity took place in Iraq than in any other country other than Israel. The great patriarch Abraham came from Ur in southern Iraq. Isaac's bride, Rebekah, came from northwest Iraq. Abraham's grandson, Jacob, spent 20 years in Iraq, and his sons, the 12 tribes of Israel, were all born in Iraq. The remarkable spiritual revival portrayed in the book of Jonah occurred in the city of Nineveh—present day Mosul. The burial tombs for Nahum—whose tomb we saw while we were there, just miles from ISIS controlled-territory—Jonah, Daniel, and Ezekiel are all in Iraq. The Apostle Thomas is believed to be the first conveyer of Christianity to Iraq. Many of the Christians in Iraq speak Aramaic, the language of Jesus.

A phrase not often heard outside of the Middle East is, “First the Saturday people, then the Sunday people.” The Jewish community in Iraq numbered 150,000 in 1948; now there are fewer than 10 elderly Jewish individuals living there. The Iraqi Christian community, which numbered 1.5 million in 2003 when the war broke out, is now at 300,000—some say 200,000—and losing roughly 17 families every single day. Many of those who remain have become involuntary nomads in their own land, displaced one, two, or even three times.

One man that I met told me that he tried taking his wife to a hospital in ISIS-controlled Mosul so that she could receive treatment for her breast cancer. When they arrived at the hospital, they were met by an ISIS guard who refused to allow them entrance because they were Christian. They were told that the price for entrance and treatment was conversion to Islam. They refused and returned to their village 16 miles away. Ten days later, she passed away with her husband and her two sons at her bedside. She was 45 years old.

One Yazidi leader with whom we spoke told us that his pregnant sister-in-law was captured but escaped. The stories that they told were unbelievable.

In 1944 a Polish-Jewish lawyer named Raphael Lemkin coined the word “genocide” to describe the Nazi policies aimed at the destruction of European Jews. I believe that what is happening in Iraq right now is genocide. The legal definition according to the United Nations’ Article 2 of the Convention on the Prevention and Punishment of the Crime of Genocide says that genocide is “any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial, or religious group.” This includes “killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group.”

Is this not what we are seeing? In recent weeks ISIS has shown that it is becoming more coordinated in its atrocities against Christians, Yazidis, Turkomans, and other minorities. In 2004 America took a stand on the situation in Sudan. The United States Congress called the crisis in Darfur genocide. The president of the United States, George W. Bush, and the head of the United Nations, Kofi Annan, called it genocide. We know the ideology driving ISIS. We know what their endgame is, and we have seen the coordinated and systematic ways they have gone about implementing it. The question is: Isn’t this genocide?

In just the past few weeks, they have broadcasted the brutal drowning and decapitation of their prisoners. They have strapped men into cars, which they then shot with a rocket-propelled grenade, and even crucified dozens of men and children for not observing the Ramadan fast. If that’s not a coordinated plan of different actions aimed at the annihilation of national groups, I don’t know what is.

2015 marks the one-hundredth anniversary of the Armenian Genocide. Our ambassador to the United Nations, Samantha Power, wrote A Problem from Hell, one of the seminal books on genocide. It is one of the most powerful books that I have ever read. Tragically, a century after the Armenian Genocide claimed over a million lives, the needless slaughter of the innocent is still at work in the Middle East. ISIS continues its systematic destruction of human life. How many more men, women, and children will suffer for their ethnicity and religion before someone, anyone, will call this what it is? If not genocide, what else can this possibly be called? Will the Republican Congress stand up and call this genocide? Will the President call it genocide? Will Ambassador Power? Will anyone?

Iraq is far from the only country plagued by religious persecution. These are perilous times for people of faith around the world. In
China, Catholic bishops sit under house arrest, and Protestant pastors and lay people are in prison for holding services in their homes. In Tibet, Buddhist monasteries are regulated by cadres of police. Simple acts like possessing pictures of the Dalai Lama are forbidden and harshly punished. One hundred thirty to 140 Tibetan monks, nuns, and citizens have poured gasoline on themselves and set themselves on fire in protest of the Chinese government.

And the repression isn’t limited to just religious thought. 2010 Nobel Prize winner Liu Xiaobo is still in prison and his wife remains under house arrest, both victims of a government with one of the worst human rights records in the world.

In Pakistan, Asia Bibi, a Catholic, has been in prison since 2009 for making a public profession of her faith. She was imprisoned for an entire year before being formally charged and tried. In 2010 she was sentenced to death by hanging. She just marked her sixth year in prison. Shahbaz Bhatti, a Christian Pakistani cabinet official who spoke out against the blasphemy laws and in support of Bibi, was assassinated in 2011, gunned down while leaving his mother’s house. The same year, Salman Taseer, the Muslim governor of Punjab, was assassinated by his own security detail for speaking out for Asia Bibi. And these laws are still in place and many are still impacted by them.

In addition, the Ahmadi Muslims have been facing discrimination and violence in Pakistan for decades. They are not allowed to call their places of worship mosques or publicly quote from the Qur’an. Ahmadi homes and businesses exist under the constant threat of intimidation, mob violence, and arson while the Ahmadi people are repeatedly threatened and killed.

In Egypt, the Jewish community numbered 80,000 in 1948, and now only around 20 individuals remain. The ancient community of Coptic Christians numbering 8 to 10 million continues to face persecution and many are leaving in droves for the West. Once again, remember the adage: “First the Saturday people, then the Sunday people.”

Boko Haram, the Nigeria-based Islamist terror group, which has pledged allegiance to ISIS, continues its killing and kidnapping of Christians and Muslims. Who can forget last year’s hashtag #BringBackOurGirls? But few are talking about them anymore. Al-Shabaab, based out of Somalia, was responsible for the recent brutal killing spree at Garissa University in Kenya where 147 people died, and Christian students were specifically targeted.

In Europe and even in America we see growing anti-Semitism. A recent study by the Simon Wiesenthal Center finds an increase of anti-Semitism on college campuses across the United States.
In a separate report from the United States Commission on Civil Rights from 2005, Nathan Sharansky, a champion for human rights in the Soviet Union who spent nearly a decade in prison, called American college campuses “islands of anti-Semitism” where young Jewish students are intimidated into silence and “Israel is epitomized as the epicenter of everything that is hateful in the universe.”

A recent poll found that 54 percent of Jewish American college students witnessed or experienced anti-Semitic incidents last year. These incidents include vandalism, acts of violence, hate speech, and even cases of students being spit upon for supporting the existence of a Jewish state in the Middle East. Meanwhile, Pew polling shows global hostility to Jews at a seven-year high, and yet few speak out about it.

I believe that religious freedom is the human rights issue of our time. There is a problem not only because global persecution flies in the face of moral and natural law, but because religious freedom abroad is directly tied to our national security at home, as well as international stability.

The issue of human rights and religious freedom in our country has always been a bipartisan issue. Some of the great leaders and legislators of the second half of the twentieth century made the promotion and protection of global human rights a bipartisan issue. Men like President Ronald Reagan, former senator Scoop Jackson, and former congressmen Henry Hyde and Tom Lantos all came together to ensure that this cause was not left wanting either in the United States or anywhere else. Sadly, these giants are no longer there and their absence has yet to be filled.

President Reagan fearlessly championed human rights and religious freedom in his dealings with the Soviet Union, making it a central component of US foreign policy. Reagan’s international efforts were buoyed by an engaged and committed domestic constituency, who labored tirelessly and effectively to make the issue of Soviet refuseniks politically potent for Republicans and Democrats alike.

No member of Congress at the time could afford not to know the names of heroes like Andrei Sakharov and Natan Sharansky. In the 1970s and 1980s the Jewish community waged a powerful campaign on behalf of Soviet Jews. They did an outstanding job of sensitizing the nation to the plight of those wanting to emigrate to escape persecution. There was a rally on the National Mall in 1987 that drew hundreds of thousands. Faith leaders raised their voices on behalf of individuals trapped behind the Iron Curtain. Would there be enough interest to hold a rally on this issue, on the Mall today?

President Reagan said the words in the Declaration of Independence and in the Constitution were a covenant we have made not just with those gathered in Philadelphia in 1776 and 1787, when we ratified the Constitution, but with the world—with the student protester in Tiananmen Square in 1989, and with the displaced Iraqi nun in 2015. But that covenant is now being shredded.

Despite an increase in abuse, an increase in killing and an increase in the number of refugees globally, there is no comparable mobilization happening now. On numerous occasions, the administration has gone to great lengths to avoid saying that Christians were targeted for their faith by ISIS. When ISIS kidnapped and beheaded 21 Egyptian men on a beach in Libya, the New York Times, Guardian, and a host of other outlets called them 21 “Coptic Christians.” The administration called them 21 “Egyptians.” After the killings at Garissa University, the administration would only refer to these Christian victims as “Kenyan citizens.”

I remember when members of Congress of both parties and administration officials wore bracelets with the names of dissidents and prisoners as a constant reminder that, while we enjoy our freedom in the United States, many are suffering to attain theirs. Bipartisan congressional visits and delegations used to be opportunities to advocate on behalf of these people, whose lives were improved simply because people wouldn’t stop speaking out. For those forced to flee from abuse and tyranny, our embassies used to be islands of freedom. To get to the American embassy was really a big deal. Sadly, this isn’t the case anymore. Our ambassadors spoke

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Frank Wolf
out repeatedly for human rights and religious freedom, from the gulags of North Korea to the solitary prisons of China, from the sham trials of Iran to the hate-filled textbooks and executions of those who renounce their faith in Saudi Arabia.

Religious believers the world over have historically been able to look to America to be their voice. This can be the case again, but it’s going to take action, not just lip-service. In the short term, there are some immediate steps that can be taken.

The ambassador-at-large for international religious freedom is the senior government official charged with speaking out for those who are facing religious freedom violations on a global scale. Fortunately, the position is now held by Rabbi David Saperstein, who I think does a great job. But, this post remained empty for three of the past six years. To start, we could give his office more staff and resources. Rabbi Saperstein has been involved with this cause for years, and more resources will make a huge difference.

Next, we could hire someone for a job that has been vacant since its creation. Last August, the president signed legislation that created a special envoy post at the State Department dedicated to advocating for religious minorities in the Middle East and strategic countries in South Central Asia like Pakistan and Iran, where 117 Baha’is have been imprisoned for their faith and hardly anyone ever speaks out for them. The bipartisan bill took more than three years to pass, even with a 2013 admission by the State Department that “members of minority religious communities were disproportionately affected by violence and discrimination.” The administration could do a world of good for so many people just by hiring a special envoy. The job should be filled immediately by a qualified individual.

But the United States can also do more than just fill immediate vacancies and improve federal agency policies. Another thing we can do is push for long-term, structural improvements to our religious freedom infrastructure. In 1998, Congress passed the International Religious Freedom Act. A new bill is currently moving through Congress which would give Ambassador-at-Large Saperstein more authority, a bigger budget, a larger staff, and funds for religious freedom programs, and it would make the ambassador a principal advisor to the Secretary of State.

It would also require religious freedom training at the Foreign Service Institute. Just a few months ago, the Brookings Institution released a report calling for increased “religious literacy” training for diplomats in order to address what it calls a “secular bias” in Western diplomacy. Many of our representatives to these parts of the world lack the training necessary for an understanding of the complex faith dynamics that dominate the countries in which they serve. If our ambassadors are marginalized and underfunded, if our diplomats cannot speak the same cultural language as their counterparts, if we are structurally unprepared to address religious freedom on a diplomatic level, then how can we expect them to do their jobs properly in countries where politics, culture, and economics are all bound up with faith?

The bill also requires that the State Department create a tier system for religious freedom that mirrors the kind used for human trafficking, offers new sanctions mechanisms for repressive governments, a more flexible response to violent non-state actors such as ISIS or Boko Haram, as well as mandates the creation of lists of prisoners detained for religious belief and expression. We could start visiting prisoners again. It used to be that congressmen and administration officials would take these lists when they went overseas in order to advocate on behalf of prisoners of conscience.

We could also do as we did with those involved with the Nazi party and deport people who have been involved with atrocities. There are a significant number of people that we are allowing to live here who have taken part in human rights violations. We should not harbor these people or allow visits of any kind, such as coming to receive medical care or coming to the West for education. No one who has been involved in persecution and atrocities should be able to come and live here and take advantage of our freedoms. We could also impose stronger sanctions on the governments committing these abuses.

This also has to be addressed outside of just the political sphere. There are prisoners and asylum seekers all over the world who desperately need the help of professional legal knowledge. The American Bar Association could assist and train lawyers who are working on these kinds of cases. There has been a recent crackdown on human rights lawyers in China. More than 100 have been detained, arrested, interrogated, and disappeared. Even something as simple as adopting a prisoner of conscience policy and writing letters can save someone’s life by sending the signal to their government that the rest of the world is watching. We as private citizens, business owners, and community leaders can work with organizations and groups that take a stand for the persecuted of all faiths.

By taking these steps and consistently raising it with our elected leaders, we can and should make the subject of human rights and religious freedom a major issue in the 2016 elections. No one running for the House, Senate, or presidency should be able to run without understanding these issues. What we don’t want to do
is willingly turn a blind eye. When then-secretary of state Hilary Clinton visited China in 2009, she told reporters that human rights issues “can’t interfere” with our economic relationship there. Can we really adopt that mindset? Words have the power to inspire or deflate the human spirit. Imagine how the Chinese dissident, still in prison for protesting at Tiananmen Square, felt when he heard Mrs. Clinton’s statement, compared to Natan Sharansky when he heard Ronald Reagan call the Soviet Union the “evil empire” as he was locked up in Perm Camp 35. We ought to demand a president and a Congress capable and willing to address this issue head-on.

In closing, Martin Luther King Junior famously said, “In the end, we will remember not the words of our enemies, but the silence of our friends.” German Lutheran Pastor and anti-Nazi dissident Dietrich Bonhoeffer said, “Silence in the face of evil is evil itself. Not to speak is to speak. Not to act is to act.” We have to commit that we will speak and we will act. [Applause]

**MARK SCHICKMAN:** Wow. Thank you, Congressman. My name is Mark Schickman, and I am the chair of the American Bar Association Section of Individual Rights and Responsibilities. Issues of diversity, protection of minorities, protection of racial minorities, protection of women’s rights, protection of gay and lesbian rights—all of these are integrated deeply in the agenda of the ABA, and the Section of Individual Rights is the leader in those constitutional protections. It was odd to me that the ABA had no section or committee that directly dealt with protecting the rights of religious minorities. And as was pointed out by Congressman Wolf, sometimes we give second shift to this area.

I’m a child of Holocaust survivors, and so the issue of treatment of religious minorities is never far below the surface for me. And so, during this past year we created a committee on religious liberties in order to try to protect the rights of religious minorities.

I really want to thank Baylor and Georgetown for partnering in this tremendous effort, and thanks to our inaugural committee chairs, Engy Abdelkader and Richard Foltin, who led this effort. Thanks to our staff for doing it. It’s a critically important area.

There’s good news in the United States that religious minority protection is one of our core, founding principles in our DNA, and we’ve been spared the millennia of European religious strife. The congressman just mentioned the Magna Carta in 1215. It was passed in England and issued in 1215. In 1218, Jews in England had to wear badges showing their religion, and in 1230 restrictive legislation against Jews was put forward. In 1290 Jews were expelled from England, all in the century of the Magna Carta.

By the way, at the same time and for the first thousand years of Islam, the governments in which Jews could survive and thrive were Islamic governments. And at the same time the Jews were being expelled from England, they were in the court of Spain when it was controlled by an Islamic leadership, and that didn’t change until the Christians took over Spain and the Inquisition occurred. So I think that degree of perspective is important to put forward, which we in the United States really don’t appreciate.

The Anti-Defamation League just put forward a survey that noted that 24 percent of the population in Western Europe has a broad swath of anti-Semitic attitudes. That number is 34 percent in Eastern Europe. In France it’s 37 percent, and the French Jewish community says that these days that’s pretty good; at least it’s not a majority. In the United States, that number is 9 percent. On the one hand, it’s great it’s so much lower than the rest of the world, but to me it’s sobering that 9 percent of the American population, even without this history of religious strife, harbors these beliefs.

You have heard about the Pew report that identified the tremendous anti-Muslim feeling. Notably, that anti-Muslim feeling is greatest among people who have never met a Muslim and have never dealt with a Muslim, and that number is far lower with people who have met a Muslim. Anti-Muslim discrimination accounts for the highest growing rate of employment discrimination charges at the Equal Employment Opportunity Commission. So in a crisis, we’re concerned that that small percentage grows by opportunistic means. When we are threatened by violence, there is an irrational, opportunistic hatred that comes up against Muslims because of our fear of violence. Economic fears create the same irrational fears against Jews. Witness the fact that in Greece today, 85 percent of the respondents say Jews have too much control in terms of banks and the economic system. Those kinds of fears fan those kinds of attitudes.

I’m so proud that when I’m in the District of Columbia I can go to the Jefferson Memorial, where one of my favorite phrases is [sic] “Almighty God has made the mind free. No one shall suffer on account of religious opinions or beliefs but shall be free to profess and maintain their opinions in matters of religion.” It is so self-evident that should be the case. That should be the rule. And I’m so grateful to be able to join Baylor and Georgetown in this event.
I’d like to leave you with one thought. When I first went to Columbia University, I met Rabbi Abraham Joshua Heschel. I didn’t get to know him well enough, but he was somebody who exuded tolerance and faith. And there was a quote of his that says something like this: “When faith and lack of mercy enter a union, bigotry is born, the presumption that my faith is pure and holy while the faith of those who differ even in my own community is impure and unholy.”

The Talmud had a different way of saying it, which is that your belief and my belief are both the words of the living God, and I hope that all of us can work together to get that message across as really the cornerstone to the kind of religious liberty that we all are here to discuss, to celebrate, and to put into motion. Thank you very much for allowing us to join with you. [Applause]

TIMOTHY SHAH: Well, I’m the last person you’ll be hearing from today and I’ll be very brief. I just want to do two things: First, to thank you, all of you, including our particular special collaborators and partners who made this day possible. Many of you were here for a very long time today. You’ve heard a great deal. Thank you for joining us in what was an extraordinary, wide-ranging, rich conversation. Thanks to all the outstanding panelists and experts that we heard from today.

I want to particularly thank our strategic partner, Baylor University, represented wonderfully today by Judge Ken Starr, president and chancellor of Baylor University, and Alice Starr. It was wonderful to see you and have you with us today, Alice. And of course, thank you Byron Johnson, the director of the Institute for Studies of Religion. We are deeply grateful for all that our partnership entails: the friendship and the deep collaboration which will continue into the future. We’re also enormously grateful for the partnership that this day represents with the American Bar Association. We were able to accomplish something today that we couldn’t have done on our own. We’re very grateful to Mark Schickman, Engy Abdelkader, and Richard Foltin of the ABA Section of Individual Rights and Responsibilities. We accomplished something extraordinary today in bringing together a broad group, a coalition of people from very different perspectives, to advance a common cause. We can only hope that this kind of coalition will grow. We know that we need it.

Let me also charge you not to forget what you’ve heard today. The issues that we have discussed today were not just issues. They’re not just ideas. We’ve heard about the suffering of real flesh-and-blood human beings—people of every faith, people from all over the world. We’ve heard about the repression of Muslims in Xinxiang Province, people who have not been able to practice their faith or even respect and honor the holy fasting period of Ramadan. We’ve heard about the repression of Muslims by the Buddhist majority in Myanmar. We’ve heard about the horrible choice that Muslim girls in countries like Belgium and France are facing between respecting their faith and being able to go to school. We’ve heard about terrible atrocities against the Yazidis and other religious minorities in Iraq. We’ve heard about genocidal violence in Syria. We’ve heard about rising intolerance and violent attacks on historic Jewish communities in Europe. We’ve heard about restrictions on ritual slaughter practices that are extremely sacred and important to the religious identities of religious communities in several European countries. We have also heard about so many more instances of basic injustice that people around the world are suffering because of their faith.

But there are so many more issues we have not talked about today, so many more communities, so many more believers and unbelievers around the world who are suffering horrible forms of injustice and assaults on their human dignity. Let’s not forget these people. Let’s leave here continuing to think about what we can do, how we can help, and how we can work together to advance the cause of justice in the world.

Please do continue to join us. Be a part of the programs that we will continue to have in the coming months. We are very grateful that you’re part of what we are doing and we do ask that you please don’t forget what you’ve heard today. Let’s all do what we can to advance the cause of religious freedom for all people all over the world. Thank you. Good afternoon.