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FAITH, FREEDOM, AND FOREIGN POLICY: RECOMMENDATIONS FOR THE NEXT PRESIDENT

JOHN GALLAGHER on American leadership amidst complexity and crisis
CHRIS SEIPLE on the Middle East
TURAN KAYAOĞLU on Turkey
LISA CURTIS on Pakistan
CHAD M. BAUMAN on India
CHRISTOPHER MARSH and KARRIE J. KOESEL on Russia
MARTHA BRILL OLCOTT on Central Asia
ROBERT W. HEFNER on Indonesia
SUSAN HAYWARD and MATTHEW J. WALTON on Myanmar
NEIL DEVOTTA on Sri Lanka
HIEN VU, STEPHEN BAILEY, and JAMES CHEN on Vietnam and Laos
ROBERT A. DOWD on sub-Saharan Africa

plus
Essays by Farahnaz Ispahani, Robert Joustra, and Judd Birdsall
The Review in review...

*The Review of Faith & International Affairs* is an extraordinary journal for scholars and practitioners who deal with the role of religion in international politics.

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**Mark Silk**

*Leonard Greenberg Center for the Study of Religion in Public Life*
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INTRODUCTION: AMERICAN LEADERSHIP AMIDST COMPLEXITY AND CRISIS

By John Gallagher

Ultimately, global leadership requires us to see the world as it is, with all its danger and uncertainty, but it also requires us to see the world as it should be ... where the truths written into our founding documents can steer the currents of history in the direction of justice. (Barack Obama, 2014, West Point)

Our nation’s cause has always been ... a peace that favors human liberty ... and we will extend the peace by encouraging free and open societies on every continent ... When it comes to the common rights and needs of men and women, there is no clash of civilizations. (George W. Bush, 2002, West Point)

The US remains the nation the world turns to for leadership—to help make sense of crises, to strengthen alliances, and to serve as an architect for the way ahead in times of uncertainty. America seeks to bolster international order by assuring allies and deterring enemies through the application of its instruments of national power from diplomacy, military operations, and economic policy to humanitarian aid and development. However, America’s level of engagement and expenditure in the world spanning the last two Administrations has proven unsustainable.

From a security standpoint, during just the past decade, the US has conducted combat operations coupled with a “surge” of tens of thousands of US troops in both Iraq and Afghanistan, invested tens of billions of dollars to build partner capacity of several host-nation militaries, announced a rebalance to the Asia-Pacific, and simultaneously reacted to the many challenges and opportunities of the “Arab Spring”—most notably the now global crisis emanating from Iraq and Syria. Combined with renewed competition from a revanchist Russia in Ukraine and elsewhere, increasing tensions with China in the South China Sea, and rampant cyber warfare, the US has little or no margin for error.

During this same period, the US has undergone a historic fiscal correction reflected in the 2008 financial crisis, the 2011 Budget

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Control Act, and enactment of Sequestration in March 2013. This downward pressure on the “means” of the ends-ways-and-means of strategy has made it harder for the US to proactively engage and diffuse crises before they occur, and to lead burden-sharing coalitions that do not recede as crises endure. Intended outcomes have been far more limited and much less durable than America’s robust efforts would suggest. Yet, amidst widespread global uncertainty and change, a strategic and moral imperative to lead remains.

Predictably, every National Security Strategy (NSS) from George W. Bush’s first in 2002 to Barack Obama’s last in 2015 asserts the importance of US leadership in the world:

- “These complex times have made clear the power and centrality of America’s indispensable leadership … ” (2015 NSS)
- “International order [is] advanced by U.S. leadership that promotes peace, security, and opportunity … ” (2010 NSS)
- “America cannot know peace, security, and prosperity by retreating from the world. America must lead by deed as well as by example.” (2006 NSS)
- “The United States possesses unprecedented—and unequaled—strength and influence in the world [which] comes with unparalleled responsibilities … ” (2002 NSS)

The similarity in these excerpts seems to suggest there is continuity between Administrations regarding the US role in the world, which might therefore provide a sense of predictability for both allies and adversaries, regardless of who wins the White House.

In reality, as Stephen Sestanovich argues in Maximalist: America in the World from Truman to Obama, American engagement with the world tends to fluctuate between two types of Presidential leadership, maximalism and retrenchment. Sestanovich states (2014, 9):

Strategies of maximalism and retrenchment bear an obvious cyclical relationship to each other. Again and again, one has provided a corrective to the other’s mistakes. When the maximalist overreaches, the retrencher comes in to pick up the pieces. Then when retrenchment fails to rebuild American power, meet new challenges, or compete effectively, the maximalist reappears, ready with ambitious formulas for doing so.

He rates Truman, Kennedy, and Reagan as maximalists, whereas Eisenhower, Nixon, and Carter are retrenchers. Bush 41 is, of course, a maximalist; Obama, a retrencher. While such characterizations cannot fully capture the complexity of presidential leadership, they do provide an interesting backdrop to this election year—when candidates’ “correctives” and “ambitious formulas” are mostly rhetoric, with real plans and policy undecided and untested.

Beyond this cyclical dimension of US leadership in the world, America has lost some clarity and therefore confidence in making sense of crises and setting a course for the way ahead. One very understandable reason for this, as noted, is the sheer number of crises globally. Partial, predatory governance is the norm in many regions, where citizens excluded from these partial social contracts become increasingly marginalized and persecuted, ultimately leading to instability. Another reason is the sheer complexity of crises today. Not only do they tend to be non-linear—where inputs do not yield intended outputs along anything resembling a straight, causal line—but one might even consider them to be kaleidoscopic in nature, where well-intended inputs often yield effects so unexpected that they are counterproductive (see Simpson 2012).

For example, despite massive financial, human, and political investment over 15 years, the US has achieved few lasting gains against the now-globalized threat from violent Islamist extremists. Analysts and policy-makers from both sides of the political aisle projected such groups would recede over time as their “bankrupt” ideology was rejected globally. Yet, the number of terror groups, geography and resources they control, resonance of their worldview, foreign supporters, and virtual followers have all increased. International agreements and counterterrorism efforts
integrating nations and multilateral institutions (including the UN and NATO) have had an insufficient impact on the growth of active groups and the associated death toll. In short, long-standing efforts to “disrupt and dismantle” terror networks have tended to overlook the importance of engaging and adroitly enabling the constructive religious actors and ideas uniquely suited to delegitimize and ultimately defeat them.

This special issue of The Review of Faith & International Affairs seeks to add to the candidates’ and ultimately the next President’s perspectives on some of the most complex global contexts that demand holistic, strategic approaches. The articles that follow demonstrate—and wrestle with—the interdependence of good governance, reconciliation, and stability anchored on religious freedom, rule of law, and equal citizenship in society. More broadly, this volume addresses the question relevant to all governments that seek to lead in a way that is legitimate and leaves a worthy legacy: How does a government provide security, justice, and human flourishing while allowing—even enabling—all of its citizens to fully embody their religious and cultural identities, and in doing so to contribute to society’s best present and future?

At a minimum, the answer requires governments and civil society to establish common cause across what might otherwise be divisive boundaries. It requires engagement between people of different ethnic backgrounds, nationalities, genders, and, in particular, different faiths—recognizing the transformative potential when the state recognizes its legitimacy extends from the natural rights of individuals-as-citizens. As Harvard’s Michael Sandel (1998, 66) states, what makes a religious belief worthy of respect is not its mode of acquisition—whether by choice, revelation, persuasion, or habituation—but its place in a good life, or from a political point of view, its tendency to promote the habits of and dispositions that make good citizens.

In 2000, with keen awareness of emerging global challenges, Ambassador Robert Seiple and Margaret Ann Seiple founded the Institute for Global Engagement, publisher of this journal. In his book Ambassadors of Hope, Ambassador Seiple (2004, 1) wrote, “we have entered a new global era … one in which international conflicts and problems have ongoing repercussions at home and around the world.” And in 2002, only months after the attacks of 9/11, a group of 60 prominent US scholars and ethicists (including my own advisor at The University of Chicago, the late Jean Bethke Elshtain) published an open letter titled What We’re Fighting For, which affirmed “Five fundamental truths that pertain to all people without distinction”:

- All human beings are born free and equal in dignity and rights.
- The basic subject of society is the human person, and the legitimate role of government is to protect and help to foster the conditions for human flourishing.
- Human beings naturally desire to seek the truth about life’s purpose and ultimate ends.
- Freedom of conscience and religious freedom are inviolable rights of the human person.
- Killing in the name of God is contrary to faith in God and is the greatest betrayal of the universality of religious faith.

(Signatories 2002)

Even a cursory glance at the current global environment reveals the prescience of these ideas from nearly 15 years ago. Poor governance that isolates and persecutes some of its citizens, failing to treat them as “equal in dignity and rights” has consequences, and can create conditions conducive to anti-government—even anti-civilization—groups that kill in the name of God. The information revolution and subsequent diffusion of power away from states has given such groups unprecedented capacity for information-sharing, mobility within and across borders, transnational sources of funding, and the ability to weave local, regional, and global events into their ideological narratives nearly instantly. Such instability is not easily contained.

Whether through the current refugee crisis in the Middle East, the “migrant crisis” beyond the
region, or terrorist attacks in Paris, San Bernardino, and Brussels, the impact is increasingly global in scope. Regional powers as well as great powers outside the region are drawn toward the crisis on different sides, stoking existing rivalries and bringing them all closer to missteps or provocations that can lead to conventional conflict. In the millions displaced, hundreds of thousands killed and held captive for their beliefs and/or gender, and even more living in fear and want as the result of extremist violence, we are indeed seeing “ongoing repercussions at home and abroad.” These issues demand enlightened leadership and America’s engagement, as fundamental questions of human identity and worth are at stake.

Recent bi-partisan legislation (House Resolution 75, passed 393–0) denouncing violence against Christians, Yezidis, and other religious minorities in Iraq and Syria as “genocide” is a start. Additionally, I was privileged to attend the Marrakesh Declaration in Morocco in January, which brought together 250 religious leaders from Muslim communities around the world as well as 70 other experts and leaders to advance a “framework for the protection of minority rights” in Muslim-majority territories. This, too, is a good start. However, addressing such complex problems—particularly those with a prominent religious dimension—demands integration across government and civil society, domestic and international stakeholders, hard and soft power, as well as between religious affairs, secular political processes, and even technology platforms. Too often, these efforts remain segregated.

The January 2016 House Armed Services Committee testimony of Michael Morell (former acting director of the CIA), Michael Vickers (former Defense Undersecretary for Intelligence), and Robert Ford (former US Ambassador to Syria) is an example of the segregation that can persist between the policy sector and religious actors and institutions, despite shared interests. The hearing was titled “Combating ISIS,” and although the witnesses represented the US intelligence and diplomatic communities, much of the dialogue was about solutions that go far beyond surveillance or drones. The experts referred repeatedly to the importance of countering the “idea” of ISIS, through reconciliation, in a sectarian and cultural context. Ford argued:

[T]o contain the Islamic State, there must be efforts at national reconciliation … This is important because we don’t want the Islamic State to be put down militarily and then revive, as happened between 2011 and 2013. I really don’t want to see an Islamic State, version 2.0.

Despite the more holistic approach espoused by these security and policy experts, I am not aware of anyone from the hard-power sector who was present for the Marrakesh Declaration, for example, if only to observe and learn from the proceedings. Similarly, the countless security and policy dialogues taking place in agencies and think tanks all over Washington (and beyond) typically do not include the kind of religious leaders and cultural experts invited to Marrakesh. This lack of integration across sectors threatens to delay or even prevent durable progress on an urgent issue that is gradually destabilizing the globe.

Of course, problems related to governance, citizenship, and security abound beyond the Middle East and North Africa. In this special issue, whereas Chris Seiple addresses key issues of US engagement in the Middle East, Farahnaz Ispahani highlights women’s rights and extremism, and Turan Kayaoğlu addresses Turkish governance and rights issues, our other expert contributors offer a diverse look at top priorities around the world, including Pakistan, Sri Lanka, India, Indonesia, sub-Saharan Africa, Central Asia, Southeast Asia (Vietnam, Myanmar, and Laos), and Russia. Inevitably, the next US President will be presented with myriad challenges and opportunities in all of these nations and corresponding regions. America’s ability to lead will depend in no small part on our ability to understand and engage the critical factors of identity and religion in the process.

On this point, there is progress. In July 2013, the National Security Council issued the U.S. National Strategy for Religious Leader and Faith
Community Engagement. The strategy outlines the importance of religious leader engagement in American efforts abroad to counter extremism, provide humanitarian assistance, and protect the human rights of all marginalized and persecuted groups. Further, in February 2014, the White House held a Summit on Countering Violent Extremism that has since spawned a regional program housed at the State Department, executing similar summits in key regions around the world. In addition, as Judd Birdsall notes in this issue, the State Department has established both the Office of Religion and Global Affairs (which, in the past year alone, has grown from only two to nearly 30 people) and the position of Special Advisor for Religious Minorities in the Office of International Religious Freedom. Moreover, the debate lingering in the US interagency for the past several years over whether “religion matters” has given way to more productive discussions of how to best engage the religious dimension of policy, security, development, and diplomacy—to do good not harm, to know the appropriate limits of such engagement, and to even know when a problem with a religious dimension should not be viewed primarily through a religious lens.

Overall, sustainable US leadership requires the next President to undertake a careful review of how the US prioritizes its interests, partners with traditional and non-traditional allies, and postures its diplomatic, defense, and development capabilities around the world. Scarce resources and overlapping sources of instability worldwide make informed, holistic US leadership arguably more important than ever. While the level of US engagement globally may fluctuate cyclically between Administrations, the next President has both an opportunity and obligation to build on the hard lessons of the past 15 years.

As the 2006 NSS notes,

> The United States supports those who seek to exercise universal rights around the world … recognizing that different cultures and traditions give life to these values in distinct ways. America’s influence comes not from perfection, but from our striving to overcome our imperfections … [which] is what makes the American story inspiring.

While uncertainty and turbulence in the global environment is a cause for concern, American leadership amidst complexity and crisis—at the nexus of faith and international affairs—can be a source of hope.

Notes
5. This journal previously published a special “Recommendations for the Next President” during the 2008 election cycle—see http://www.tandfonline.com/toc/rfia20/6/3.

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Paradoxically, the 2016 US presidential election has thus far featured frequent affirmations of the importance of foreign policy, yet also an inability of most candidates and pundits to talk about foreign policy meaningfully. Especially with respect to the Middle East, the discourse has consisted largely of rather simple statements about how the next president might use (or not use) the American military in reaction to ISIS. But more drone strikes to kill terrorists, or more US troops to stop ISIS, are not strategies, they are tactics—tactics that are counterproductive if they are not part of a broader vision and strategy, globally and regionally.

With this understanding, and advised by traditional and non-traditional experts, the next president should focus on the “mega-crisis” in Iraq–Syria through a process that, at every opportunity, explicitly and implicitly affirms and builds the capacity for people to live with their deepest political and theological differences. Put differently, never has a nuanced approach to integrating religious freedom been more needed in American foreign policy.

In particular, the president should seek a “buffer zone area” that balances and buttresses the confluence of competing interests. The president should:

- Convene an ongoing summit that reconsiders the international boundaries of, at a minimum, Iraq–Syria;
- Invest personally in the Syrian Peace Process; and,
- Encourage the establishment of a new regional security structure, which would include a “Marshall Center” for teaching governance and citizenship (rooted in religious freedom’s requirement to live with and respect our deepest differences) to governmental and grassroots leaders alike, including faith communities and businesses.

Given that these goals are quite big, and (perhaps) long-term, the president, in consultation with friends and allies, should in the near term also take the strategically significant but small step of creating a safe haven on the Nineveh Plain. Such a step would allow for a slower pace for the above actions, while helping to: protect those who have fled ISIS; stem the refugee flow to Turkey and Europe; delegitimize ISIS; demonstrate the mutual respect and mutual reliance required of good governance and citizenship; and, routinize working relationships.

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that could contribute to a new regional security structure.

Finally, the above should be rooted in a Sunni-led defeat—militarily and theologically—of ISIS, followed by a Sunni-led and Sunni-funded (with international support) “Marshall Plan” for the region.

The Current Situation in the Middle East

In 2008, I wrote a similar piece for these pages, titled, “Seizing the Middle East Moment.” I argued then that the next president should take a more integrated strategy to the region, rooted in robust religious freedom and public diplomacy per the interrelated foreign policy issues presented by Iran, Israel, and Iraq (Seiple 2008). Eight things have changed in the eight years since then.

First, President Obama came to office with a well-intentioned desire to see US foreign policy less dominated by the Middle East, and less responsible for the region (coupled with a desire to give additional attention to Asia). Having run against the record of President George W. Bush, the president who started wars, President Obama was going to be the president who ended wars (Goldberg 2016).

Second, it turns out that the only thing worse than going to war without a strategy is leaving a war without a strategy (Seiple 2003a; 2003b). In 2011, President Obama withdrew all US troops from an Iraq that he described as “sovereign, stable, and self-reliant.” But then he also turned a blind eye to the persecution and torture of Sunnis by Prime Minister Maliki’s Shia-dominated government. By 2014, aggrieved Sunnis were ready to fight back and began joining what President Obama would call the “junior varsity,” the Islamic State (Charen 2015).

Third, President Obama singularly pursued a nuclear deal with Iran with multifold effect. In a region where everything is interrelated, President Obama insisted on singularly addressing the nuclear issue, refusing to link it to any other issue. For example, Obama did not make as a precondition for talks the cessation of state-sponsored terrorism by Iran, or the release of innocent American hostages. Nor did he link the negotiations to Iran’s development of ballistic missiles. By choosing this singular approach, he clearly signaled to the region’s Sunnis that he was seeking to elevate Shia Iran into a regional balance of power with Sunni Saudi Arabia (presumably to make less work for US leadership) (Badran 2016; Goldberg 2016).

With the completion of the nuclear deal, sanctions on Iran were lifted: enabling Iran to begin integrating into the global economy (helping millions of innocent Iranians who do not support their government), yet also making available billions of frozen Iranian assets to support Iran’s terrorism (which President Obama freely admitted) (Walsh 2015). Throughout the nuclear deal negotiations, Iran continued to build its infrastructure of influence in Iraq and Syria, ensuring it had a pipeline to Hezbollah in Southern Lebanon, while testing ballistic missiles intended to intimidate Israel (The Independent 2016).

What I warned of in 2008, now exists: “Of course, if the situation gets worse, and an ascendant, perhaps nuclear Iran dominates a weak Iraq, it would put Iran right on everyone’s doorstep creating more tension and trouble than current regional security structures can handle” (Seiple 2008, 54). The result, when combined with Syria, is the emergence of an Iran-Baghdad-Assad-Hezbollah-Russia axis that views itself as fighting Sunni terrorists. Meanwhile, Saudi Arabia, Egypt, Jordan, and Israel are drawing strategically closer (Sharkansky 2015).

Fourth, when the “Arab Spring” came, the Obama administration managed to mostly get it backwards in each context. When the Syria revolution began in 2011, the president failed to demonstrate any kind of support for those who took to the streets (Goldberg 2014); echoing his 2009 non-response to the Green Revolution in Tehran (The Washington Post 2010).

And, no matter one’s opinion about whether Obama should have issued a “red line” regarding the 2013 use of chemical weapons by President Assad in Syria, that President Obama did not keep his public word, deeply damaged the integrity of American foreign policy. Related, it is
now conventional wisdom that not only has Russia stepped into the American-made vacuum, but that the US is choosing to defer to Russia (Cohen 2016).

When there seemed to be the threat of genocide in Libya before the death of Gaddafi, the US led a coalition “from behind,” which de facto ensured that there was no practical follow-up (Lizza 2011). Today Libya is lawless and home to some 5,000 ISIS fighters (Banchiri 2016). And in Egypt, the Americans managed to alienate both the regime and the people in the streets during the July 3, 2013 coup (Kirkpatrick, Baker, and Gordon 2013).

Fifth, with the exception of Tunisia, the counter-revolution is firmly entrenched throughout the Middle East and North Africa. There is no place for non-violent Islamists in the public square, returning the region to the status quo ante and the vicious cycle of Arab authoritarian repression followed by terrorist attacks. ISIS and Sisi, it is said, are the same thing spelled backwards: they are from different ends of the political spectrum but they need and feed off of each other, validating their own existence, and thus their own increased violence against one another.4

Sixth, while it is true that the issue of an Islam-based terrorism has generally been a Sunni Arab problem—that is, al Qaeda, ISIS, et al., are Sunni originated and funded efforts—it is also true that Sunni Arabs are much less likely to trust the Americans today than they were eight years ago. In “Suni eyes”—that is, from the perspective of Sunnis living in Syria and Iraq, as well as the Gulf states and Saudi Arabia—it appears that the Obama administration has done everything possible to encourage Iran, from the nuclear deal to taking a back-seat to Russia–Iran regarding the peace negotiations in Syria. And thus it is natural for “Sunnis” to consider ISIS as a buffer against Iranian influence (Schmidt and Cooper 2016).

Seventh, there are new players. Foremost is Russia, which has taken advantage of the vacuum of international leadership, unilaterally deploying (and then removing some of) its forces to strengthen the Assad regime. The result has been to guarantee a port for Soviet ships in Latakia, while positioning Assad as an advance redoubt of the Russian homeland against terrorists. The move also strengthens President Putin at home as he demonstrates that Russia is indeed a great power—and, by comparison, that America is not so great—while also positioning himself, per the czars of old, as the defender of Christians (e.g. most of the Christians left in Syria are under Assad’s protection, as the other choice was ISIS). The combined result creates more negotiation chips for Putin in the international poker game for the future of Syria and Iraq, as well as Ukraine (Feldman 2015; Reynolds 2016).

China is also now a factor. It does not yet signal military involvement or even political involvement. But its economic power is undeniable. It will not seek “sides” anytime soon—but it will have to engage, perhaps sooner than it would like regarding counter-terrorism (CT) efforts. Most interesting will be whether or not China decides it needs a form of soft power to engage the region (e.g. helping with refugees, internally displaced people, etc.).

NATO ally Turkey remains the literal linchpin to all of the above issues. It has been tremendous in receiving over two million refugees. But it remains unclear what role Turkey will play, given its consistent inconsistency in trying to have it both ways on various issues. It was for Assad before it was against him. It let foreign fighters into Syria (to fight with ISIS) before it said it stopped their transit. It allowed the Kurdish party to participate in domestic elections before not helping Kurds in Syria (e.g. Kobane). It says it is against ISIS, but has allowed ISIS to sell its oil (Tastekin 2014). It was for the free press before it was against it (Meral 2016).

Eighth, at least in my own eight visits to the region from October 2014 to March 2016, the Israel–Palestine conflict is no longer the primary narrative through which Sunni Arab Muslims understand themselves. Rather, the twin crises of Iran and ISIS are what now dominate discussion, with the latter viewed by some as a buffer against the former. Meanwhile, everyone knows Israel’s redlines. There is no doubt that Israel will take action if its redlines are crossed.
Elements of a Grand Strategy for the Middle East

On May 16, 2016, the Iraq–Syria area marked the 100th anniversary of the Sykes-Picot agreement: a secret agreement between the French and the British about how to divide up the Levant (with imperial Russian assent, although the Bolsheviks would later make the treaty public.) Today the treaty is short-hand for colonial (great) powers drawing boundaries without the consent of the peoples who lived there.

It is also a reminder that since the end of World War I and the Ottoman Empire, there have been too few examples of effective governance in the Muslim-majority countries of the Middle East. This lack of governance—from providing public services to treating minorities with equal respect—has contributed directly to the rise of a terrorism that is motivated by its own manipulated understanding of Islam, while simultaneously using the injustice of the authoritarian-apostate regimes to its advantage.

No one cared in the West. As long as the region was stable—thereby allowing the oil to flow out of it—Western powers didn’t care who governed, or how. It was only natural that some people in these countries turned to violence against the “near enemy” (Arab authoritarianism), as well as the “far enemy” (those Western countries that supported these Arab dictators, particularly the United States).\

U.S. Secretary of State Condoleezza Rice said as much in 2005:

> For 60 years, the United States pursued stability at the expense of democracy in the Middle East—and we achieved neither. Now, we are taking a different course. We are supporting the democratic aspirations of all people. As President Bush said in his Second Inaugural Address: “America will not impose our style of government on the unwilling. Our goal instead is to help others find their own voice, attain their own freedom, and make their own way.” (Rice 2005)

While these instincts are exactly right, they have not been backed up by the practice of American foreign policy. President George W. Bush, of course, had invaded Iraq just two years previously for two reasons. Bush sought to remove the threat of WMD, which were not there, despite consensus among the world’s intelligence communities. He also sought to impose a democratic government that would not be threatened by extremism, precisely because it would develop a strong public square where deep differences could be lived with because they were discussed (and not repressed).

Where President George W. Bush was certain, however, President Obama was uncertain, echoing the Turkish approach of consistent inconsistency. By the start of 2016, the US was fighting with Iranian affiliates against ISIS in Iraq, while supporting a Saudi war against Iranian proxies in Yemen. The administration had repeatedly called for the overthrow of Syrian President Assad, but seemed to let Russia intervene militarily and diplomatically as it shored up the Assad regime. Meanwhile, both Israel and Saudi Arabia, America’s traditional top two regional allies, are deeply alienated from the US by the nuclear deal with Iran.

Good governance and good citizenship—rooted in the mutual respect and mutual reliance of a robust religious freedom—is not easily done in the Middle East, in part because there is no tradition or memory of it. Meanwhile, the US has yet to find a “Goldilocks” manner and method of responsible engagement somewhere between Presidents Bush and Obama.

What then should the next American president do?

First, the president needs to create and integrate a group of non-traditional advisors at the National Security Council. They can help blend singular approaches while providing, as a result, a better perspective on what success looks like.
like in the Middle East by the end of the century. Theologians, religious freedom/conflict resolution experts, entrepreneurs, faith leaders, and trauma specialists must speak into a strategy that must be much bigger than realpolitik.

Second, the next president would be wise to have a grand vision of strategic but small, adjustable steps, focused on the mega-crisis of Iraq–Syria. Understanding that everything in the Middle East is interrelated—and that everything takes aggressive patience to implement—the president should work toward the development of a buffer zone that balances and buttresses the competing interests in the region. As I argued in 2006:

Buffer regions are places on a map that allow for the amelioration of the surrounding, and competing, influences of major and/or great powers ... [They also present] the possibility that the soft power of a civil society—formed and informed by the literal worldview around them—might contribute to stability, and therefore security. (Seiple 2006)

A “buffer zone” in the Iraq–Syria region could do many things, simultaneously. Foremost, a collection of smaller states and/or protectorates could manage and mitigate Iranian influence west toward Lebanon. Sunni Arabs would feel much better (as would Israel) about an ascendant Iran that did not have a direct pipeline to Hezbollah through Iraq and Syria. Moreover, such a zone would balance Arab and Kurd (with the possibility of an independent Kurdistan), as well as Kurd and religious minorities (with the possibility of a safe haven under international protection for religious minorities on the Nineveh Plain), and Kurd and Turk, as there are deep tensions between and among all of them. Sufficient separation could also provide time for healing the wounds of the body and spirit as, over time, a practical religious freedom took root, hand-in-hand with plans for an economic integration that addressed corruption and reform while intentionally harnessing the self-interest of these groups in particular places, de facto forcing them to work together, per their common need (e.g. a factory that created jobs).

The development of such a buffer zone could be simultaneously pursued across three distinct but mutually-reinforcing efforts. The president should deeply commit to, and/or initiate: (1) Syrian peace talks; (2) an ongoing summit regarding the international boundaries; and, (3) a regional security structure whose members were vested in this vision.

As the next administration considers—in consultation with allies in and out of the region—how best to balance the competing interests across these three efforts, the president should seek and encourage new working patterns and relationships among governments, civil society, faith communities, and business.

These relationships—rooted in mutual respect and mutual reliance, thus embodying a practical religious freedom—might take specific form if organized around a small but strategic step: the establishment of a safe haven on the Nineveh Plain. Declaring and defending such a haven would accomplish a number of objectives.

A safe haven would be a sign of practical hope for those persecuted by ISIS, as well as a concrete demonstration of the moral responsibility that follows from declaring the actions of ISIS as genocide. Nineveh villages could be protected by local units of the same ethnicity and/or faith of the villagers, backed by an international rapid reaction force.

A safe haven would also “theo-graphically”—theology + geography—delegitimize ISIS. Taking land that ISIS has declared a part of its “caliphate,” and then using that land to protect those against whom ISIS had perpetrated genocide, would constitute a direct threat to the identity and theological purpose of ISIS.

In addition, the establishment of a safe haven would help stem the flood of refugees to Turkey and Europe, while signaling global ISIS “wannabes” that they should stay home because ISIS was losing. Moreover, once established, a safe haven would offer the opportunity to develop and practice good governance and citizenship—especially through a demonstrated capacity for different groups to live together, or side-by-side, despite deep differences—in a small way that might be replicated later.
Finally, the declaration and defense of a small safe haven would also exercise patience, as the larger processes of negotiating Syrian peace, redrawing international boundaries, and building a regional security structure proceeded (Seiple 2015).

In developing and implementing such a safe haven—through the negotiations and working relationship of the relevant parties—a regional security structure might be practically discussed. This structure would, at a minimum, ensure regular communication between and among the region’s players, without America having to take sides. As former Central Command Chief, General Jim Mattis, USMC (ret), has written: “We need a new security architecture for the Middle East built on sound policy, one that permits us to take our own side in this fight” (Mattis 2015).

Next, as integral to the new security structure, the 45th president of the United States should promote and provide resources to programs in which government and non-government leaders from the region are educated and trained—together—per the Track 1.5 nature of our times (Seiple 2008). A working example is the Marshall Center in Garmisch, Germany. Its mission is to:

create a more stable security environment by advancing democratic institutions and relationships; promoting active, peaceful, whole-of-government approaches to address transnational and regional security challenges; and creating and enhancing enduring partnerships worldwide … [through] tailored, professional education and research, dialogue, and the persistent, thorough, and thoughtful examination of issues that confront our client nations today and in the years ahead.6

Such a center—as the crown jewel of the regional security structure—would also address peacebuilding, trauma/moral injury care, and gender integration, as cohorts developed their own culture and network of mutual respect and mutual reliance across ethnic, faith, and vocational lines.

Finally, such goals, always in consultation with key actors inside and outside the region, should also catalyze a “Marshall Plan” for Iraq–Syria, led by those equipped in the region’s “Marshall Center.” The original 1947 Marshall Plan for Europe was American-funded and was specifically designed to buttress against communism: fostering political stability by enabling economic stability (e.g. with regulation reduction as well as introducing best business practices). More than anything else, the fact that a plan existed created hope for those burdened by the literal and emotional destruction of the World War II.

Perhaps as a function of the new regional security architecture, a Sunni led and funded effort might take place, with international participation. After all, “jobs and justice” are often the same thing in a region that must compete with the comparatively well-paid attraction of “jihad” in the name of a justice perceived to stand against rampant corruption.

The next president should therefore encourage a Sunni-led defeat of ISIS, with international support. The King of Jordan is a natural leader for such a coalition. Jordan’s King can claim significant Islamic legitimacy as he is a 43rd generation descendent of Mohammed. Meanwhile, Jordan, through the efforts of Prince Ghazi, has long led the theological struggle against terrorism (e.g. The Common Word initiative). No defeat of ISIS will be sustainable if it is not anchored in the holy scriptures of Islam. Only good theology beats bad theology.7

Without a soft power/theological approach, the only thing worse than military defeat at the hands of ISIS would be the zombie-son-of-ISIS that will fill the vacuum created by a military-only “victory” against ISIS.

As a result, the next president should also lead in the creation of new public–private partnerships that take a long-term approach to stopping the spread of Shia- and Sunni-terrorism. Different phenomena, the former is state-sponsored (i.e. Iranian leaders will stop funding terrorism if it is in their self-interest), while the latter is society-enabled (i.e. there is sympathy among aggrieved Sunnis in the region—against their governments and/or Iran—to strike against those who humiliate Sunnis). For
example, the new regional security structure might include a “governance & citizenship” center as a public–private partnership. This center would catalyze soft power initiatives, rooted in local examples of co-existence (e.g., Kurdistan) that worked long-term against the terrorist threat, simultaneously from the top-down and the bottom-up.

Finally, the Americans would have to set the example regarding the relationship between hard and soft power; about which, to date, it has not done a very good job. For example, in the US, at least, the relationship between the hard power of “Counter-Terrorism” and the soft power of “CVE” (Countering Violent Extremism) is often backwards. The Americans have tended to treat CVE as a lesser-included set of CT, instead of seeing CT as a lesser-included set of CVE. Meanwhile, the term itself—“CVE”—is nevertheless defined implicitly against Muslims, and it has thus been harder to engage (Sunni) Muslim communities in the US pursuant a smarter engagement of Muslim-majority countries, especially the Sunni Arab world in the Middle East.

Conclusion

The Middle East is amidst an historic transition that is far from over. If it is to be a positive one, that transition must include recognizing and defeating the evil that is ISIS. That said, it will require great geo-political and theological nuance, as well as the will to take the long-term approach. Now is the time for a pragmatic leadership that addresses root causes through a long-term strategy for the century that builds good governance and good citizenship—and ultimately a sustainable environment of religious freedom for all. Otherwise there is but one thing that we really know about the Middle East today: it will only get worse, before it gets worse.

Notes

1. I first heard Espen Barth Eide use this term, “mega-crisis,” at the Global Agenda Councils meeting of the World Economic Forum (where he is a managing director) in Abu Dhabi in October 2015 (Eide 2015). Espen Barth Eide is a Norwegian political scientist who previously served as Norway’s Minister of Defense, and Minister of Foreign Affairs.

2. I certainly understand the critique of the George W. Bush administration in Iraq. Indeed, I was among the first to offer that critique (e.g., see Seiple 2003a, 2003b). Nevertheless, when an administration has been in power seven years, it is also true that it deserves its own critique.

3. This opinion confirmed by my own discussions with people who served in Baghdad, 2011–2014.

4. Things are changing, however, as Saudi Arabia seeks to build a Sunni Alliance against Shia Iran. For example, after designating the Muslim Brotherhood a terrorist organization in March 2014, Saudi Arabia began engaging Brotherhood leaders of all stripes by July 2015. See Al-Arian (2015).

5. “Near” & “far” enemies are terms that Usama bin Laden used to frame his holy war after the Saudi government invited the U.S. to stay in Saudi Arabia at the end of the first Gulf War.


7. For example, there is room to build on the recent Marrakesh Declaration—which calls for mutual respect between majority Muslims and minority faiths, and equal citizenship for all, based on the Charter of Medina—as faith communities discern, and make recommendations regarding, how good governance can create a context where the best of faith defeats the worst of religion. This declaration, January 27, 2016, on the 1400th anniversary of the Charter of Medina, asserted that this Charter is consistent with and calls for the protection of all religious minorities, including Christians, in Muslim majority lands, as equal citizens under the rule of law. Also see Abdul Rauf (2015) and Aroua (2013).

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GETTING TURKEY BACK ON TRACK TO DEMOCRACY, HUMAN RIGHTS, AND RELIGIOUS FREEDOM

By Turan Kayaoglu

In recent years, Turkey has made headlines for all the wrong reasons: ignoring the ISIS threat, taking military actions and imposing a civilian curfew in several Kurdish towns, and punishing academics and journalists for their opinions. A recent *New York Times* editorial sums it up: “Mr. Erdoğan has fallen far from the days when he could be regarded as a respected leader of a Muslim-majority democracy and a trusted partner in the region.” In the span of five short years, Turkey has reverted from a model for democracy for the Muslim world, to an authoritarian regime, looking more and more each day like other Middle East countries. Erdoğan’s fall from grace has forced the Obama Administration to choose between criticizing the authoritarian turn in Turkish politics and working with Ankara to combat ISIS.

Turkey has been a frustrating US ally on the subject of religious freedom. The US Commission on International Religious Freedom (USCIRF) began reporting on Turkey in 2006, and in 2008 put the country on its watch list. In 2012, in an unprecedented and controversial step, the USCIRF recommended that the State Department designate Turkey a Country of Particular Concern (CPC), a category reserved for severe persecutors such as Iran, China, and Saudi Arabia. The downgrade was indicative of the legitimate frustration in Washington for Turkey’s unfulfilled promises of increased religious freedom. Following a minor diplomatic crisis between the two countries after USCIRF’s recommendation, in 2013 USCIRF removed the CPC recommendation for Turkey. After two years of vastly differing appraisals of the degree of religious freedom within Turkey, in 2014 Turkey was placed back on the watch list (renamed “Tier 2”) where it remains today.

The next US president should focus on three major items: repair the strained strategic partnership with Turkey in the Middle East, particularly with regard to defeating ISIS; publicly and privately encourage Turkish leaders to protect and promote religious freedom and other human rights in Turkey; and remind the

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Turkish leaders of the global value of the Turkish model—a majority Muslim nation with democratic politics, civil-secular state, and moderate Islam.

Repair the Strained Strategic Partnership

The tumultuous events of the Arab Spring and the subsequent upheavals in the Middle East and North Africa (MENA) have shown that Turkey is both an indispensable and unreliable partner. Turkey and the US differ greatly in their approach to Syria: Ankara has prioritized Assad’s ouster and the Kurds’ containment while Washington has remained distant to anti-Assad opposition groups and prioritized the defeat and elimination of ISIS after 2014. While the political differences have sown mistrust between the allies, the threat posed by ISIS nevertheless led US policy-makers to prioritize Turkey’s cooperation in the fight against ISIS over concern about the status of democracy and human rights in Turkey.

The war in Syria will likely continue to be a major policy issue for the next president vis-à-vis Turkey. In a war that resulted in over a quarter million deaths and over four million refugees, Turkey’s willingness to shelter refugees has been laudable. But the country has also been an accomplice in the Syrian civil war: Ankara’s early and uncompromising anti-Assad position emboldened the Syrian Islamist opposition to take arms against the regime. Since then, Turkey’s murky dealings with Syria’s Islamic opposition and the shifting of loyalties of various groups have allowed some critics to claim the existence of a Turkish–ISIS alliance (Guiton 2014; Zaman 2015). Even friends of Turkey have a hard time understanding why the Turkish government long ignored the ISIS regime, despite ISIS’ recruitment activities in Turkey, use of Turkey as a transit country, and black market dealings in Turkey.

Turkey and the US will continue to diverge on some key issues in Syria—namely, Assad’s participation in a transition government and whether Syrian Kurds are granted a seat at the peace negotiations (Kardas 2016). Agreeing to disagree is a way forward, but the US should not allow Turkey to pursue policies that undermine efforts to defeat ISIS. Also non-negotiable for the US should be insisting that Turkey take strong measures to end ISIS activities within its borders. The next president should caution Turkey about Russia’s role in the ongoing crisis in Syria. Concern over Russia’s role in the conflict in Syria and Turkey’s relationship with Russia increased following Turkey’s downing of a Russian fighter jet near the Turkish–Syrian border in November 2015. This incident and the ensuing row pushed Turkey closer to the Western alliance and hushed the advocates of Turkish membership in the Shanghai Cooperation Organization (Turkey has been a dialogue partner since 2012). While Turkey realized the importance of its NATO membership, this may also embolden the Turkish leadership to engage in risky actions—actions that could embroil the US and other NATO countries in a larger conflict.

The Syrian quagmire and the goal of defeating ISIS should not tempt the next president to focus exclusively on short-term US interests with Turkey. While ensuring access to the country’s Incirlik airbase remains a key strategic consideration, there are other issues in the US–Turkey bilateral relationship that merit consideration. In particular, US authorities should publicly and privately speak against the authoritarian turn in Turkish politics, stressing that the rule of law, respect for human rights, and freedom of the press are non-negotiable expectations for Turkey. Clear statements from the US might carry weight, as the US has been instrumental during key periods in Turkish history and its march toward democracy. For example, Washington facilitated the Turkish experience with multiparty democracy after WWII. Although the US often took a soft approach to military interventions in Turkish politics, it also made its preferences known and encouraged the military to turn over power to civilian authorities.

It is also tempting to ignore President Erdoğan’s monopolization of power. However, absence of protests in the streets should not be mistaken for social consensus. Turkey’s social and political fabric is deeply frayed. Using its success at the polls and majority at the parliament, the The Justice and Development Party (Adalet ve Kalkınma Partisi; AKP) has dismantled the...
foundation of social consensus among main segments of the society and yet has been unable to build a new one, leaving the country susceptible to domestic political crisis. American authorities should constantly remind Turkish authorities that long-term stability comes with the messiness of democracy as opposed to the neat but fragile public order of authoritarianism. At this critical juncture in Turkish history, Washington must side with the future of Turkish democracy.

The shortest path to long-term stability in Turkey goes through Brussels. Since the end of WWII, the US has worked to tie Turkey to the Western military and political system with the Marshall Plan (1948–1951) and Turkey’s NATO membership (1952). Leaders in Washington also recognize EU membership as the best anchor for Turkey in the Western alliance.

When the conservative AKP government came to power in 2002, some observers asked whether Turkey was turning its back on the West—reversing a path the country had adopted since Tanzimat (1839) and an orientation that has been central to Turkish identity, politics, and foreign policy since the establishment of the Turkish Republic (1923). Surprisingly, the AKP’s pro-EU reforms in its first term opened the doors for accession negotiations with the union. Yet, a decade later, the process has been all but stalled and Turkey has drifted away from its former priority of EU membership. The EU’s urgent internal problems and the rise of Islamophobia across the EU have perpetuated European fears about admitting 70 million Muslims into Europe. Yet the Turkish government also shares the blame: Erdoğan’s dismissive, condescending, and reactionary rhetoric on issues such as women’s rights, human rights, and minority rights and the government’s oppressive policies surrounding freedom of speech have frustrated and alienated the EU’s pro-Turkey liberals, leaving Christian Democrat and right-wing parties and Cyprus’ Cypriot Government to influence EU deliberations over Turkey.

The next administration should work to repair Ankara’s ties with Brussels and renew the commitment of both sides to Turkey’s EU membership. A credible promise of EU membership might ignite the domestic reform process as well as empower Turkish youth who have been disillusioned with both the AKP and EU leaders. These younger Turks can bring a new dynamism to Turkish civil society, as well as enliven the moribund secular and liberal opposition to the AKP.

In addition to promoting reforms in Turkish society and laws, the Turkey–EU partnership also impacts the Turkish response to rulings by the European Court of Human Rights. While the court has not always been a reliable partner for religious freedom in Turkey (it supported the headscarf ban in the universities and the closure of the Islamist Welfare Party), it has been a progressive force concerning the freedom of religious minorities (Kayaoglu 2014). The court has been active in getting Turkey to return some confiscated minority religious properties, to revise religious textbooks, and to recognize the rights of Alevi. A revival of EU–Turkey relations could well make Turkey more attentive to the court’s demands.

Work to Stop the Erosion of Human Rights in Turkey

Turkey’s record on human rights and religious freedom has suffered major setbacks in recent years. After its progressive first term (Arat 2007) and stagnant second term, AKP ushered in a ruinous downward trend for rights and freedoms during its third term. If the start of the fourth term is any indication, human rights in Turkey has a bleak future. The AKP experience shows that Islamist parties’ electoral success may lead to tactical and selective gains for democracy and human rights; however, without institutional mechanisms and the internalization of democracy and human rights by party elites, any gains on these are easily reversible (Hamid 2014).

Following the Gezi Park protests—large-scale anti-government unrest in May and June 2013—and December 2013 corruption investigations, the AKP has systematically curtailed freedom of speech. Prosecutors regularly charge people for offenses such as insulting President Erdoğan or his family members. The AKP government has increasingly targeted social media and the Internet, denying access to websites critical of the government and has even...
imposed temporary restrictions to popular social media sites. YouTube and Twitter have suffered the wrath of the government in retaliation for these sites allowing users to post leaked phone conversations suggesting corruption on the part of AKP government members and Erdoğan’s inner circle. In 2015, Reporters Without Borders ranked Turkey 149 out of 180 countries in its World Press Freedom Index. Journalists have been fired under government pressure and some journalists have been jailed for publishing reports and photos showing government shipments of arms to groups in Syria. “Through its mounting campaign of arrests, financial pressure, online censorship, outright seizure, and violent intimidation” the government has assaulted on media freedom and muzzled the press (Bipartisan Policy Center 2016, 4).

The government’s control over the media has spread the conspiratorial and anti-American attitudes pervasive in Turkish Islamist circles to broader segments of Turkish society. Pro-government newspapers routinely defame and attack American diplomats. This has been exacerbated by the AKP government’s perpetual need to find internal and external scapegoats. Turkish society has effectively been denied the opportunity to hear alternative ideas about the US. The US should ask the Turkish government to respect freedom of the press—both out of respect for the principle of freedom of speech but also to ensure that the Turkish public receives a more balanced view about the US.

Turkey’s principal human rights problem remains the Kurdish situation. While the government advanced Kurdish rights on several fronts in its first two terms, the government ignored further Kurdish demands during its third term (Cavanaugh and Edel 2015). The Kurdish minority wants constitutional recognition, the Kurdish language to be taught in predominantly Kurdish regions, the Kurdish language accepted as an official language, and the removal of the 10 percent nationwide electoral threshold required for political parties to be seated in parliament. In 2012, thousands of Kurdish activists were arrested for alleged links to the The Kurdistan Workers’ Party’s (Partiya Karkerên Kurdistanê; PKK’s) urban wing, Group of Communities in Kurdistan (Koma Civâkên Kurdistan). Prosecutors have used anti-terrorism laws to suppress non-violent pro-Kurdish and leftist political activities. Activist members, party officials, and politicians from the pro-Kurdish Peace and Democracy Party have all been imprisoned. In the June 2015 parliamentary elections, the main pro-Kurdish party, the Peoples’ Democratic Party (Halkların Demokratik Partisi), surpassed the electoral threshold by receiving 13 percent of nationwide votes, an outcome that has begun a new era for Kurdish politics in Turkey.

Following the success of the Kurds at the polls, the government targeted southeastern cities, which became PKK strongholds when the government turned a blind eye toward the PKK’s efforts to strengthen its presence in the region for the now-jettisoned Democratic Opening. Then, in June 2015, the government gave the security agencies the green light to initiate the worst period of urban warfare in recent Turkish history. The end to this anti-Kurd urban warfare is not yet in sight, and the extent of the devastation is not yet clear, but the resulting trauma to Kurds, who have long been oppressed by secular Kemalists, nationalists, and now by the Islamists, will likely bolster separatist movements among Kurds.

The Kurdish issue is central to the geopolitics of the Middle East, and the US must not postpone clarifying what it envisions for Kurds in Iraq, Syria, Iran, and Turkey. While emphasizing that PKK terrorism is unacceptable, the US should maintain that Turkey must increase Kurds’ freedoms and guarantee both their individual rights as well as their collective rights.

Finally, the next American president should also prioritize the religious freedom of Turkey’s minorities. In recent years, the Turkish government took an unprecedented step in returning $1 billion worth of formerly confiscated properties to minority religious groups. Yet religious minorities still lack full legal

THE KURDISH ISSUE IS CENTRAL TO THE GEOPOLITICS OF THE MIDDLE EAST
status in Turkey (Kılıç 2014). Even Greek, Armenian, and Jewish minorities whose rights have been protected by the Lausanne Treaty (1924) face difficulties, such as restrictions on their ability to train clergy. The Greek Orthodox Halki Seminary has been closed since 1971, despite routine public promises by AKP leaders that it will be re-opened. These officially designated religious communities continue to face government intervention in their internal affairs. For instance, the government bars the Greek Orthodox Patriarchate from using the term “ecumenical” and interferes with the selection of the Armenian Patriarchate leadership. While Jews fare better in Turkey than in most other Muslim-majority nations, they continue to suffer from anti-Semitism.

State control over religion has resulted in Muslim communities suffering as well. Historically, pious Turks have been excluded from the state bureaucracy and state educational institutions—as well as parts of corporate world. While AKP policies provided more freedom to the pious, it tampered with the freedoms of secular Turks. Various reports indicate difficulties in getting alcohol in small towns, increasing challenges in accessing abortion services, and more students being registered in religious schools against their will (Lepeska 2014; Doğan 2015).

The Alevis, followers of a variant of Shia Islam, constitute an estimated 15–25 percent of the Turkish population. Alevi communities have also suffered various forms of discrimination and persecution at the hands of state authorities and Sunni Muslims. While Alevi vary in their relationship to Islam, a substantial majority consider themselves as a distinct religious community and seek the state’s recognition. To date the Turkish state has refused this demand. To address the Alevis’ grievances, in 2008 the AKP government initiated an official dialogue process with the Alevi (Erol 2015). The following year this process was abandoned, in part because of widespread Sunni prejudice against the Alevi. Turkey’s involvement in the Syrian conflict, the AKP’s strong anti-Assad stance, and the government’s support of the (Sunni) Islamic opposition in Syria have worsened the animosity toward Alevis in Turkey. In Turkey the Assad regime is widely regarded as an expression of Alevi Islam. Because the Turkish state has not officially recognized the Alevi as a religious community, their places of worship, called cemevis, cannot be categorized as a religious sanctuary and they are thus denied the public benefits provided to places of worship. In a 2014 ruling, Cumhuriyetçi Eğitim Ve Kültür Merkezi Vakfı v. Turkey, the European Court of Human Rights (ECHR) held unanimously that the government’s refusal to recognize cemevis is discriminatory and asked the government to change its policy.

There is only so much American authorities can do to stop the erosion of human rights in Turkey. One effective way is public and private criticism. In his January 2016 visit to Turkey, Vice President Joe Biden met with human rights activists and journalists and showed solidarity with them and criticized government actions when he told reporters,

> When the media are intimidated or imprisoned for critical reporting, when Internet freedom is curtailed and social media sites ... are shut down and more than 1000 academics are accused of treason simply by signing a petition, that’s not the kind of example that needs to be set. (Idiz 2015)

The next administration should continue to criticize and condemn Turkey’s leaders for their human right violations.

Promote a Revival of the Turkish Model

Until a couple of years ago, many prominent leaders and scholars praised Turkey as an example to the Muslim world. There was some disagreement among these observers about what aspects of the Turkish model should be the focus: Turkey’s aspiring democracy, its secularism, or its moderate Islam (Kaufman 2011; Ramadan 2011). Turkey has drifted from this model. Recent developments have all but eroded what Turkey had to offer the Muslim world. However, democracy, secularism, and politically moderate
Islam still offer the best way forward. US leaders should emphasize these values and encourage Turkish leaders to incorporate them in a new constitution.

Turkish secularism, Kemalist laïcité, has a troubled history. Like its French cousin, it was exclusionary, reflecting the early Republican elites’ conflicting views about Islam: Islam was seen as a hindrance for modernization, yet indispensable for nation-building (Kuru 2009; Başkan 2014). Shedding the Ottoman multicultural, multi-religious system, the elites imposed legal, educational, and religious restrictions on non-Muslim minorities and Alevis. Unlike Sunni Muslims, these communities were denied full legal and public recognition. The elites also controlled, constructed, and mobilized a Sunni identity as the official state ideology. On the one hand, the Directorate of Religious Affairs (Diyanet) controlled and managed the Sunni religious identity. On the other hand, the state actively oppressed alternative, even Sunni, expressions of religious identity, such as traditional Sufi brotherhoods (tariqats) and modern Islamist movements, whose spiritual messages, organizational structures, or political aspirations were deemed dangerous by the state.

Yet alternative Sunni expressions have emerged, survived, and even flourished in the society, creating cracks in the rigid secular foundation. The military, the self-appointed guardians of the Kemalist republic and its secular character, have intermittently intervened to bolster secularism by excluding Islamists or co-opting and deploying them against other enemies. While exclusionary in the public sphere, Turkish secularism also allowed a variety of perspectives on Islam to flourish in society. After 13 years of AKP rule, what remains of the Turkish model of secularism is a subject of some debate. More than any generation since the adoption of Kemalist laïcité, this generation has witnessed the use of Islam in politics.

When the AKP came to power in 2002, it led a broad-based coalition. As the party consolidated its power and gained confidence as a result of early successes, it shed this broad coalition—first liberals, then the Gülen movement, and later still the Kurds. Even moderates within the party were marginalized. The party became a community of loyalists, steered by an Islamist core and led by President Erdoğan.

Paradoxically, just as Turkey has lost its “model” status, President Erdoğan has emerged as the most powerful Muslim leader in the world, symbolizing and voicing Muslim anger toward global injustices against Muslims. The AKP and parts of the Turkish state have been polishing Erdoğan and Turkey’s credentials for broader Islamic leadership. To this end, Diyanet, the state agency in charge of religious affairs, has been an important tool. Active on the global scene, Diyanet has been involved in building “over 100 mosques and schools in 25 countries” in Muslim majority and minority countries, such as the Philippines and Haiti, costing over $200m (“Mosque Objectives” 2016). The USA is getting attention from Diyanet whose $100m Diyanet Center of America in Lanham, Maryland, was inaugurated by President Erdoğan in April 2016 (Subramanian 2016). In addition to Diyanet, the Turkish International Cooperation and Development Agency has launched various projects, some of which are religious in nature. While these activities help Turkey to increase its soft power, they also boost President’s Erdoğan’s claims of global Islamic leadership—an assertion intended for both domestic and international audiences (“Mosque Objectives” 2016).

Through the activities of Diyanet and connections to American Muslims, European Muslims, and Turkish immigrants, the AKP has increased its soft power with respect to Western Muslims. By capitalizing on Erdoğan’s popularity on the Muslim street, training European-born Turks in Turkish universities, giving scholarships to Muslims for study in Turkey, bankrolling mosque construction and staffing, Turkey has become a global Islamic financier under the AKP. The new Turkish Islamist elite, thought leaders such as Ibrahim Kalın and Yasin Aktay, bolster Erdoğan’s aspirations and appeal for global Muslim leadership. While this leadership—often seen in the form of speaking on behalf of Muslim minorities, speaking against Islamophobia, opening mosques for Muslim minorities, and criticizing Israel—is still in its infancy, signs
suggest that the AKP government will continue to aggressively pursue this direction.

Turkey’s leaders will likely use the Islamic Summit of the Organization of Islamic Cooperation to polish their Islamic credentials and articulate their aspirations for Turkish leadership of the umma, the global Muslim community (Kayaoğlu 2015). In its bid for global Islamic leadership, Turkey’s religious diplomacy abandoned a neutral position in the debate between Iran and Saudi Arabia; Turkey has now joined the Saudi camp. It is not clear how this new alliance with Saudi Arabia will influence Turkey’s relations with the Muslim Brotherhood in the region. This is a particularly interesting point given the Muslim Brotherhood’s opposition to—and Saudi Arabia’s support for—Egyptian President Sisi.

As Turkey’s new elites embrace a new vision for Turkey—leader of the political Islamist cause—the AKP and the Gülen movement, once strong allies, have drifted apart from each other. In December 2013, a series of corruption investigations targeted Erdoğan’s inner circle, and Erdoğan then accused members of the Gülen movement of being behind the investigations. The AKP leadership responded by firing scores of state bureaucrats affiliated with the Gülen movement and jailing others, closing Gülen-affiliated schools and charities, and confiscating the property of business people who financially support the Gülen movement.

This conflict has implications both for Turkish domestic politics and for US relations with Turkey and “moderate” Islam. With its focus on interfaith dialogue and education, the Gülen movement offers a sustained and significant voice for moderate Islam. Fethullah Gülen, who lives in exile in the US, has taken a strong stand for democracy, human rights, and Turkey’s EU membership. His views are in accord with the US effort to empower peaceful, democratic Islamic voices.

For a long time, Turkey represented the model of a secular, moderate, Western-oriented Muslim-majority state. Yet, there were significant flaws in this model: Turkey restricted the visibility of religion in the public sphere, it excluded non-Sunnis, and it treated ethnic and religious minorities with suspicion. Turkey’s secularism was based on an exclusionary form of secularism, laïcité, as opposed to the more inclusionary form of secularism established by First Amendment jurisprudence in the US. Increasingly Turkey is losing its secular vision altogether; it is looking more and more like a religious, autocratic, Middle Eastern state. Turkey has certainly drifted away from its former praiseworthy position, but the attributes that once made Turkey such an exemplar need not be lost forever.

In order to re-embrace democracy and human rights, and thereby allow diverse religious (and non-religious) voices to share the public square, Turkey must draft a new constitution. The 1982 Constitution, written under military rule, has been amended several times. However, the big issues, such as the Kurdish issue or the nature of secularism, have not been settled through these amendments. Moreover, changes have been ad hoc, making the current constitution inconsistent and contradictory. The AKP came to power with a strong mandate to write the country’s first civilian constitution in its modern history. The AKP failed to rewrite the constitution despite, or perhaps because of, its ongoing electoral success. Following the 2011 elections, the Turkish parliament established a drafting committee. However, the committee failed the reach a compromise and was disbanded in 2013. The AKP government initiated formation of a new constitutional committee after the November 2015 elections. However, the opposition parties only see President Erdoğan’s ambition to create a strong executive presidency behind the constitutional committee’s work. The committee has already witnessed withdrawal of the main opposition party.

With the ongoing offensive against the Kurdish insurgency and the spillover effects of the
Syrian civil war, Turkish politics is extensively securitized and deeply polarized. Hence, the chance of a genuine breakthrough for a consensus constitution is slim. Nevertheless, the next US president should pressure the Turkish government to re-establish the constitution committee and encourage Ankara to ensure the new constitution includes the protection of human rights (especially freedom of religion, conscience, and belief for all), the rule of law, and the strengthening of checks and balances. The new constitution could be a significant opportunity for Turkey to put its democracy back on track.

Conclusion

The new millennium has not been kind to the peoples of the MENA. The American occupation of Iraq and the Arab Spring destabilized the region. These developments precipitated a tragic reversal in Turkey: in the span of five years, Turkey fell from being the poster child of an emerging democratic, developed, secular, moderate Muslim-majority country to a typical MENA autocracy rallying around a strong leader with weak checks and balances and a diminished respect for the rule of law and human rights. References to Turkey as a model for other Muslim-majority states have been largely discarded, but the Turkish model can be revived by building on the strength of its civil society and its strong connections to Europe and the US.

The US has a special responsibility and a potentially influential role to play in promoting a democratic, prosperous, secular, and modern Turkey. Even in the heyday of the Cold War, the US had a long-term view when it came to Turkey. Unfortunately, under Obama, the US has not been particularly critical of Turkish government actions to dismantle checks-and-balances, disregard the rule of law, roll back freedoms of speech and religion, and stifle the media. Even with regard to the Kurdish issue, the Turkey of today looks increasingly like the Turkey of the 1990s, as opposed to the optimism in 2000s. The US should encourage Turkey’s leaders to re-engage the EU, human rights, and Islamic values supportive of pluralistic liberal democracy.

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The growing pattern of religious intolerance and persecution of religious minorities in Pakistan is threatening the very fabric of Pakistani society and undermining democracy, not to mention putting the lives of millions of members of religious minorities in danger. The proliferation of Sunni Islamist militant groups in the country over the last 25 years, along with exclusionary laws and a flawed education curriculum that emphasizes Muslim identity rather than respect for religious diversity, have all contributed to the problem. In this environment, extremist ideologies have flourished and become entrenched in society, leaving religious minorities, such as Shia Muslims, Ahmadis, Christians, Sikhs, and Hindus, facing numerous injustices and the persistent threat of violence.

Muslims make up around 95 percent of the country’s total population of 190 million, with around 20–25 percent being Shia Muslim. Christians and Ahmadis each, respectively, account for around 2 percent of the total population, while Sikhs, Hindus, Parsis, Buddhists, and others make up the remaining 1–2 percent.

The issues of religious freedom and communal violence in South Asia are complex and deeply rooted in history. As the British ended colonial rule in the Indian Subcontinent in 1947, the purpose of partition was to create a separate state for Muslims. However, the largest migration in human history soon turned into a massive communal bloodbath as hundreds of thousands were killed in riots that broke out between Muslims on one side and Hindus and Sikhs on the other. The scars of partition still feed Indo-Pakistani rivalry and inform their divergent concepts of nationhood: Pakistan as a homeland for Muslims and India as a multi-religious secular democracy.

Rolling back the tide of extremism in Pakistan will be an enormous task and could take a generation. But there are some recent hopeful signs that the Pakistani government under Prime Minister Nawaz Sharif is committed to making changes that will help uproot support for extremism and enhance protection for religious
minorities. Moving forward, Pakistan must amend discriminatory legislation, strengthen the civilian court’s hand in dealing with cases of religious intolerance, and reform school curricula to focus on the values of religious tolerance and pluralism. The US must make protection of Pakistan’s religious minorities a higher priority in its dialogue with Pakistan, and press Islamabad to improve ties with New Delhi, since militant groups that thrive on regional tension are also responsible for spreading extremist ideologies throughout Pakistani society. Until Islamabad takes a comprehensive approach to shutting down all Islamist militant groups that operate from Pakistani territory, religious minorities will remain under threat.

Straying from the Founder’s Vision

Pakistan’s founding father, Muhammed Ali Jinnah, had tried to set a course for the country that would avoid divisions over religion. Even though Pakistan was established as a homeland for Muslims, Jinnah supported the idea of Islam serving as a unifying force and believed Pakistanis had a responsibility to uphold the principles of religious freedom and to protect the rights of religious minorities. Jinnah declared in a speech on August 11, 1947, that “You may belong to any religion or caste or creed – that has nothing to do with the business of the state … We are starting with this fundamental principle that we are all citizens and equal citizens of one state (Ispahani 2015).”

After four military dictatorships and several periods of ineffective civilian rule over its 69-year history, Pakistan has failed to uphold Jinnah’s vision of a country where people are free to worship as they choose. Indeed, support for Islamist extremist ideologies has been rising in recent years along with attacks on religious minorities. An editorial published in one of Pakistan’s major newspapers, The Express Tribune, in August 2014, described the plight of Pakistan’s religious minorities this way:

Many choose flight as the alternative to being butchered in their own homes. There is a silent but steady stream of minority citizens seeking asylum from persecution in Pakistan … The manner in which successive governments of Pakistan have treated minority communities is a national disgrace and exposes the intolerance at the heart of the establishment. (The Express Tribune 2014)

The evolution from Jinnah’s vision of a religiously tolerant society to one in which religious minorities are fleeing out of desperation and fear for their lives can be attributed to several factors. Soon after the creation of Pakistan, debate about the role of religion in the country’s constitutional and legal systems was increasingly influenced by the idea that Islamic principles should inform the conduct of the state. Moreover, the strategic environment in South Asia over the last 30 years and the Pakistani response to regional challenges has also influenced Islamist trends in society and heightened religious-inspired violence. Ineffective civilian institutions and the failure of both civilian and military leaders to uphold the rule of law against religious extremists also are to blame.

But it was the rule of military dictator General Zia ul-Haq in the 1980s that did the most damage to the state of religious freedom in Pakistan. As part of his campaign to further Islamize Pakistani society and governing institutions, Zia strengthened blasphemy legislation by making it a capital offense, incorporated anti-Ahmadi provisions into the Pakistani penal code, expanded the madrassa (Islamic school) network to support the Afghanistan jihad against the Soviets, and incorporated militant interpretations of Islam into the Pakistani public school curriculum.

The first major obstacle to establishing a state based on principles of religious freedom was the introduction of the Objectives Resolution in the Constituent Assembly of Pakistan just six months following Jinnah’s death on September 11, 1948. The Objectives Resolution was a list of guiding principles for creating a constitution for the new Pakistani state that essentially opened the door for the development of legislation based on Islamic injunctions (Ispahani 2015).

The Objectives Resolution stated that “sovereignty over the entire universe belongs to Allah Almighty alone and the authority which he
has delegated to the State of Pakistan.” It went on to support the “principles of democracy, freedom, equality, tolerance, and social justice as enunciated by Islam.” The resolution gave a small nod to protecting religious minorities by stating that “provision shall be made for the minorities to profess and practice their religions and develop their cultures (The Constitution of Pakistan 1973).” However, over time, the clauses emphasizing a role for Islam in governing state affairs were used to develop legislation discriminatory toward religious minorities. Furthermore, in 1985, under Zia ul-Haq, the Objectives Resolution was incorporated into the body of the Pakistani Constitution, giving it more legal weight and making it easier for laws that contradict the principles of religious freedom to be promulgated in the name of Islam (Hasan 2010).

The Ahmadis, who consider themselves Muslim but do not recognize the finality of the Muslim prophet Muhammed, have suffered significant discrimination throughout Pakistan’s history. Six years after Pakistan’s independence, Islamists started a mass movement to declare Ahmadis as non-Muslim and called for the removal of Pakistani Foreign Minister Chaudhry Zaftrullah Khan, an Ahmadi. Twenty years later, in 1974, President Zulfikar Ali Bhutto passed a resolution declaring Ahmadis as non-Muslims. Pakistani laws prohibit Ahmadis from calling themselves Muslim or their places of worship mosques, from performing the Muslim call to prayer, or using the traditional Islamic greeting in public. The sale of Ahmadi religious literature also is banned.

Zia ul-Haq further eroded protection of Pakistan’s religious minorities through the introduction of a parallel legal system that created Sharia benches in all high courts to declare any law disrespectful of Islam as unconstitutional (Curtis and Mullick 2009). The parallel legal system also includes a Federal Shariat Court and Sharia bench inside the Supreme Court often competing against secular courts in civil and criminal cases.

Misuse of Blasphemy Laws
One of the most prominent examples of the growing culture of intolerance and extremism is the misuse of the blasphemy law and the inability of the Pakistani political leadership to amend these harsh laws due to threats from extremist forces.

The blasphemy legislation was originally introduced during British colonial rule but at that time was applicable to all religions and rarely used. In the 1980s, Zia ul-Haq tightened the legislation as one more way to Islamize the country. Under Pakistani law, blasphemous acts included making derogatory remarks against the Muslim prophet Muhammed and defiling the Qur’an.

Today blasphemy allegations are often fabricated and are commonly used to intimidate religious minorities or settle personal vendettas, including against other Muslims. Blasphemy charges do not require proof of intent or evidence, and there are no penalties for false allegations. Since the laws do not provide details on what constitutes a violation, accusers have broad leeway to define what they deem an offense. Religious minorities have been disproportionately accused of committing blasphemy relative to their small population numbers (U.S. State Department International Religious Freedom Report 2014). There are currently around 38 people serving time in Pakistani jails for charges of blasphemy (U.S. Commission on International Religious Freedom 2015).

Pakistanis who have sought changes to the blasphemy laws or who have defended those wrongly accused have often been killed, demonstrating the rise in religious intolerance and support for extremist ideologies. In early 2011, Pakistan’s Governor of the Punjab Salman Taseer and Minority Affairs Minister Shahbaz Bhatti were assassinated by religious extremists because of their efforts to roll back the controversial blasphemy laws. Human rights lawyer Rashid Rehman was assassinated in June 2014 for defending an English professor, Junaid Hafeez, who was accused of blasphemy.

Because of incidents like those cited above and a failure by the Pakistan government to take meaningful steps to protect religious minorities, the U.S. Commission for International Religious Freedom has called on the State Department to
designate Pakistan as a “country of particularly concern” under the International Religious Freedom Act for the last 14 years.

Escalating Violence

The proliferation of Sunni Islamist militant groups that seek to recruit and inspire members by condemning religious minorities has contributed to increased violence against non-Sunni Muslim groups and individuals. The Pakistani authorities have failed on several occasions to uphold the rule of law against those committing violence in the name of religion. Militant intimidation of lawyers, judges, and journalists often prevents the holding of fair trials and limits the number of prosecutions in cases such as mob attacks against religious minorities.

Violence against the Shia community, in particular, in the last few years has reached alarming proportions. In May 2015, gunmen attacked a bus in Karachi, killing 45 Ismaili Shia. In January 2015, at least 61 people were killed after a bombing at a Shia mosque in Shikarpur, while two years prior in January and February 2013, sectarian attacks including bombings in Quetta killed nearly 200 Shia. The predominantly Shia ethnic Hazara community in Balochistan has faced particularly brutal attacks in recent years that have prompted tens of thousands to migrate from the province. In addition to attacks on Shia mosques, there have also been an increased number of targeted attacks against Shia professionals including doctors, lawyers, and college professors.

Sectarian violence between Sunnis and Shia has been prevalent in Pakistan since the 1980s, and has been exacerbated by Saudi–Iranian competition for ideological influence in Pakistan. Zia ul-Haq’s Islamist policies helped fuel the phenomenon, and indeed, it was Zia ul-Haq’s passage in 1980 of wealth and farming tax laws that conflicted with Shia law that led to the birth of the Movement for Enforcement of Shia Law.

In recent years, most of the attacks against Pakistani Shia have been carried out by the Lashkar-e-Jhangvi (LJ), a Sunni militant organization that succeeded the Sipah-e-Sahaba, and seeks to declare Shia as non-Muslims. Over the last year, the Pakistan government has started cracking down on LJ and targeting its leadership. In July 2015, one week after his arrest, LJ founder and supreme leader Malik Ishaq and over a dozen of his followers were killed in a police encounter (BBC 2015).

Large-scale attacks on other religious minorities have also occurred in recent years, most notably the suicide bombing at a park in Lahore this past Easter. A breakaway faction of the Pakistani Taliban, Jamaat-ul-Ahrar, claimed responsibility for the attack, saying the group directly targeted Christians and that the bombing was a message to the Pakistani government that “we will carry out such attacks again until sharia is imposed in the country” (Hussain and Cunningham 2016). While the attack was targeted at Christians, most victims were Muslim, and about half of the 72 killed were children. The Pakistani authorities immediately launched a series of raids throughout the Punjab province, netting hundreds of suspects, and vowed to conduct a paramilitary crackdown similar to that carried out in Karachi over the last two years.

Just one year prior, in March 2015, Jamaat-ul-Ahrar claimed responsibility for bombings of two Christian churches, which killed 15. The terrorist group also took credit for the September 2013 suicide bombing of a church in Peshawar, which killed nearly 100, saying it was in retaliation for US drone strikes in Pakistan’s tribal border areas.

There was also a mob attack in March 2013 against a Christian community in the Punjab in which dozens of homes were burned down following allegations of blasphemy against a Christian man (Dawn.com 2013). A year later, a mob set fire to a Hindu community center in southern Pakistan after allegations that a Hindu had desecrated the Qur’an. This was followed by attacks on four other Hindu temples (U.S. Commission on International Religious Freedom 2015).

In December 2014, a member of the Ahmadi community in Gujranwala was shot and killed five days after an extremist cleric called Ahmadis “the enemy” in a rant on a popular Pakistani television show. In May 2010, militants armed with hand grenades, suicide vests, and assault
rifles attacked two Ahmadi mosques, killing nearly 100 worshippers.

Reversing the Trend

There have been some positive developments over the last year, which may signal the government is slowly seeking to reverse extremist trends in society. The most notable event was the government’s follow-through with the execution of Mumtaz Qadri, who had assassinated Punjab Governor Salman Taseer on January 4, 2011, while serving as his bodyguard. Taseer was an outspoken critic of Pakistan’s blasphemy laws and had defended a Christian farm worker, Asia Bibi, who has been jailed under blasphemy charges since 2009.

Many Pakistanis considered Qadri a hero and the international community was shocked when the assassin was showered with rose petals during his first court appearance the day after the assassination. Qadri appealed his conviction but the Supreme Court upheld his death penalty on grounds that objections to the blasphemy law did not constitute blasphemy and that Qadri had no authority to kill the governor. The Supreme Court said if it were to accept the arguments of Qadri’s defense team, “then a door shall become open for religious vigilantism which may deal a mortal blow to the rule of law in this country where divergent religious interpretations abound and tolerance stands depleted to an alarming level (Shah 2016).”

Despite street protests in all of Pakistan’s major cities against the execution of Qadri, the government resisted intervention against the Supreme Court’s decision, and the death sentence was carried out on February 29. Following through with the execution signaled that murder, including that justified on religious grounds, will not be tolerated.

The Supreme Court also agreed in 2015 to review the case of Asia Bibi. Bibi, a mother of five and a farmworker, was arrested in 2009 after her Muslim coworkers alleged that she had committed blasphemy during an argument about sharing a water bowl. In November 2010, she was sentenced to death by a Pakistani trial court—a decision that was upheld by the Lahore High Court in October 2014.

Other positive steps over the last couple of years include the Supreme Court’s June 2014 judgment directing the federal government to establish a task force and special police force to protect religious minorities and to develop a strategy for promoting religious tolerance (U.S. State Department International Religious Freedom Report 2014). In response, the government created a National Commission for Minorities under the Ministry of Religious Affairs, but there are concerns that the commission has little access to Pakistan’s top leadership (Swett and Glendon 2015).

Anti-terror courts in 2015 sentenced to death an individual for the 2010 attacks on an Ahmadi mosque and remanded four individuals for the mob attack that killed a Christian couple in November 2014 over blasphemy allegations (U.S. Commission on International Religious Freedom Annual Report 2015). Additionally, the Punjab provincial government has reviewed several hundred blasphemy cases pending in the courts to determine compliance with evidentiary standards and to ensure no case is unfairly prosecuted.

According to Farahnaz Ispahani, former Pakistani parliamentarian and author of Purifying the Land of the Pure: Pakistan’s Religious Minorities, there are other signs of positive change, including the recent willingness of Pakistan’s political leaders to publicly celebrate non-Muslim festivals and the initiation of a process to reform the educational curriculum in the Sindh and Punjab provinces (Notezai 2016). Indeed, the Sharif government agreed in mid-March to make the Hindu festivals of Holi and Diwali and Christian celebration of Easter public holidays for the first time in Pakistan’s history. There are also reports that the Pakistani government and military have quietly sent notices to mosques, requesting them to tone down their sermons (Craig 2016).

The civilian and military leadership’s tougher stance toward the Tehrik-e-Taliban Pakistan (TTP) over the last two years also is helping close space for extremists to operate and to spread their deadly ideologies. Pakistani military operations against the TTP in North Waziristan have led to a nearly 50 percent reduction in terrorist attacks
throughout the country in 2015, compared to 2014 (Pak Institute of Peace Studies 2015). The military operations against the TTP began in June 2014, following a major terrorist attack on Karachi airport, and further intensified after gunmen stormed a military school in Peshawar in December of that year, killing 130, mostly children.

The National Action Plan (NAP) to combat terrorism that was passed by the Pakistani parliament in January 2015 has further contributed to the decrease in terrorist attacks as well as laid initial groundwork for delegitimizing extremist ideologies. The action plan includes steps like lifting the moratorium on the death penalty for terrorists, establishing special military courts to try terrorists, curbing the spread of extremist literature and propaganda on social media, freezing the assets of terrorist organizations, and forming special committees, comprised of army and political leaders, in the provinces to implement the NAP.

There are some extremist leaders, however, that are still treated with kid gloves by the Pakistani authorities. One is Maulana Abdul Aziz, the leader of the Red Mosque, where Islamist vigilantes in 2007 defied the government for several months before the Pakistan military was forced to flush them out in an operation that killed nearly 75. Aziz continues to openly support extremism and defy government directives to moderate his Friday sermons. Instead of arresting Aziz, the Pakistani authorities resorted to shutting down cellphone service in Islamabad during Friday prayers to block Aziz’s efforts to preach to his followers (Nordland 2015). The tepid treatment of Aziz has led many Pakistanis to question the government’s overall commitment to implementing the NAP and to conclude that some extremist leaders will simply remain above the law (Hussain 2016). Unless Pakistani civilian and military leaders are willing to enforce the NAP comprehensively through legal means, it will have little impact in stemming the spread of extremist ideology and will be seen as merely window dressing by the international community.

Policy Recommendations

Prioritizing protection of religious freedom is not only important as a human rights issue, but also as a strategic and security issue, since it must be part of a broader narrative that seeks to counter the message of Islamist extremism, which is threatening the stability of the Pakistani state.

The Pakistan government needs to implement legal reforms and foster an environment conducive for people to freely express their religious beliefs. The civilian courts also need to be strengthened so that militants are unable to sway court opinions and judgments in favor of religious extremists. Finally, the Pakistan government must prioritize the issue of educating its youth and reforming educational curricula so that it teaches values of religious tolerance and pluralism and civic education. While efforts in this regard appear to be underway, the government must be resolute and swift with this process, given the demographic trends coming down the pike. With 55 percent of the population currently under the age of 25, Pakistan must not waste any more time in educating its youth on the virtues of religious tolerance and pluralism.

For its part, the US must make the protection of Pakistan’s religious minorities a higher priority in its dialogue with the country. Before Pakistani Prime Minister Nawaz Sharif’s visit to Washington, DC in October 2015, several US-based Pakistan experts wrote a letter to the US President expressing concern about persistent attacks against religious communities. A similar letter in January 2015 had called on US Secretary of State John Kerry to make religious freedom a plank of the US–Pakistan Strategic Dialogue.

As part of this dialogue, the US should encourage Pakistan to fully implement those steps
called for by the Pakistani Supreme Court in 2014, including creating a special police force to protect religious minorities and elevating the work of the National Commission for Minorities. The US should structure its aid programs to support these activities through technical assistance, training, and exchanges.

Washington must also continue to monitor individual cases of violations of religious freedom, and speak up publicly to defend those facing religious persecution. In this vein, Washington must sustain its public advocacy for the release of Asia Bibi. While the Pakistani Supreme Court has taken a step in the right direction with its decision to review Bibi’s appeal, the US must sustain pressure for her immediate release from jail.

Washington must also explore opportunities for enhancing civil society engagement between Americans and Pakistanis. This would help elevate the voices of moderation and democracy in Pakistan and facilitate freer discourse on issues of religious freedom and pluralism. There are many Pakistani citizens who are working diligently, and indeed, risking their lives, to reverse extremist trends and ensure the rights and freedoms of all Pakistanis. US–Pakistan government-to-government interactions alone will not suffice in turning the tide of extremism in Pakistan. There is a need for more frequent and deeper civil society engagement between the two countries that can help mobilize grassroots support for preserving religious freedom.

What may be the most important step to tamping down religious intolerance in Pakistan is the pursuit of friendlier ties with India. Extremist ideologies have gained traction in Pakistan in part because the government has failed to uphold the rule of law against certain terrorist groups and leaders that target India (and which have links to the Pakistani security establishment). These extremist forces, which were created to train their fire on Pakistan’s neighbors, are now threatening the stability of Pakistan itself.

A willingness to rethink Pakistani-Indian relations to break the cycle of suspicion and enmity would go a long way to restoring balance in Pakistani society. Sustained Pakistani-Indian dialogue would help diminish support for groups that thrive on promoting regional tension and conflict and which also are responsible for the spread of extremist ideology throughout society. Until Islamabad takes a comprehensive approach to shutting down all Islamist militant groups that operate from its territory, religious minorities will remain under threat and Pakistan’s future as a cohesive and stable nation will hang in the balance.

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FAITH AND FOREIGN POLICY IN INDIA: LEGAL AMBIGUITY, SELECTIVE XENOPHOBIA, AND ANTI-MINORITY VIOLENCE

By Chad M. Bauman

As a secular democracy, India’s constitution enshrines relatively robust safeguards for religious equality and freedom. Article 25 provides all citizens the right to “freely profess, practice, and propagate” religion, and avoids assigning to Hinduism any special role or explicit privilege (in contradistinction to the situation with Buddhism in Sri Lanka, for example). Moreover, the Indian government itself has not generally engaged in any systematic or flagrant way in the direct persecution or oppression of its religious minorities.

However, India’s religious minorities do face certain challenges. Among them are several legal and judicial issues. Judicial rulings in independent India have weakened the safeguards of the constitution in several ways, such as when, in the 1970s, the Supreme Court declared that the constitutional right of “propagation” did not include (or protect) the right to intentionally convert another. Similarly, half a dozen Indian states have now passed “Freedom of Religion” laws (called “anti-conversion” laws by their critics) that have been problematically and prejudicially implemented, as has a national anti-defamation law. Additionally, national laws securing reserved seats in Indian legislatures, civil service, and educational institutions for lower-caste Hindus (but not for lower-caste non-Hindus) provide implicit disincentives to lower-caste Hindus considering conversion. Finally, a weak and easily corrupted criminal justice system exacerbates many of these legal issues, and is frequently used by anti-minority actors who exploit the legal ambiguity with regard to religious freedoms in India to harry religious minorities with spurious charges or unlawful imprisonment, thereby undermining the protections that Indian law does afford religious minorities.

In addition to these legal issues, religious minorities in India are occasionally threatened, intimidated, harassed, sexually assaulted, and attacked by their neighbors, in both small-scale, isolated incidents and in the context of large-scale riots. While the perpetrators of these incidents are not state actors, generally speaking, they do in many cases enjoy the explicit or implicit support of local or even national law enforcement and political officials. For example, local, regional, state, and even central governments have been

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accused, at various times, of intentionally responding slowly, or even inhibiting a police response to instances of anti-minority violence.

The more secular of India’s two dominant political parties, the Indian National Congress (or “Congress”) party, has occasionally been linked to anti-minority activities, most notably in the anti-Sikh bloodletting that took place after the party’s powerful prime minister, Indira Gandhi, was assassinated by her Sikh bodyguards in 1984. Nevertheless, accusations of involvement in anti-minority activities are far more regularly leveled, and justifiably so, at the broad association of nationalist social, religious, and cultural organizations called the Sangh Parivar (or “Sangh”), and at the political party associated with it, the Bharatiya Janata Party (BJP, “Indian People’s Party”). It is for this reason that the BJP’s resounding national electoral victory in late 2014 appears to have emboldened anti-minority social and state actors, and has caused India’s religious minorities a great deal of concern.

In what follows, I provide the minimum amount of historical and contextual information necessary to understand contemporary dynamics at a basic level. After that, I describe the contemporary situation in more detail. In the final section, I provide some recommendations to US foreign policy specialists on how to intervene (and/or not intervene) productively in support of religious freedom and religious minorities in India.

Historical Context

While this article focuses on India’s minority Muslims and Christians, they are not, by any means, India’s only religious minorities. They are not even the only religious minorities to experience violence or other forms of oppression. As already shown, India’s Sikhs have at times been harassed, legally deprived, and attacked in independent India. Since 1984, however, they have become somewhat more integrated into the Hindu mainstream, and powerful enough to avoid blatant forms of systematic oppression. Similarly, India’s Parsi (Zoroastrian) minority constitutes a quietist, small, and shrinking (read: unthreatening) community that barely registers in India’s census statistics, and is more or less left alone.

Prejudice against both Muslims and Christians has a significant historical dimension. Muslim warriors made forays into what is today India almost from the beginning of Islamic history, first as raiders, and then, after 1200, as conquerors. From that point until the establishment of the British Raj in 1858, a succession of Muslim dynasties ruled large swaths of territory in what is today India and Pakistan. There is great debate among Indians and scholars of India about whether this period constitutes one of the truly productive and “sparkling phases”¹ (Larson 1995, 109) of Indian and world history or, rather, one of plunder, religious persecution, and violence.

Because of these factors, the question of whether the first Mughal Emperor, Babar (1483–1530), destroyed a Hindu temple to build a mosque (the Babri Masjid), whether that temple had been dedicated to the Hindu God, Ram, and whether the location marks the actual spot of Ram’s birth spot, are sensitive and symbolically potent questions that have plagued Hindu-Muslim relations for at least 160 years (and have led to some of the worst Hindu-Muslim violence, in 1992). So also are the more general questions about to what extent India’s Muslim rulers engaged in coercive conversions, and what percentage of India’s contemporary Muslims could trace their ancestry to Hindus (and should, therefore, in the minds of some nationalistic Hindus, be returned to their “ancestral” religion). What is absolutely certain is that the foreign origins and imperial history of Islam in India has made it a suspect and much disparaged religion among those who consider India a nation of and for “Hindus.”

In similar ways, despite having a presence there no later than the 4th century, Christianity in India is popularly associated with the period of European colonization that began, slowly, a millennium later with Vasco da Gama’s arrival in India in 1498, grew quickly, and in favor of the British East India Company in the subsequent centuries, and morphed into the British Raj from 1858 until India’s independence in 1947. While India’s European rulers are not generally accused
of physically coercing the colonized to convert to Christianity, they are justifiably blamed for mixing trade, politics, and religion, and for using their superior political and economic power to favor Christianity and Christian moral norms. As with the Islamic situation, there is a great deal of contemporary debate about the European, and particularly the British legacy in India. Moreover, because of the long centuries of Christian dominance in India, Christianity has become associated there with foreign rule and intervention, with the excesses of empire, with western wealth and power, and with the exploitation of that power for religious gain.

Because of that association, concerns about the processes of colonization and Christianization often mixed and fed one another, with destructive result. In the Indian Rebellion of 1857–1858, for example, Indian and European Christians otherwise unassociated with colonial rule were attacked along with colonial officials, suggesting that Indians generally did not distinguish between British civilizing and Christianizing missions (Wagner 2010, 39). Fifty years later, after a succession of significant mass conversions to Christianity, the concern was still palpable, as in U. N. Mukherjee’s series of 1909 articles in *The Bengalee* titled “Hindus—A Dying Race,” in which he used demographic data to argue that Hinduism would disappear in 420 years (Mukherji 1909; Jaffrelot 1996, 24). Not surprisingly, then, as the independence movement built steam in the first decades of the 20th century it became, in some strains, chauvinistically Hindu and xenophobic (though only selectively so, as implied by this article’s title, because other aspects of foreign culture and technology have been, and remain, enthusiastically embraced).

Nowhere is that xenophobia more clearly demonstrated than in the writings of V. D. Savarkar’s 1923 tract, *Hindutva: Who is a Hindu*? which posited that the essential and unifying identity of Indians was and should be their Hindu-ness, or *Hindutva*. A true Indian, for Savarkar, was one who could call India both fatherland and holy land (which Muslims and Christians of course could not). Borrowing a page from Germany’s waxing nationalism, Savarkar wrote, “If we Hindus grow strong in time Moslem friends . . . will have to play the part of German Jews” (Basted and Khan 2007, 448).

The origins of the Sangh Parivar lie here. In 1925, inspired by Savarkar’s *Hindutva*, Keshav Baliram Hedgewar founded the Rashtriya Swayamsevak Sangh (RSS; “National Volunteer Organization”). Hedgewar and M. S. Golwalkar, who led the RSS from 1940 to his death in 1973, perpetuated Savarkar’s ideology, and grew the RSS into a strong organization of activists eager to implement it. In Golwalkar’s *Bunch of Thoughts*, first published in 1966, Muslims and Christians are identified along with communists as “internal threats” Golwalkar ([1966] 2000, 177) to the nation. Golwalkar accuses them of not participating in the independence struggle, and of adhering to Semitic religions that are weak and unattractive but inherently intolerant and expansionistic (a common theme of critics of Christianity and Islam in India) (Varadarajan 2002, 17; Kuruvachira 2006, 142, 151).

Despite being banned several times, the RSS continued to grow in strength throughout the 20th and early 21st centuries, spawning dozens of regional and national social, cultural, religious, and political organizations that together comprise the Sangh Parivar (or “family of the Sangh,” i.e., the RSS). The most prominent of these organizations are the Vishwa Hindu Parishad (VHP; “World Hindu Council”) and the aforementioned political party, the BJP, which, while independent in some respects, remains very much in thrall to the RSS, and to its ideological underpinnings. For example, in the wake of the anti-Muslim riots in Gujarat, in 2002, the BJP Union Home Minister, L. K. Advani renamed an airport after Savarkar, and current BJP Prime Minister, Narendra Modi, a former member of the RSS, has called Golwalkar “Pujniya Shri Guruji” (a “Guru worthy of worship”) (Modi 2014).

The partition of British India, at independence, into Muslim-dominated Pakistan (East and West) and Hindu-dominated India, for which many of British India’s Muslims had lobbied, along with the horrific interreligious violence that resulted from it, remains for the Sangh proof both of the incompatibility of
Muslims and Hindus and of the Muslim desire to weaken and destroy India. If Christians are not negatively associated with this particular history, the case of Pakistan serves as a warning for what could happen if Christianity grew too strong in India. The 1956 Report of the Madhya Pradesh state-sponsored Christian Missionary Activities Inquiry Committee, which continues to be influential, worried that Christians were expanding their numbers and influence in central India as part of a western-led, neo-colonial plot to dismember and destroy the nation, and establish an independent Christian state (Goel 1998). The fact that contemporary separatist movements in India’s northeastern states are strong in areas dominated by Christianity, and in some cases have Christian leadership, lends credibility to the concern.

In the end, Christians and Muslims are understood and portrayed by those who espouse the Hindutva ideology as adherents of foreign religions incompatible with Hindu dharma (religion and culture), religions that are inherently intolerant and craftily expansionist, with foreign loyalties, and bent on destroying and/or claiming Hindu India for their respective religions by introducing foreign mores and norms, and gathering political power through numerical growth. In the case of Christians, that growth is believed—counterfactually, in my view (Bauman 2015, Chapter 4)—to come about primarily as a result of conversions induced through various forms of material allurement made possible through significant foreign Christian support for evangelism in India. In the case of Islam, the claim—also largely counterfactual, but politically expedient—is that Muslims inevitably reject modern forms of birth control, engage in polygamous unions more than Hindus, and have far higher than average fertility rates.

The growth of Islam and Christianity in India does of course represent a threat to the Sangh’s homogenizing ideology and agenda by representing heterogeneity, by advocating for more secular and inclusive visions of the nation, and by converting from and making alliances with lower-caste Hindu communities, undermining, and decreasing the size of the broader Hindu unity the Sangh hopes to forge. The harassment and oppression of Islam and Christianity in India, therefore, can be seen as a response to this perceived political threat, and an attempt to unify all Hindus, of all castes, under a Hindu banner. It can also be seen as a nativist reaction to the political and cultural challenge of globalization, westernization, and other forms of foreign intervention (e.g., terrorism, foreign support for Christian evangelism, and the building of mosques) of which India’s Christians and Muslims are perceived to be the primary purveyors and beneficiaries, and for which, therefore, they come to be a kind of local proxy (Bauman and Leech 2011; Bauman 2013).

Contemporary Dynamics

India’s Christians and Muslims continue to suffer under certain legal and social forms of discrimination. Evangelistic Christians find particularly problematic the Supreme Court’s exclusion of intentional conversion from the definition of “propaganda” in their interpretation of the constitution (as discussed in the Introduction) and, for similar reasons, the Freedom of Religion laws that are active in half a dozen states, and which are periodically (but so far unsuccessfully) proposed at the national level. These laws forbid conversions by force, fraud, and allurement, and in some cases also require that prospective converts and those converting them register their intent with law and order enforcement authorities ahead of time. The prohibition against conversions by force, fraud, and allurement, and in some cases also require that prospective converts and those converting them register their intent with law and order enforcement authorities ahead of time. The prohibition against conversions by force, fraud, and allurement would not generally be objectionable to religious rights activists, except for the fact that the terms are so vague that infractions can be claimed in almost any case of conversion. Christian offers of charity, or promises of eternal life, or of greater respect and more dignified treatment for members of the lower castes, for example, can be construed as forms of allurement. That these laws are used primarily to harass Indian Christians, and serve no other useful purpose, is evident in the fact that Hindus are almost never charged under them, even in cases where it becomes clear that converts have been explicitly offered financial remuneration.
Making matters worse is that easily corrupted law enforcement officers often act in collusion with local anti-Christian activists to spurious book Christian evangelists under these laws. A common feature of violent attacks on Christians is that the victims are afterwards dragged to a police station and booked under a Freedom of Religion law. At other times, the victims are charged under Section 295a of the Indian Penal Code which threatens imprisonment for those “outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or otherwise” (which many forms of evangelism can be construed to do). Section 295a is that rare and curious kind of law that problematically encourages citizens to be outraged in order to be certain the law is invoked.

India’s reservation system represents another form of legal discrimination that effects Muslims and Christians equally. The reservation system reserves seats in local and national legislatures, educational institutions, and civil service posts for members of India’s low-caste and tribal communities. However, the low-caste reservations are available only to “Hindus” (a category that has been legally clarified to include Buddhists, Jains, and Sikhs). A low-caste Hindu who converts to Islam or Christianity, then, forfeits his or her right to the much-desired reservations, which observers have rightly pointed out constitutes a disincentive to conversion, and in very practical terms often results in converts obscuring their new religious affiliation, or refusing to register it officially.

If the reservation system discriminates against India’s Christians and Muslims directly, India’s system of religion-specific “personal laws” do so indirectly, by providing fodder for those who claim that the secular state appeases religious minorities, kowtowing even to their most regressive tendencies. The laws governing issues like marriage, divorce, and adoption are not uniform in India, but are rather specific to each religion. This irregularity periodically becomes a controversial political issue, particularly in the case of Muslims, whose personal law lacks certain protections for married women and divorcees that are enshrined in the Hindu personal law code. These religion-specific personal laws were originally envisaged by India’s founders as temporary measure, but they have become entrenched.

In addition to these legal challenges and forms of discrimination, India’s Christians and Muslims have their religious rights curtailed through intimidation and actual physical attack. While Sangh leaders, and particularly BJP politicians, generally do not involve themselves directly in anti-minority violence, they are frequently suspected and accused of facilitating or inciting the violence. And rank-and-file members of Sangh organizations are prominent and prevalent among the mobs that engage in it.

The violence experienced by Muslims is considerably worse, and more deadly than that experienced by Christians. In the decades since independence, thousands of Muslims have died in incidents of mob violence. More than 7000 died in the 1980s alone. Smaller-scale riots in which at least a few Muslims are killed are an annual affair, while every recent decade has witnessed at least one larger-scale incident.

The most politically significant rioting in the 1990s occurred in 1992, after a Sangh-led mob in Ayodhya pre-empted legal and political considerations of the aforementioned Babri Masjid’s contested status, and tore it down. Around 1000 people, mostly Muslim, were killed, many of them in police firings, in the riots that subsequently spread across all of north India. The most dramatic riots of the next decade took place in the state of Gujarat, in 2002, after a train car carrying Sangh activists returning from a protest in Ayodhya was set ablaze (either by accident or a deliberate act of arson), killing 58 passengers. Between 600 and 2000 Muslims were killed in retaliatory riots by Hindus convinced that Muslims were responsible for the fire.
Current Indian Prime Minister Narendra Modi was the state’s Chief Minister at the time, and accusations that he discouraged or even actively obstructed an appropriate police response led to his being denied a visa to visit the United States until he was elected Prime Minister in 2014.

Christians have also occasionally endured large-scale, deadly riot violence in independent India. The largest, and best known anti-Christian rioting occurred over several months in 2007 and 2008, in and around the Kandhamal region of the state of Odisha. In these riots, at least several dozen Christians and a few Hindus died (along with a beloved if controversial Hindu swami and anti-Christian campaigner, Lakshmanananda Saraswati), while around 3000 Christians were displaced, many of them permanently. While the violence in Kandhamal received a good deal of media attention, both in India and internationally, in some ways more concerning for India’s Christians is the regularity with which they experience physical attack, theft, arson, vandalism, and sometimes (but rarely) even murder at the hands of smaller-scale mobs sympathetic to the Sangh’s ideology (or using it as cover for other motivations). These more local, isolated incidents, which have in recent years taken place about 250–350 times a year, disproportionately target more evangelistic Christian individuals and communities (Bauman and Leech 2011; Bauman 2015).

Recommendations

International criticism of the discrimination and violence faced by India’s religious minorities is, it seems obvious enough, perfectly appropriate, and there are many secularist individuals and organizations at work in India that would generally welcome thoughtful international interventions and support. As is perhaps obvious from the foregoing discussion, those concerned about religious freedom in India would do well to advocate for reforms and improvements in three broad areas: (1) the law in and of itself, (2) the preservation and application of law and order, and (3) the judicial system.

First, the legal reforms. Religious freedom in India would be well-served by clearer constitutional protections for proselytization. The Supreme Court’s argument that the right to “propagate” one’s faith does not include the right to intentionally convert another leaves those who might consider it their religious obligation to convert others in legal limbo. If there are concerns about the illicit use of money or other forms of allurement in the context of conversion, then perhaps laws like the Freedom of Religious laws now on the books in several states would be appropriate, provided those laws possess a clarity they do not currently possess regarding the definitions of “allurement,” and an explicit exemption of what might be called “spiritual allurements” (e.g., promises of dignity or reward in the next life). Similarly, Section 295a of the Indian penal code, which threatens punishment to those who outrage the religious feelings of others, ought to be stricken from the penal code altogether, or at the very least clarified to exempt mere criticism of others’ religious beliefs, however, harsh it may be.

Additionally, both religious freedom and interreligious harmony would be well-served, in my view, either by abandoning the system of reservations, which, as described above, constitute a de facto allurement to Hinduism for members of India’s lower castes, by making the basis of reservations one’s economic situation rather than one’s caste, or at the very least by extending the reservations to lower-caste adherents of all religions (as is the case with tribal reservations). Scrapping the reservations altogether would be unpopular among the many lower-caste and tribal communities that benefit from them. Nevertheless, the system of reservations, like the religion-specific system of personal law, constitutes a perpetual source of interreligious disharmony and conflict (and was, in fact, one of the precipitating causes of the anti-Christian riots in Kandhamal).

Second, India should be encouraged, and given financial support, to improve its systems of law and order. India’s police officers are notoriously underpaid and under-armed, which contributes both to their corruptibility and to the likelihood that they will simply leave their posts in the face of riot violence. India’s Muslims and Christians often complain that police officers...
stand idly by—or, worse yet, join in—when they are attacked, or when their possessions are stolen or destroyed. Moreover, because of their corruptibility, and because they are not held accountable for abuses of authority and the law, India’s police officers frequently obstruct minority attempts to file reports against their persecutors, or even collude with the perpetrators to unlawfully detain or file spurious reports against the victims. No equal freedoms, religious or otherwise, can exist in such a situation. And no reform of the laws, as recommended above, will be effective while the police continue to knowingly and with impunity misuse the law to target minorities.

Finally, judicial improvements are necessary to ensure that those who violently attack religious minorities on any pretense, including in putative retaliation for perceived wrongs, are brought to justice. It is tragically predictable that in the context of any large-scale act of violence against India’s religious minorities, Sangh leaders and associates will claim that the violence was merely a “natural” response to some perceived provocation (e.g., conversion by material allurement, criticism of Hinduism, and the elopement of a Muslim man with a Hindu woman). Very often the provocations named are pure fiction, and in many other cases the actions that purportedly justify a violent response are not in any way illegal (e.g., eating beef in states where doing so is illegal, the consensual elopement of single adults). But even in cases where religious minorities have broken laws and thereby offended their Hindu neighbors, those who care about religious freedom in India must insist on a legal (rather than extra-legal) reaction. Those who would take the law into their own hands must be held accountable and what is perceived by India’s minorities to be a widespread culture of impunity for offenders must be addressed. One of the particularly troubling characteristics of violence against India’s Muslims and Christians is how infrequently the perpetrators are even charged, let alone convicted, and how regularly witnesses become corrupted, or are intimidated into changing their stories in order to exculpate criminals.

That these reforms are necessary is perhaps clear enough. But foreigners wishing to effectively advocate for broader religious freedom in India would do well to carefully consider the manner in which such concerns are raised with the Indian government. To that end, then, I make three recommendations about the style, rather than the substance, of foreign intervention on behalf of religious freedom in India.

First, a healthy dose of humility will go a long way. As described above, there are certainly forms of Hinduism that incline in a nationalistic and xenophobic direction, and for this reason Hinduism cannot be said to be a universally tolerant religion. Nevertheless, India’s religious traditions do have a long and ancient history of producing and practicing tolerance for religious minorities, one that predates the origins of the idea of tolerance in the West. Likewise, the norm, in terms of majority–minority relations in India, is one of harmony, mutual friendship, and even hybridity (Gottschalk 2000).

Moreover, Indians are far more aware of current events in the United States than vice versa. They are aware, for example, of recent controversies in the United States about alleged police brutality and racism, and of hate crimes directed at Muslims and non-Muslims mistaken for Muslims (many of them Sikhs of South Asian origin). In fact, in proportion to the size of their respective populations, the frequency of what in the United States would be called “hate crimes” against India’s Christians is roughly the same as the frequency of anti-Muslim hate crimes in the United States. US advocacy for reform in India will sound hollow and hypocritical to Indians, therefore, if the US’s own issues with interreligious harmony are not adequately acknowledged and addressed.

Second, those wishing to improve the lot of India’s religious minorities must be certain to express equal concern for all religious minorities. There is a perception in India that American politicians and media are concerned primarily with protecting India’s Christian minorities. To the extent that this perception endures, US advocacy for “religious freedom” will be perceived not as a disinterested form of advocacy for the rights of all, but rather as an underhanded form of Christian boosterism. Moreover, neglecting to advocate on behalf of India’s Muslims, who suffer
far more than India’s Christians, perpetuates the belief among Indians that Americans, as a Hindu hotel proprietor once put it to me, “hate Muslims, too,” and thereby makes India’s Muslim minorities even more vulnerable to attack.

In this regard, it is also important that the United States and others concerned about religious freedom in India apply their standards evenly. Nothing sounds more inconsistent (and prejudicially Christocentric) to those resistant to US intervention on Indian matters of religious freedom than when, for example, Americans criticize Sangh-sponsored attempts to “reconvert” Muslims and Christians to Hinduism while advocating for full freedom with regard to Christian proselytizing efforts. For example, when United States Commission on International Religious Freedom (USCIRF) implicitly criticizes the Sangh, as it did in its Annual Report 2015, for raising money to “reconvert” Christians to Hinduism, and for noting that “it cost nearly 200,000 rupees (US $3200) per Christian and 500,000 rupees (US $8000) per Muslim” (United States Commission on International Religious Freedom 2015, 151) to do so, the Sangh could justifiably cry foul, since the Sangh was (probably intentionally) employing a proselytizing and fund-raising strategy that mimics that of well-publicized Christian evangelistic campaigns. What’s good for the goose is good for the gander, and the focus ought to be on preserving the freedom to proselytize and convert to and from all religions, and ensuring that any legal prohibitions against conversion (e.g., by physical force or by explicit offers of financial gain) are applied evenly across all religions.

Relatedly, US officials should avoid contributing to the unhelpful elision of the terms “allurement” and “force/forcible” in Indian law and public discourse, as USCIRF did in the instance discussed just above, where it described these Sangh-led attempts to lure Christians and Muslims to Hinduism with financial incentives as attempts to “forcibly” reconvert them. While the issue of conversion by physical force or coercion is a relatively simple matter, and nearly universally condemned, the issue of allurement through financial or other incentives is more complex and contested. Rhetorically conflating the use of physical force with the more complex issue of allurement only serves the purposes of those who oppose proselytization of any kind. But for those wishing to preserve the right to proselytize, and for those concerned about the deleterious effects of the ambiguously defined terms utilized in the “Freedom of Religious” laws (i.e., “force, fraud, and allurement”), it is important to resist terminological confusion so that physically forcing someone to convert and enticing them to do so through promises of a better or eternal life do not come to be seen as equally problematic forms of “forcible” conversion. They are not.

Third, it is important to recognize that, at least to some extent, the harassment and suppression of Muslims and Christians in India is a manifestation of anxiety about foreign intrusion in Indian affairs (in the form of western-dominated globalization, the millions of dollars that arrive each year from western donors in support of Christian evangelistic efforts, the substantial spending of Saudi Wahhabis on mosques and madrasas in India, etc.). Because of this, it is almost impossible for Americans to intervene on behalf of religious freedom in India without exacerbating concerns about foreign meddling in India affairs. Only extremely careful diplomacy, therefore, will have a positive effect that outweighs the reactionary response it is likely to provoke.

Conclusion

There is much potential for US diplomats, policy workers, and law makers to collaborate with their Indian counterparts for the preservation and expansion of religious freedom in India, and on behalf of India’s marginalized, legally disprivileged, and sometimes even physically attacked religious minorities. India and the United States share a common commitment to the ideals of secular democracy, even though those ideals may manifest themselves differently in the two countries. Because of this, non-Indians are justified in calling India to be accountable to secular democratic ideals by ensuring the broadest possible forms of religious freedom, the equitable application to all religious communities of laws
governing religion, equal protection for members of all religious communities by and from abuse at the hands of police and other security officers, and equal access to a functioning and effective justice system.

Nevertheless, there are some barriers to effective American intervention on these issues, among which the most significant is the fact that the United States is popularly and problematically associated, in the minds of many Indians, with (1) Western colonialism and its contemporary counterpart, globalization, (2) military collaboration with Pakistan, India’s bitter and longstanding rival, and (3) highly visible Christian evangelistic efforts funded in great part by US donations. For this reason, the timing, style, and tone of US advocacy must be particularly carefully considered if it is to have a positive effect.

Notes
1. Larson’s chapter 3 provides a useful and concise (if now perhaps slightly outdated) overview of this period of India’s history.
2. It is worth noting that many Hindus are killed, also, in the context of these large-scale riots. However, the number of Muslim dead generally outpaces that of the Hindus by three or more times.
3. On the Kandhamal riots (though it is now slightly outdated), see Bauman (2010).

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Toward a Strategy for Engaging a Resurgent Russia on Democracy, Human Rights, and Religious Liberty

By Christopher Marsh and Karrie J. Koesel

The promotion of democracy, human rights, and religious liberty is a worthy cause. This is especially the case when a country has been identified as one of “Particular Concern.” However, when the regime you are engaging has invaded the territorial sovereignty of its neighbor (Ukraine, a US ally that is also the only Partnership for Peace member that has contributed to all NATO-led operations), and is also on the brink of war with another one of your alliance members (Turkey) over the shooting down of one of its aircraft, and further that the Pentagon advises quadrupling military spending in the region to help deter this regime’s aggression, it seems that the promotion of religious, civil, and political liberties is hardly a primary concern.

The situation is further complicated when the domestic politics of the country of concern, Russia, have taken an illiberal turn. Democracy, human rights, and religious freedom are generally seen as imposed ideas from the West not compatible with Russian political culture or as part of a “third column” intended to destabilize if not topple the current regime. These sentiments are indeed reflected from both ordinary citizens—less than two percent view relations with the US as “friendly” or “good neighborly” (Levada 2015)—and from the highest level of power, which recently named NATO as an “adversary” (Russian Ministry of Defense 2015).

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Given these tensions, what actions (if any) can the US take to protect and promote democracy, human rights, and religious liberty in Russia? In the pages of this journal a few years earlier, Ziya Meral cautioned that the promotion of religious freedom is a dangerous occupation: “Advocates tackle specific real life dramas of torture, intimidation, rape, and death.” He also pointed out, however, that “growing religious extremism and polarization in the world are making religious persecution one of the most common forms of human rights abuses” (2012, 25). Although a specialist in Middle Eastern affairs, Meral’s sentiments aptly describe some of the challenges in contemporary Russia. Over the past several years, Russia has witnessed hundreds of victims of racism and ethno-religious violence (Verkhovsky 2014, 121–131; SOVA Center 2015). Indeed, as SOVA analysts Vera Alperovich and Natalia Yudina note, even these numbers are surely vast underestimates, as such crimes are often simply labeled as hooliganism, with their true nature and motivation masked (2014, 8–9).

Our argument here is that Russia must still be held accountable for its domestic failings in the areas of democracy, human rights, and religious freedom. And secondly, we believe that a change in Russia’s foreign policy will only occur if the political system itself changes course, returning to the path it embarked upon in the early 1990s when democratic elections were held at all levels, the media were not state-controlled, there was greater space for civil society organizations to grow and flourish, and religious freedom—as guaranteed by the 1993 Constitution—was promised, if not always actually upheld. However, we also recognize that these changes are impossible to impose from abroad. Thus the million-ruble question, if you will, is how does the international community in general, and the US in particular, promote such a change?

We approach this question in two ways. First by detailing the nature of religious freedom in contemporary Russia, how it has transformed since the collapse of the Soviet Union, and identifying the challenges facing religious communities at risk. Next we lay out several strategies of engagement, some cautious and some more ambitious. As with many, we hope that constructive engagement with Russia can lead to a turn in our foreign policies that encourage greater mutual understanding and respect for each other’s traditions.

Russia’s Failed Experiment with Religious Freedom
Like democracy, religious freedom in Russia today is in decline, but this transition has not been altogether linear. The brief window from 1988—the millennial jubilee of the Russian Orthodox Church—to 1993, when the Russian Federation ratified by popular vote its post-Soviet Constitution, was a heady one. In just five short years religious belief went from being officially proscribed to constitutionally guaranteed. The number of professed atheists in society plummeted, and believers came out publicly or began to experiment with religious belief for the first time (Marsh 2011; Koesel 2014).

The following five years were more problematic as Russia began to encounter what a society with religious freedom actually looks like—that is, the attendant unattractiveness (to some) of Hare Krishna devotees passing out literature on the streets while Jehovah’s Witnesses stood at metro stations handing out tracts and Bibles. Not all Russians were welcoming of such a diverse religious marketplace, including many leaders of the Russian Orthodox Church who saw growing pluralism as an attack on Russia’s traditional religions. Speaking already in 1996, then-Metropolitan (now Patriarch) Kirill of Smolensk and Kaliningrad addressed the missionary activities his country was experiencing: “We expected that our fellow Christians would support and help our own missionary service. In reality, however, they have started fighting with our church, like boxers in a ring with pumped-up muscles, delivering blows” (Metropolitan Kirill of Smolensk 1999, 73; but also see Fagan 2013 on the exaggeration of foreign missionaries). Thus, by the mid-1990s, many non-Orthodox Christians were depicted not only as religious newcomers, but also as latent threats to the Orthodox Church and Russian culture.
By 1997, a new federal law on freedom of religion and conscience was passed, naming Judaism, Islam, Buddhism, and Orthodox Christianity as the four traditional religions of Russia. The new legal arrangement distinguished between Russia’s traditional and non-traditional religions and sects, affording special privileges to the former, and varying degrees of rights for the latter. Recognizing in its preamble, “the special contribution of Orthodoxy to the history of Russia and to the establishment and development of Russia’s spirituality and culture,” the 1997 law gave the Orthodox Church full legal privileges, and awarded it certain financial and material benefits, in many ways tantamount to establishment. Other religions would be permitted to operate in Russia, but the four would receive particular benefits while the others would be subject to greater scrutiny and restrictions. The heady days of religious freedom and unrestricted religious pluralism were coming to a rapid close.

The 1997 law fundamentally altered the Russian model of religion–state relations from one of separation to one that would over the years rather quickly gravitate toward a model of religious establishment for the Russian Orthodox Church (Garrard and Garrard 2008; Fagan 2013; Marsh 2013; Richters 2013). Thus, the passage of the new law was perhaps the most critical point in Russia’s return to the status quo ante, that is, to a situation in which the Russian Orthodox Church is more than just first among equals in Russia, but actually stands next to the state as its own equal. Of course, full religious liberty had never materialized even before the passing of the 1997 law, but that fateful act symbolized an abandonment of the ideal itself. If religious liberties had been curtailed under a law and constitution that had guaranteed them, what chance was there for full religious equality under a law that developed a hierarchy of preferred religions and offered quasi-establishment to the Russian Orthodox Church? (Blitt 2008)

It was not until Vladimir Putin’s rise and consolidation of power that the situation became significantly worse for democracy, human rights, and religious freedom. Putin’s brand of populism mixed with nationalism, Orthodox Christianity, and anti-Western sentiments stoked the fires of xenophobia and extremism, as some tried to cling to a narrative of Russia’s past that was neither accurate nor tenable in the modern world, and one which excluded—or demonized—the “others” constantly at Russia’s doorstep, whether Jews, Muslims, or “sects” (as many Protestant denominations are pejoratively labeled). Putin’s politics of anti-Westernism and traditional values fell on fertile soil in a country reeling from a decade of difficult reforms. While Russia continues to function under the 1993 Constitution, a legal foundation that clearly defines Russia as a secular state and whose political institutions and legal structures are to be devoid of ideological and religious influences, the events of the past two decades have shattered that illusion. Indeed, Putin himself even rejects the idea. When asked if he thought that bestowing privileges on the Russian Orthodox Church violated Russia’s status as a secular state, the president responded: “This is not the case [Russia is not a secular state]: The law states that Russia has four traditional religions” (cited in Blitt 2008, 734).

Such an interpretation of the country’s laws has allowed Orthodox Christianity to expand into many facets of Russian political, economic, and social life, and take advantage of its close relationship to the Kremlin and the Duma. The Orthodox Church has been on the receiving end of various state subsidies for the reconstruction of historic Orthodox churches destroyed during the Soviet era. While we do not dispute the importance of historical preservation or that the state should play a leading role in it, the Russian government has actively funded the construction of new Orthodox churches. One of the more recent state-sponsored campaigns has been designed to build churches “within walking
distance” of where most Russians live (see, e.g. “200 Hramov” 2012). Moreover, these churches are often given prime real estate by the state, such as parks and or playgrounds, while other religious groups fight long legal battles to reclaim lost property and construct religious buildings with their own money, on land they have already purchased. A second notable privilege of the Church has been the introduction, in 2002, of an 11-year core curriculum on “Fundamentals of Orthodox Culture” into the public schools (Lisovskaya 2010; see also Lisovskaya and Karpov 2010). This course primarily introduces students to Orthodox Christianity, and only a handful of minority regions have launched initiatives to teach parallel courses for students of other faiths (Koesel 2014).

The expanding role of the Russian Orthodox Church is visible in other arenas. In 2009 military chaplains were introduced, but unlike in the West where they serve military officers and represent a multitude of religious denominations, in Russia they are almost solely Orthodox clergy who are sent by the Church to serve military units. The Church also assigns protector-saints to the Strategic Rocket Forces and individual tank battalions, religious symbols are visible in official and un-official military/security capacities, Orthodox chapels have been built in train stations and even on the premises of Russian governmental agencies, including Federal Security Service headquarters in Moscow (Koesel 2014). And of course, there is also the active involvement of the Patriarch in the inaugural ceremonies of all the post-Soviet presidents (which curiously resemble tsarist coronations).

While these activities may be dismissed as mere ceremony or the return of cultural traditions and not evidence of the state establishment of Orthodox Christianity, two other events clearly signal a dangerously close collusion between secular and sacred authority. One is the Russian Orthodox Church’s access to draft legislation prepared for the Duma so that Church leaders may provide commentary before legislation is debated. The other is the collaborative agreement between the Orthodox Church and Ministry of Health on “women’s reproductive health, the promotion of family values, and the prevention of abortion” (Provozlavie.ru 2015). While far from exhaustive, these examples demonstrate that the Church is rapidly developing into a de facto established church.

At the same time, the quasi-establishment of the Russian Orthodox Church is only part of the story in understanding the complexity of religious freedom in Russia. Orthodoxy’s primacy often comes at the expense of other religions, especially those that are seen as competitors. Among those often deemed as the most dangerous include a number of Protestant denominations, such as Jehovah’s Witnesses, Seventh-Day Adventists, the Church of Jesus Christ of Latter-day Saints (LDS), Pentecostal and charismatic-leaning churches. However, Catholics and other Protestant denominations, clergy, and lay-believers are also discriminated against, including Lutherans, Baptists, and Methodists, to say nothing of the plight of non-Christians, including Jews, Buddhists, Bahá’í, and Muslims. Here, it is also important to note that while many of these groups are viewed as direct competitors of the Russian Orthodox Church, they represent a small minority. Non-Orthodox Christians, for instance, make up less than five percent of the Russian population (Census 2012). Nevertheless, religious minorities tend to find their religious liberties directly or indirectly curtailed.

The Use of Lawfare to Curtail Human Rights

The violation of human rights and religious freedom in Russia today is being conducted largely as a lawfare campaign. Lawfare can be described as a deliberate strategy “to gain advantage from one side’s greater allegiance to international law and its processes” (Kittrie 2011, 396), which in this case would be the international NGO community. A similar dynamic is also common practice within the domestic arena of authoritarian regimes. Autocratic rulers use seemingly benign regulations and laws to repress independent civil society and maintain their grip on power (Sarkissian 2015). Rather than liquidating an NGO, which might cause domestic uprisings or international backlash, the autocratic state can threaten the NGO with tax evasion or fine it for violating building codes. In this way, the authoritarian state uses legitimate laws to
systematically but indirectly violate civil society groups, including their rights to freedom of association and freedom of religious belief. The use of legal mechanisms to target and selectively restrict religious groups is present within Russia.

There are four pieces of legislation that make religious communities particularly vulnerable. The first is a 2002 law on countering extremist activity in Russia, that is, activity of social or religious organizations directed toward inciting “social, racial, nationalistic, or religious animosity,” among other things. The extremist law is very broad and is typically invoked against groups when there is a claim to a particular ethnic or social group or religion being either inferior or superior to others. The danger of the anti-extremist law is that religious groups may be inappropriately targeted. The SOVA Center’s 2009 report on freedom of conscience, for instance, identifies the misuse of anti-extremist legislation to attack Jehovah’s Witnesses, target some Muslims for their alleged connections to terrorist groups, and repress Falun Gong to preserve good relations with China (Sibireva and Verkhovsky 2010).

The extremism law has also produced a public list of banned “extremist” literature. This list, which is periodically updated, currently identifies 3,278 extremist materials, including Hitler’s Mein Kampf and the works of the late scholar of Islam Said Nursi, but also works on Hinduism such as a book on the Bhagavad-Gita, several publications by Jehovah’s Witnesses, and an open letter by the mothers of the victims of the Beslan school massacre (Russian Ministry of Justice 2016). Although sacred texts are supposedly exempted from the law, throughout 2015 thousands of Bibles being shipped into Russia were held up in customs for months with no explanation given, presumably because they were shipped by Jehovah’s Witnesses who have a number of items on the extremist list (Arnold 2015).

The second legal mechanism is the so-called foreign agents law, signed into force in 2012. The law requires non-profit organizations that receive foreign donations and engage in “political activity” to register as “foreign agents,” a term with strong associations to Cold War-era espionage. Once registered, their financial and economic activity is open to regular inspection. Critics point out that it is nothing more than a way of blacklisting organizations that the Kremlin does not like. Although religious organizations are explicitly excluded from the law, there is concern that in time those seen as foreign faiths (Protestants) or those with ties abroad (Muslims) will also be labeled as foreign agents with nefarious political ambitions.

Putin signed follow-up legislation in 2015 known as the “undesirable organizations” bill. Under this law, Russian authorities “are able to target foreign groups which they deem to present a threat to the foundation of the constitutional order of the Russian Federation, the defense capability of the country, or the security of the state” (Wall Street Journal 2015). Civil society organizations that do not disband once given notice are now subject to high fines and significant jail time. Critics argue that the terms are unclear and lead to a dangerous precedent (Hartog 2015). This direct link to national security threats further supports the idea that Russia is engaging in a lawfare campaign, “using—or misusing—law as a substitute for traditional military means to achieve an operational objective” (Dunlap 2008, 148). Thus far, those targeted by this campaign include Human Rights Watch, Freedom House, and Amnesty International—civil society organizations that are highly critical of the declining freedoms in Russia. Yet, the legislation allows for the possibility that religious communities may also be considered undesirable organizations, especially those seen as non-traditional religions. In this sense, legal uncertainty functions as a potent kind of control over religious minorities.

Finally, in regard to curtailing religious freedom and expression is the 2012 law on offending “religious sensibilities.” This so-called blasphemy law was drafted in response to the performance of the punk band Pussy Riot inside Moscow’s Cathedral of Christ the Savior, an act which Russian state-owned TV reported as funded by “some Americans” (Bennetts 2014). This legislation allows the government to punish individuals and groups for offending the religious sensibilities and feeling of others. Under the law, Russian citizens would face fines and a year in jail for “intentional” and “public” displays that cause
“offense to religious sensibilities,” and up to three years in jail for desecrating religious sites. Again, the danger of such legislation is that there is no legal convention for interpreting what offends the religious sensibilities of others. Is the public slaughter of a sheep during the Muslim holiday Eid Al-Adha offensive? Does a Pentecostal tent revival offend the religious sensibilities of others? The legal ambiguity of the law played out in Rostov-on-Don. Russian producers cancelled their production of “Jesus Christ Superstar” after Orthodox residents complained the musical was “profanation” (BBC 2012). Taken together, these legal mechanisms form a cohesive strategy of lawfare that curtail the rights of freedom of speech, assembly, and belief in Russia today. Moreover, they cultivate a sense of legal uncertainty for religious communities, especially those that are not one of the four traditional religions.

Quiet Forms of Repression

One final challenge facing religious communities in Russia today is the quiet forms of repression. These are the day-to-day incidents of marginalization and discrimination of many religious groups. Quiet forms of repression follow a similar logic to that of lawfare and establishment—they create a sense of uncertainty and disadvantage for religious minorities.

Quiet forms of repression can come in many guises—they are the denied re-registration of a Baptist church because of a typo on the application; the misplaced zoning permit needed to break ground on a Baha’i center; the landlord who terminates the office lease of a Pentecostal church because her Orthodox priest warns against enabling “sectarians”; the journalists who provide inflammatory (and false) reports of Jehovah’s Witnesses supplying arms to pro-Kiev fighters on the border (Tushenka.info 2014); and the media portrayals of LDS missionaries as little more than “American spies” (Podsoblyayev 2015).

What is distinctive about such forms of discrimination and intolerance is that they are pervasive in Russia, but not necessarily systematic or coordinated. Nor are they evenly distributed among religious minority targets. Indeed, some religious minorities tend to face more challenges than others, including Jehovah’s Witnesses, Hare Krishna’s, Seventh-Day Adventists, and Pentecostal and charismatic churches. Such discrimination is further distinctive in that it is coming from both state and societal actors. In some regions local government authorities may harass religious minorities, whereas in other parts of the country it is religious leaders leading the charge. In still other regions religion—state and inter-religious relations are stable.

Finally, the pervasiveness and diffuseness of these forms of intolerance make them difficult for religious groups to prove and to counteract (Koesel and Dunajeva 2015). Moreover, even when acts of discrimination are explicit there are very few civil society groups in Russia willing to intercede on the behalf of targeted religious actors (Lunkin 2015). As Roman Lunkin argues, religious policy in Russia can be seen as “intolerant but not necessarily repressive.” He characterizes this dynamic as a game of cat and mouse, when the victim does not die in the end and maybe is not eaten but is simply tossed and more because it has played with it enough. But in the course of the game the cat or the mouse learns and incarnates certain instincts. (Lunkin 2015)

It would seem that many religious groups have become the “mouse” and must adapt and negotiate around these day-to-day challenges of the many “cats.”

A Strategy for Promoting Religious Freedom

We are in a political moment where US–Russia relations are at a new low. The US appears to have little leverage over Vladimir Putin, and attention is primarily focused on military aggression and economic sanctions (Gvosdev and Marsh 2014). Yet, this is not the moment to simply shelve the cause of democracy, human rights, and religious liberty in Russia.

Within the contemporary geopolitical context, we suggest there are a number of practical strategies to promote positive change within the arenas of democracy, human rights, and religious freedom. First, and most importantly, the US must pursue a multiple
actor, multiple channel, and long-term approach. Within the US government there should be greater coordination around issues of democracy, human rights, and religious freedom. In some policy-making circles there has been a “siloing” effect, where democracy and human rights are seen as distinctive from religious freedom. We would suggest that these freedoms are bundled together and that policy-makers with an emphasis on democracy promotion would benefit by having equal concern for religious liberty, and vice versa. Religious liberty does not and cannot operate in a vacuum, but is deeply dependent on civil liberties, including freedoms of association, assembly, and speech (Gill 2008). If these areas continue to be understood as separate (and unequal) priorities within policy-making circles, their actual promotion falls into question.

Second, given the combative nature of Putin’s Russia, any tough talk, moral condemnation, and forceful action are likely to result in a backlash not only from Kremlin elites, but also from ordinary Russians. Thus, the US must rely upon a combination of diplomatic and track-two channels of engagements. Within diplomatic circles, the US should articulate the political, economic, and security interests at stake and find points of collaboration. The reality is that Russian leaders have few incentives to address quiet forms of discrimination facing religious minorities unless there is evidence how it is advantageous to their rule. Here, diplomats would be wise to draw on ample scholarship that demonstrates the security costs of religious restrictions as well as the potential benefits of religious liberty. There is widespread evidence that restrictions on religious groups contribute to violent conflict, inter-religious instability, and terrorism (Grim and Finke 2011; Seiple and Hoover 2013; Saiya and Scime 2014; Saiya 2015). Moreover, research demonstrates that religious freedom is positively linked to economic flourishing, good business practices, and investment opportunities (Alon and Chase 2005; Grim, Clark, and Snyder 2014). Religious freedom, in other words, should be approached in a way that is politically and economically salient for Russian ruling elites.

Third, track-two engagement should also focus on pragmatic engagement, but proceed with caution. This is because the foreign agents law and powerful position of the Orthodox Church means that the overtures of Western NGOs and religious organizations may do more harm than good. Practitioners should be careful to demonstrate solidarity for these marginalized members of Russian society, but not stoke the fires of conspiracy or be interpreted as attempts at regime change. Although we argue that practitioners are careful in how they engage Russian civil society, we believe they have the potential to play a vital role building symbolic bridges and mutual understanding, as the recent meeting of Pope Francis and Patriarch Kirill in Cuba demonstrates. One of the outcomes of this historic meeting was a joint declaration calling for the protection of those at risk in the Middle East and North Africa. In spite of the theological divisions between these two churches, they are forging common ground around issues of mutual concern. US–Russian diplomatic channels should follow this lead. Despite our disagreements over the situation in eastern Ukraine and Syria, we believe there is enough common ground for our two nations to cooperate for mutual advantage, not the least of which is the fight against Islamic State of Iraq and the Levant and counterterrorism.

These strategies are practical, but they are also attainable. However, success will not happen overnight. Any strategy of engaging a resurgent Russia must be understood as a long-term project. If history teaches us anything it is that the protection of liberty is a slow and gradual process. It is also something that must be fought for (Gill 2008). Across administrations we must continue to be creative in our support for Russian civil society where and how we can, and strive to keep open channels of communication and find common growth, both with the Russian government and non-state actors. To be sure, this will not be easy, but it moves us closer to a sustainable strategy of engagement with Russia for today and the future.
Note
1. In 2009 the US Commission on International Religious Freedom placed Russia on its list of countries in which religious freedom is under threat, placing it alongside China, Iran, North Korea, and Saudi Arabia. Since 2007, the Pew Research Center ranked Government Restriction on Religion and Social Hostilities involving religion as “high” or “very high” (Pew Research Center 2015). See also the Moscow-based SOVA Center’s annual reports and analyses on Freedom on Conscience in Russia, available at: http://www.sova-center.ru/en/religion/publications/.

References


RELIGION AND SECURITY IN CENTRAL ASIA: RECOMMENDATIONS FOR THE NEXT U.S. ADMINISTRATION

By Martha Brill Olcott

The five countries in the Central Asian region have been of interest to US policy-makers since they were granted independence 25 years ago partly to prevent Russian revanchist policies, but also because of these countries’ inherent promise. Two of these countries, Kazakhstan and Turkmenistan, were a potential source of oil and gas reserves; Kyrgyzstan, even in its earliest days, seemed to be flirting with democracy, while Uzbekistan was the region’s historic center and its most populous nation. Tajikistan was initially mired in a civil war, making US engagement more difficult, but as a border state with Afghanistan it too became of greater strategic importance after 9/11, as did the region as a whole. Their location and natural resources will continue to make these countries of interest to the next US president. So too will China’s growing economic presence, Russia’s growing geopolitical assertiveness, and the Islamic State’s targeting of Central Asian populations in their recruiting efforts.

Yet to say that Central Asian states have been of interest to the US is not to say they been a priority for the US. Barring a cataclysmic event, this is not likely to change under the next administration. This region is not a major source of oil and gas for the US or its principal strategic partners, nor does the US or any major American ally share a border with any of these states, while both Russia and China do.

Most importantly, these countries share few core political and ideological values with the US. At best they have been slow to introduce democratic institutions, while at worst they have demonstrated scorn for them. Although the constitutions of these countries make reference to respecting the major principles that define international conventions on human rights, all five have been criticized with regularity by the US Department of State, the US Commission on International Religious Freedom, and by US non-governmental organizations that monitor human rights.

There have been improvements in some dimensions of human rights in some of these countries. Every one of these countries has

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introduced elements of reform in their judicial systems, be it better training for judges, the use of habeas corpus in selected instances, experimentation with trials by jury, and in Kyrgyzstan and Kazakhstan in particular, national watchdog mechanisms on the use of torture. But nowhere in the region, even where judicial reform has gone the furthest, are judicial institutions separate from political ones.

One of the areas that is most problematic for US policy-makers is the contrast between American understandings of religious freedom and the understandings held by some of the Central Asian countries’ elites (and seemingly their populations) on the proper relationship between religion and the state. All of the countries in the region provide some form of constitutional protection of freedom of conscience or guarantee of freedom of religious belief, but in each of these countries religious communities must meet tough registration requirements to operate, religious materials are subject to state inspection, and there are restrictions placed on parental ability to provide religious instruction for their children.

Central Asia’s leaders defend most of these provisions in the name of national security. While US policy-makers and Western-sponsored NGOs have tried to convince these leaders that their policies are likely to stimulate new domestic security risks, most of these efforts have fallen on deaf ears. The message being delivered requires that the Central Asians redefine their understanding of religion, faith, and tradition in order to make it correspond to Western democratic teachings about individual rights. This is something that the region’s leaders have been reluctant to do, and which the next US administration will need to find new ways to address.

The View from the Central Asian States

Governments in the region all view the relationship between religion and politics very differently from the way it is understood in Western democracies. All Central Asian states have legal systems that grant governments the responsibility to monitor religion in the interest of public well-being, and all have legislation in place that ensures that the needs of national security far outweigh any constitutional protections afforded citizens. In each country the rights of religious communities are covered by a law “on religion.” Criminal codes, and in some places laws on extremism, also define how religion can and cannot be practiced.

The legal systems’ elaboration of the rights of the state and the rights of religious believers still owe much to the Soviet system. As was true in the USSR, out of which all of the Central Asian states were carved, government’s key responsibility in the area of religion is to be the moral arbiter and not the protector of the religious rights of its citizens. This is how the states in the region understand “secular” rather than the Western notion of the separation of church and state. Each country has a state committee on religious affairs, whose job is to supervise and monitor the country’s legally recognized religious communities, while unregistered religious communities fall under the purview of the criminal justice system and security services. There is an implicit hierarchy of religions, with “traditional” faiths, those practiced before communism took hold, being viewed as having greater rights than “new” faiths, because of the hardships that their practitioners suffered during Soviet rule. Throughout the region the main faiths of the Soviet era (Sunni Islam, Russian Orthodoxy, Judaism, and frequently Catholicism and Buddhism) have some place in the public sphere, but major Islamic holidays are now state holidays, and Islam as traditionally practiced is seen as a treasured part of the national past, and as a source of public morality.

Smaller Christian groups, including Evangelical Christians and those like the Seventh Day Adventists and Jehovah’s Witnesses who focus on missionary work, have generally found it hard to register, and if registered they frequently find it very difficult to operate. Central Asian officials claim that the members of these religious communities can be socially disruptive, that through their efforts at proselytizing they undermine the traditional Islamic family unit.

Sunni Islam is the region’s largest religious community, and it is under the strict control of a
Spiritual Administration” whose leadership answers to the state. It is in charge of registering mosques, and madras and must approve the clerics who head them, as well as set the topics for Friday sermons and the curriculum in religious schools. Mosques or clerics that reject its authority are subject to arrest, as are their followers.

Over the past decade state control over religion has tightened in each of the countries in the region. Most of the changes have been defended as justified responses to religious-extremist inspired terrorism, while others are designed as “preventive,” like banning nonconforming Islamic groups.

Given the highly restrictive legislation on religion in each of the Central Asian countries, and the broad definitions of extremism that are employed, it is easy for the governments of the region to label any political opposition with a religious coloration as terrorist, justifying action against these individuals or groups.

**Tajikistan**

This has been the case in Tajikistan, where President Emomali Rahmon has faced armed insurgencies led by former allies as he institutes an increasingly family-focused regime (BBC News 2012). In recent years Rahmon has backed away from the concessions toward religion made to end the country’s civil war, which lasted from 1992 until 1997. The region’s only Islamic Party, the Islamic Renaissance Party (IRP), whose members had served as minority members of parliament and briefly even in government, is now banned. Many of its leaders have been jailed (Interview with Muhiddin Kabiri 2016).

The IRP has joined the list of banned groups which are considered extremist. This includes Hizb ut-Tahrir, al-Qaeda, Muslim Brotherhood, Taliban, Jamaat Tabligh, the Islamic Community of Pakistan, the Islamic Movement of Eastern Turkestan, the Islamic Party of Turkestan Lashkar-e-Tayba, Tojikistoni Ozod, Sozmoni Tabligh Jamaot, Salafiya, Jamaat Ansarullah, and Group 24 (USDOS 2015e, 3). Individuals convicted of membership in extremist organizations can face between eight and 12 years in prison (USCIRF 2015, 121).

Tajikistan introduced a new law on religion in 2009 (see Zakon Respubliki Tadjikistan 2009) and further toughened this legislation through amendment in 2011. This law awards the Hanafi school of Sunni Islam a special status in the country. This is a deliberate slight against the country’s Ismaili minority (approximately 4 percent of the population) which is concentrated in and near the Khorog region and which has benefitted from the development programs funded by the Aga Khan, their spiritual leader.

Tajik authorities are reported as enforcing many of the provisions of the law, including those banning male teachers under 50 from having beards and not permitting the wearing of hijab in state schools. Restrictions on the number of guests attending weddings, funerals, circumcision ceremonies and celebrations for religious holidays are also being enforced. The restrictions on foreign Islamic study are also reportedly being enforced (USDOS 2015e, 8).

Tajik media has also been put under stricter control, with the government justifying its actions because of claims that some thousand Tajik citizens are fighting in Syria, numbers which experts have called into question (Tucker 2016c, 1), though there have been high-level defections from Tajikistan to ISIS, most prominently Special Forces Commander Gulmurad Halimov in May, 2015.

While most of the government’s attention has been focused on its Muslim citizens in recent years, Protestant groups complain of harassment, and the Jehovah’s Witnesses have been denied registration since 2007 (USDOS 2015e, 5). Christians make up under two percent of the population of Tajikistan, and the vast majority of them are Russian Orthodox (USCIRF 2015, 121).

Concerned with the deteriorating religious situation in Tajikistan, in 2015 the US Commission on International Religious Freedom has requested that Tajikistan be reclassified as a Country of Particular Concern.

**Turkmenistan**

Turkmenistan has been classified as a Country of Particular Concern, but as with Uzbekistan and Saudi Arabia the Secretary of State has
applied waivers to protect Turkmenistan from sanctions for reasons of US national security (USCIRF 2015, 13). State policies toward religion in Turkmenistan, which are covered by a 2003 (see Zakon Turkmenistana 2003) law, closely resemble those introduced in all five countries. Although there were some minor reforms made to the law in 2007, further restrictions, including increased penalties for unregistered religious groups, were introduced when new administrative codes were promulgated in 2014 (USCIRF 2015, 72). Laws governing religious practice tend to be strictly enforced, and the overall closed nature of Turkmenistan, where there is relatively limited access to the internet, and where entering or leaving the country is subject to restrictions, further increases their effectiveness.

Sunni Islam (the Hanafi school) is the dominant faith in Turkmenistan, with about 85 percent of the population coming from this tradition. Approximately 9 percent are Russian Orthodox, and two percent are from other Christian communities, or Jewish (USCIRF 2015, 71).

As the State Department notes, there is “societal criticism and harassment” of ethnic Turkmen who convert to other faiths (USDOS 2015f, 1) and ethnic Turkmen are more likely to be targeted for arrest when in violation of the country’s laws governing religion. This includes holding religious services in private homes, effectively the only option to those from unregistered religious communities, or importing religious literature (which can only be done by legally registered religious groups). Since 2005, Bahai, the Society of Krishna, the Seventh Day Adventists, and various Evangelical and Pentecostal communities have been granted the right of legal registration, although registration can still be difficult (USCIRF 2015, 73).

Initially state control over Islam was focused on transforming the Sunni clerical establishment from being mainly ethnically Uzbek to mainly Turkmen. This was done at least in part through accusing the targeted clerics of committing political crimes. In recent years the focus has turned to Islamic groups considered to be terrorist, extremist, “Wahhabis” (a loose term applied to Muslims viewed as fundamentalist) or pro-Taliban. There have been Taliban-organized breaches of the long-quiet Turkmen–Afghan border since 2014, seemingly with some local support, and there are estimates that about 360 Turkmen are fighting in Syria (where indigenous ethnic Turkmen have been a target of the Assad regime) (Tucker and Turaeva 2016, 1).

Uzbekistan

Uzbekistan’s population is 93 percent Sunni Muslim, 1 percent Shi’a, 4 percent Russian Orthodox, and 3 percent are Roman Catholic, Korean Christian, Baptist, Lutheran, Seventh Day Adventist, Bahai, Hare Krishna, belong to an Evangelical church, or Jewish (USDOS 2015g, 2). Registration is difficult, and Pentecostal and Evangelical or Protestant congregations that are predominantly ethnic Uzbek can find registration very difficult and may be subjected to harassment even when operating legally (as was the case with a Baptist summer camp that was raided in 2014). Uzbekistan was first designated as a Country of Particular Concern in 2006, in the aftermath of the deadly suppression demonstrations in Andijian, which resulted in several hundred deaths of largely unarmed demonstrators (Human Rights Watch 2006), and has been so designated every year since.

Uzbek leaders have long considered virtually all Islamic dissenters to be political enemies, and varying estimates place the number of religious prisoners at between 5,000 and 15,000 people (USDOS 2015g, 6). Some unknown percentage of them would undoubtedly have been prosecuted for posing a security risk to the state in a democratic political system, but given the restrictive nature of Uzbek legislation a substantial percentage of these people would by most international standards be considered prisoners of conscience.

Uzbekistan’s legislation on religion was introduced in 1993, and modified in 1998 (see Zakon Respubliki Uzbekistan 1998). The country’s legal system distinguishes between unregistered and prohibited religious groups. Those convicted of membership in unregistered groups (which includes holding services in unregistered meeting spaces, or distributing
religious materials that have not been legally imported, or subject to official inspection) are subject to steep fines and risk imprisonment. Those convicted of membership in prohibited groups—which include Akromiya, Tabligh Jamoat, and Hizb ut-Tahrir and Nur (Fethullah Gulen’s movement)—face long periods of incarceration, and may be subject to inhumane treatment (US DOS 2015g, 4). Since August 2014, even when released from jail, they are placed on a state register of former offenders.

Islamic education is under the strict control of the state, including the 11 madrasas (two of which are for women) and the Tashkent Higher Islamic Institute, all of which are maintained by the Muslim Spiritual Administration. There is also a secular Tashkent Islamic University. Only graduates from these institutions can legally serve in the country’s mosques. State efforts at monitoring media notwithstanding, Uzbek youth do get exposed to foreign Islamic materials, and some 500 Uzbek citizens (and 1,000 ethnic Uzbeks) are reported to have gone to Syria and Iraq to fight (Tucker 2016d, 1).

**Kyrgyz Republic**

The greater religiosity of ethnic Uzbeks than ethnic Kyrgyz is a factor in efforts by Kyrgyz authorities to try to increase government supervision of the country’s religious communities. Draft legislation to this effect has been circulating since mid-2014 (but has still not been enacted, leaving the 2008 (see Zakon Kyrgyzskoi Respubliki 2008) law on religion in effect (USCIRF 2015, 199). Some of this concern is the product of the violent inter-ethnic clashes in southern Kyrgyzstan in June 2010, which fostered concerns on the part of Kyrgyz nationalists in particular that ethnic Uzbeks feeling themselves second-class citizens in Kyrgyzstan would turn toward radical and potentially violent expressions of Islam. There is also concern that in the current global environment ethnic Kyrgyz might also be drawn toward these movements. To date, the presence of Kyrgyz citizens in jihadist groups in Iraq and Syria seems relatively limited, with estimates of some 200–400 people (Uzbeks and Kyrgyz) (Tucker 2016b, 2).

Kyrgyz authorities have labeled a number of Islamic groups extremist, and banned them in the country, including Al-Qaida, the Taliban, the Islamic Movement of Eastern Turkistan, the Kurdish Peoples’ Congress, the Organization for the Release of Eastern Turkistan, Hizb ut-Tahrir, the Union of Islamic Jihad, the Islamic Party of Turkistan, Takfir Jihadist, Jaysh al-Mahdi, Jund al-Khilifah, Ansarullah, and Akromiya. They also have banned the Unification (Mun San Men) Church, and the Church of Scientology (US DOS 2015c, 3).

Sunni Muslims comprise 75 percent of the population, and Russian Orthodox another 20 percent, and the remaining 5 percent include Baptists, Lutherans, Pentecostals, Presbyterians, Seventh day Adventists, Jehovah’s Witnesses, Roman Catholics, Jews, Buddhists, and Baha’is (US DOS 2015c, 1). Nontraditional Muslims, like the followers of the Ahmadiyya movement, complain of problems with security registration and of official abuse more generally. Religious minorities also complain of harassment in the workplace. Kyrgyz courts have historically provided some relief for those complaining of unjust actions by law enforcement officials (US DOS 2015c, 1).

**Kazakhstan**

Kazakhstan is classified as a “tier-two” country by USCIRF, meaning that “violations are engaged in or tolerated by government.” Until the introduction of a restrictive law on religion in 2011, USCIRF considered the legal system of Kazakhstan the most tolerant toward religious groups in the region (USCIRF 2015, 166). Between 65 and 70 percent of the population is Muslim, almost all of the Sunni Hanafi school, while Russian Orthodox makes up about 25 percent of the population. Roman Catholics, Greek Catholics, Lutherans, Presbyterians, Seventh day Adventists, Methodists, Mennonites, Pentecostals, Baptists, Jehovah’s Witnesses, The Church of Jesus Christ of Latter-day Saints (Mormons), Christian Scientists, Buddhists, Hare Krishnas, Bahais, Scientologists, and the Unification (Mun San Men) Church account for the remainder (US DOS 2015b, 1).
For Kazakhstan, a real turning point in the management of religious affairs was a series of small-scale bombings and attacks on security installations in the western regions of the country during 2011 and 2012 (McDermott 2014, 4–5). Kazakhstan had already banned most Islamic groups associated directly with extremists or even tangentially seen as potentially extremist, including the Islamic Movement of Uzbekistan (IMU), Hizb-ut-Tahrir al-Islami (HT), Jamaat of Central Asian Mujahedins, the Islamic Party of Eastern Turkestan, Lashkar-e-Tayba, Al-Qaeda, Taliban, and the Muslim Brotherhood (McDermott 2014, 2). The Tabligh Jamaat was also banned, and its members have been arrested and jailed for allegedly extremist activities. Changes in the criminal code and administrative law in 2014 further increased the penalties for association with them, and for any other forms of behavior that could be legally defined as extremist or increasing social tensions.

As part of the 2011 (see Zakon Respubliki Kazakhstan 2015) law, all religious groups had to apply for reregistration. Registration is now more difficult for smaller religious communities, as local registration requires 50 members, regional registration requires 500 members in two different regions, and national registration requires 5,000 members, with groups being banned from conducting any religious activities outside the localities or regions in which they are registered. The Baptist Council of Churches, with some 11,000 members, remains unregistered, refusing to apply because of requirements that it accept the primacy of the constitution of Kazakhstan (USDOS 2015b, 3).

Christian groups continue to feel pressure in Kazakhstan, as much because the public resents their activities as because of government restrictions. One well-reported case is that of Pastor Bakhytzhan Kushkumbayev who was arrested in Kazakhstan for “harming a parishioner’s health” as a result of the complaints of a family member) (USCIRF 2015, 161). For Kazakh authorities though, their greater priority lies with monitoring the situation in Iraq and Syria, where some 250–400 ethnic Kazakhs are reported as fighting as part of an all-Kazakh ISIS brigade (Tucker 2016a, 2).

**US Policy in Central Asia**

While the US government monitors this situation, US influence in the Central Asian region remains limited. The US spends far less money in the region than either Russia or China, but asks a lot more of the Central Asian countries by emphasizing “the human dimension.” China explicitly commits to noninterference in the domestic affairs of other countries in their “One Belt One Road” program, which plans to invest US $40 billion in infrastructure projects in the Central Asian region (Cheung and Lee 2015). China sees this strategy as facilitating economic domination of the region, making political influence only of indirect interest. Russia too is very critical of the US “human dimension” approach, and uses all of its available levers (including energy policy, Russian language media, and the presence of a large labor migrant population from Central Asia) to try to influence the economic, political, and security policies of the countries in the region.

By contrast, the US government budgeted $5.7 billion in total for all five Central Asian countries (excluding classified assistance) from 1992 through 2010, and since then budgeted assistance has dropped from $148.91 million in 2011 to the FY 2015 budget request of $113.7 million (Nichol 2014, Table 2). Partly this reflects other US strategic priorities, but another reason for this is these countries’ flawed human rights records. The latter also explains why no US president has ever traveled to Central Asia and no Central Asian leader has ever been offered a state visit to the US. By contrast, Russian and Chinese leaders show up with regularity.

But given ongoing US engagement in Afghanistan, and Washington’s unwillingness to just let Russia and China expand their economic influence, the US government has no choice but to engage in Central Asia.
and security interests in the region in a wholly unchecked fashion, in late autumn 2015 Secretary of State John Kerry toured all five Central Asian countries and held a “5–1” summit in Samarkand, Uzbekistan with all of the foreign ministers, the first event of its kind held in the region by a senior US official (Sanger 2015, New York Times).

The event was designed to foster an impression of increased US interest in the well-being of these countries as the security environment in Afghanistan deteriorates and both Russian and Chinese economic and security interests increase. Concurrent with the summit meeting, the US Department of State issued a new circular summarizing the goals and priorities of US assistance to the Central Asian countries, which outlined at length the projects (both through US bilateral and US donations in multilateral assistance) that were being developed to meet these goals (USDOS 2015d).

Most of the document is about cooperation in areas of mutual interest, including trans-boundary issues such as terrorism, regional trade, transportation and communication, energy linkages, and climate change. And of course, the document included a reference to the need to insure and bolster the independence and security of Afghanistan. The impact of the document should not be exaggerated, given that the new US State Department policy statement is not linked to any increase in funding for initiatives in Central Asia.

Even with restrictions and the various kinds of political pressures that US policy-makers have sought to introduce, Central Asian leaders remain eager for American security, technical, economic, and infrastructure assistance. They are desperate for investment from US companies and from international financial institutions such as the World Bank, International Monetary Fund, and European Bank for Reconstruction and Development, which the US and EU countries lead or dominate.

For this reason, the Foreign Ministers gathered in Samarkand were willing to sign a Joint Declaration of Partnership and Cooperation which included a commitment to:

Protect human rights, develop democratic institutions and practices, and strengthen civil society through respect for recognized norms and principles of international law, including the United Nations Charter, the Universal Declaration of Human Rights, the Declaration on Principles of International Law, and the Helsinki Final Act of the Conference on Security and Cooperation in Europe. (USDOS 2015a)

Conclusion
Signing declarations does not easily translate to changing policies. It will be very difficult to change the attitudes of these governments on questions of how to balance national security concerns with obligations to ensure religious freedom, or to modify the philosophy of governance upon which the treatment of religious communities and religious believers is based. But at the same time it would be a mistake for US policy-makers to just give up, particularly as the policies these governments are pursuing may be creating the very security threats that they are seeking to alleviate.

It would also be unfair to say that these countries have been oblivious to US criticism. All have been receptive to varying degrees, registering some of the minority faiths under US and EU pressure, and partially responding to complaints of how prisoners are treated. In Kazakhstan and Kyrgyzstan national mechanisms against the use of torture have been introduced, and this has led to greater accountability of security officials, even if there are still complaints that this is unevenly applied.

This said

- US policy-makers and human rights advocates have to be cognizant of the changes going on in our own society when we engage these governments in discussions on religious questions. In the face of rising global terrorist threats, the US has also increased surveillance of its citizens, made access by foreigners to the US more difficult, and some current candidates for US president are demanding much greater restrictions.
Discussions on religious freedom need to be focused and not appear as scolding by US-sponsored interlocutors. They are not children, but adults making different choices than are made in the US.

In addition to pressing these countries on their international obligations, we should at least show awareness of the difference between US cultural values and their traditional cultures. We need to demonstrate that the US appreciates their concerns relating to the risks of social upheaval in multi-religious families, and help them find solutions (potentially through increased counseling opportunities at the local level) that will facilitate Kazakhstan’s meeting their international religious freedom obligations.

These are societies in which there is respect for elders, and in framing discussions the US also needs to be aware of the frequent age differences between those in US-supported NGOs doing outreach activities and those whose behavior they are seeking to modify. So the message needs to be tailored so that the way it is delivered conveys the necessary respect, and obviously to do this in a manner that does not substantially modify the content.

There needs to be more dialogues on issues of religious freedom held at the local level with local officials and not just engagement at the national level. The security aspect of these policies is set at the national level, but concerns relating to the potential for social disruptions often come to the national level from local officials.

More progress could be made on registration of minority (and particularly Christian) faiths if delegations focused directly on the social concerns relating to conversion by Muslims to Christian faiths, and did this by including in the delegations Muslim converts to Christianity who preserved close ties to their families.

In order to prove more effective, the dialogue on the treatment of dissenting or schismatic Muslim groups needs to be disaggregated at least in part from discussions of religious freedom, and focused on raising the knowledge base of state officials charged with religious affairs. The arguments for restricting nontraditional Islamic groups are often given for self-interested reasons advanced by clerics from the dominant Hanafi school of law, who are appealing to secular officials who often lack the background in Islam to make informed decisions on what constitutes security threats.

Regardless of where they fall on freedom of religion issues, US policy-makers should work with the Central Asian states to help them combat threats posed by groups that are internationally accepted as terrorists, such as ISIS and other jihadist groups.

This assistance should take the form of limited and focused intelligence sharing, as much because the security agencies in these countries can have information that the US would otherwise be unable to obtain, as to help Central Asia’s security agencies better distinguish between potentially imminent and generally abstract threats.

This assistance should also include enhanced professional training of the security forces of these countries, by the US and in the form of assistance through willing NATO partners, such as Turkey, and bilateral assistance of training of professionals working in the criminal justice system. This would help ensure that those arrested through the application of laws that fail to meet international human rights obligations of these countries would be able to receive more humane treatment while subject to the judicial and criminal authority systems.
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There are many reasons to recommend that Indonesia should figure prominently in the next administration’s foreign policy deliberations, not least with regards to questions of Islam, democracy, and religious freedom. With its 255 million people, 87.2 percent of whom officially profess Islam, this Southeast Asian country is the most populous Muslim-majority country in the world. Indonesia is also the world’s largest Muslim democracy, having made a transition to electoral democracy in 1998–1999 after 32 years of authoritarian rule. Although it still has serious shortcomings with regards to the rule of law and the protection of religious freedoms (Crouch 2014; see below), Indonesia’s achievements with regards to press freedoms, labor rights, literacy rates, and women’s education and employment have by all measures been far-reaching and impressive (Robinson 2009). Even in such specialized fields as Islamic education—Islamic schools educate about 15 percent of the school-age population—Indonesia stands out. With its mix of Islamic sciences, general studies, and courses on women’s rights and civic education, the country’s network of State Islamic Universities and Colleges (UIN/IAIN) is arguably the most dynamic and pluralist-minded in the world (Azra, Afrianty, and Hefner 2007; Jackson 2007). Topping all this off, 45 years of growth have turned this country into Southeast Asia’s largest economy and one of the global south’s economic powerhouses. No less significant, the country’s growth has been relatively well distributed, driving down poverty rates and fueling the growth of a huge middle class.

Notwithstanding its strategic importance and record of achievement, Indonesia has long remained something of a second-tier concern in US policy circles. The country loomed largest in US foreign policy vision during the Cold War years of the late 1950s and 1960s. At that time, Indonesia had the largest Communist Party in the non-communist world (Mortimer 1974), and was widely regarded as the domino most likely to fall if Vietnam “went communist.” A failed left-wing officers coup on the night of September 30, 1965 put an end to that anxiety, and also to the Indonesian Communist Party, which was outlawed and its ranks decimated during six months of military-coordinated killing in 1965–1966 (Cribb 1990). With the transition to the authoritarian “New Order” government (1966–May 1998; Hefner 2000), Indonesia came to be regarded as an independent-minded but quietly consistent US ally. However, its relative political stability once again relegated Indonesia to the policy background, and its place in Asian affairs...
was progressively overshadowed by an ascendant China and India.

All this changed in the early 2000s, with the rise of al-Qa’eda and other trans-national terrorists. The Bali bombings in October 2002 were the first al-Qa’eda-sponsored mass killing after 9/11. Over the next few years attacks by al-Qa’eda-inspired militants raised fears that Indonesia and Muslim Southeast Asia were about to become a “second front” in al-Qa’eda’s war on the West. The fact that the period between 1999 and 2003 saw outbreaks of “small town wars” (Klinken 2007) in six of Indonesia’s 32 provinces, and that the worst of these provincial conflicts pitted Muslims against Christians, added to the fear that Indonesia might be descending into sectarian dissolution. But the center held. Most of the provincial conflicts—typically stirred, not by al-Qa’eda terrorism, but by local elites’ competition for state resources after the launching of an ambitious program of political decentralization in 2001–2002 (Aspinall and Fealy 2003)—were well contained by 2003. More remarkable yet, from 2002 onward, Indonesia mounted one of the world’s most successful anti-terror campaigns. Several hundred militants were arrested, bomb factories dismantled, and hardline-Islamists wooed away from radical-Salafist models (Jones 2013). More tellingly, the results of Indonesian national and regional elections from 1999 to 2015 demonstrated that, even as the country has experienced a resurgence in Islamic piety (Ricklefs 2012), the great majority of Muslim voters clearly distinguish heightened religious observance from support for Islamist politics (Aspinall 2005). Blemishes notwithstanding, Indonesia today is a functioning democracy and an important actor on the world stage, and the next US administration would do well to recognize it as such.

Lesson One: The Phoenix of Indonesian Nationalism

What at first sight might seem the most straightforward lesson for engaging Indonesia is actually quite complicated: Indonesia is a proudly nationalist country, and at the moment is in the early phases of expressing that nationalism with more vigor than it has at any time since the early 1960s. To understand this point, and to engage Indonesia more effectively, it is important to understand the place of religion in Indonesian nationhood.

As in so many countries, nationhood in Indonesia has been the subject of longstanding and bitter contention. For most of the years since Indonesians declared independence in August 1945, one of the most enduring political divides pitted Islamists intent on establishing some variety of Islamic state (defined as a state which
Ahmet Kuru

The latter ideal must not be confused with, to use Indonesia both multi-ethnic and multi-religious. pluralists committed to the sweet dream of an Buddhists, and Confucians), and Muslim religious minorities: especially Hindus, conservative nationalists, Christians (and other historically variable alliance of social democrats, and American or French associations. The model of religious freedom at work here is closer in spirit, not to American or French “separationist” secularism, but to the pattern of “positive accommodation” (see Stepan 2011) associated with multi-religious, consociational democracies like the Netherlands, Belgium, and Switzerland. As with these European countries, Indonesia not only tolerates multiple religions; it provides formal state recognition and funding to the largest, which here include Islam, Catholicism, Protestantism, Hinduism, Buddhism, and Confucianism. One of the more interesting but unfinished public policy debates taking place in Indonesia today concerns how to accommodate religious minorities not recognized among the six official religions.

During the New Order (1966–1998), coercive programs of indoctrination into the country’s national doctrine, the Pancasila (“five principles”), led many foreign observers to conclude that the ideals of Indonesian nationalism were little more than an “emperor’s-clothes” instrument of state domination. The first and most important of those five principles emphasizes that Indonesia is a state based on a single and all-powerful Godhead (Ind., Tuhan yang maha esa). While consistent with the Islamic principle of God’s unicity (Ar., tawhid), this first principle affirms that the state is based on religiosity but not on any one faith. However meager it might appear to some foreign analysts, this principle has been a pillar of Indonesian nationalism, and a rallying cry against those demanding the formation of an Islamic state.

In the free-wheeling and democratic atmosphere of the post-Suharto era, Islamists cited the coercive excesses of the New Order to reject the Five Principles and multi-confessional nationalism, calling instead for a state based on shariah. When it became clear that post-Suharto Indonesia was experiencing a resurgence of Islamic observance, many international observers worried that the multi-confessional variety of Indonesian nationalism had been so compromised by New Order abuses that it was just a matter of time before shariah appeals won the day. Once again, however, the nationalist center held. During 2000–2001, the National Assembly voted overwhelmingly to reject proposals by Islamist parties to require the state to implement a state-mandated variant of “Islamic law” for Muslim citizens (Hosen 2007; Salim 2008). The Islamist effort failed in large part because of opposition from the country’s two huge Muslim social welfare organizations, the Muhammadiyah (25 million members) and the Nahdlatul Ulama (35–40 million; see below).

This blow to Islamist aspirations was repeated in each of the electoral cycles in the years that followed. Although moderate Islamists continue to win about 15 percent of the electorate, to woo even that small base they have had to water down any demand for state-mandated shariah (Aspinall 2005; Mietzner 2008; Ufen 2008). The great majority of Indonesians support parties committed to Indonesia’s Pancasila and multi-religious nationalism. Even more remarkably, radical Islamist groups like the internationalist Hizbut Tahrir Indonesia (Party of Liberation, Indonesia) and the Council of Indonesian Mujahidin (Majelis Mujahidin Indonesia), which at one point were capable of staging impressive mass mobilizations, have been weakened by internal splits and the younger generation’s greater interest in personal piety and middle-class careers than system-changing Islamism. The power of the Muslim center has not prevented the worrying growth of an underground fringe supportive of ISIS/Daesh (see below).
Nonetheless, the great majority of Indonesian Muslims are today more confidently committed than ever to the multi-religious ideals of Indonesian nationalism. No less significant, since 2010 the government and the Muhammadiyah and Nahdlatul Ulama have launched bold initiatives to celebrate and strengthen Indonesia’s multi-religious nationalism, and present Indonesia as an example to the world of the compatibility of Islam and democracy. This effort, too, merits the next administration’s recognition.

Lesson Two: The Steadying Influence of Muslim Civil Society

From a comparative Muslim-societies perspective, the single most striking feature of Muslim society in Indonesia is the presence and durability of Muslim social welfare associations. With followings of some 25 and 35–40 million people, respectively, the Muhammadiyah and the Nahdlatul Ulama are the largest Muslim social welfare organizations in the world (Alfin 1989; Nakamura 2012; Njoto-Feillard 2012). They are also among the most long-lasting, having been established in 1912 and 1926, respectively. Along with a host of smaller but similarly inclined organizations, these two Muslim associations have a depth of presence in Indonesian society without rival in other Muslim-majority countries.

Why is this important? In the 1990s, Western policy analysts and academics often averred that civil society organizations are the key to “making democracy work.” With the outbreak of ethno-religious conflicts in countries like Yugoslavia in the 1990s, however, it soon became apparent that some intermediary (“civil society”) associations are anything but “civil” or democracy-friendly in the habits of the heart that they nurture. Pluralist and democratic values do not automatically flow from the fact of participation in voluntary associations alone. If civic associations are to be democracy- and pluralism-enhancing, they require two additional ingredients: a political and intellectual leadership dedicated to, and capable of, engaging in “normative work” to create citizen values seen as consistent with the ethical tradition with which rank-and-file members identify; and, second, the “scaling up” of these very same citizen values in political and civil society as a whole, through collaborations with other civil society groupings and with state agencies committed to the dissemination and legal enforcement of those same citizen values (Hefner 2000).

It is in this regard that social welfare associations like the Muhammadiyah and Nahdlatul Ulama have played such a positive role in Indonesia. When first established in the early twentieth century, both of these organizations were primarily dedicated to, not citizen values per se, but the twin objectives of religious education and heightened religious observance. However, both organizations quickly developed a network of hundreds of schools, polyclinics, hospitals, and orphanages. This pattern of associational activism created incentive structures whereby, rather than just politicians or ulama, believers with skills in teaching, medicine, or other professional skills acquired leadership and influence in the Muslim community. More generally, the multi-purpose nature of Muslim social welfare encouraged people to identify Islamic ethics, not just with individual piety or grand schemes for capturing the state, but with the practical goals of educating people, treating the sick, and, in a phrase, making social institutions more ethical and effective.

This is not to say that Indonesia has been lacking in movements with a politicized and étatist vision of Islamic “appeal” (da’wah). The Darul Islam rebellion of the 1950s (Dijk 1981), the bitter political rivalries of the 1950s and early 1960s, and the Jemaah Islamiyah violence of the 2000s (Hefner 2012; ICG 2002; cf. Hasan 2006) remind us that there have always been Indonesians preoccupied with totalizing dreams of capturing the state so as to impose a command religious economy. What is nonetheless distinctive about Indonesia is that, even when sectarian politics seems to threaten Indonesia’s nationalist heritage, many in Muslim associations rally to its defense, and regard participation in education, health care, and literacy campaigns as the most fitting expression of Islamic values. In this manner, Muslim civil society has helped to create an Islamic public ethics consistent with, rather than opposed to, the goals of a plural and nationalist Indonesia.
Lesson Three: The Enduring Challenge of Religious Tolerance

Notwithstanding Islamist setbacks in the electoral arena, the more rough-and-tumble atmosphere of the post-Suharto era has in some respects played to the advantage of anti-pluralist Islamists and to the detriment of Indonesia’s religious minorities. The latter include Muslims like the tiny Shi’a minority in this overwhelmingly Sunni country. This challenge too should figure in the US administration’s engagement with Indonesia.

In the years since 2005, Muslims professing varieties of Islam seen as “deviationist” (Ind., sesat) have been the frequent target of violence by Islamist vigilantes. The communities that have suffered most have been Shi’as and Ahmadis, both of whom have about 300,000 members, or about ¼ of 1 percent of the national population. The Ahmadis (Ahmadiyyah) are a Muslim sect established in Pakistan in the early twentieth century, and regarded as deviant by Muslim organizations in many parts of the world. In 1980, Indonesia’s semi-governmental Council of Indonesian Ulama (Majelis Ulama Indonesia, MUI) issued a fatwa branding the Ahmadiyah heretical. However, quietly tolerant of religious minorities as it was, the authoritarian New Order government never took action against the group. In July 2005, seven years after Suharto’s overthrow, the MUI issued a blunter condemnation of the Ahmadiyah (ICG 2008). Islamist militias seized on the pronouncement to attack and destroy hundreds of Ahmadiyah properties in West Java, East Lombok, and other parts of Indonesia. Although a number of Muslim leaders rallied to defend the right of the Ahmadis to profess their faith, the attacks continued (Human Rights Watch 2013). On February 6, 2011, 1,500 militants stormed a small gathering of Ahmadiyah in the village of Cikeusik in western Java, torturing and killing three men. Although the incident was captured on a video and uploaded to the Internet, the perpetrators of the violence were eventually convicted of only minor charges.

In recent years, small but well-organized Islamist militias have launched similar assaults on Sufis, Shi’as, and, in a few regions, Protestant Christians. The situation of religious minorities and non-mainstream Muslims has been rendered more precarious by national legislation that lends itself to abuse at the hands of anti-pluralist officials and “uncivil” society organizations. The two clearest examples of such legislation are the 1965 blasphemy law (Article 156 and 156a of Indonesia’s criminal code, and Presidential Decree No 1/1965, both of which were upheld as constitutional by the Supreme court in April 2010) and the 1969 regulation (revised in 2006) placing restrictions on the ability of religious groups to build houses of worship. These regulations have been legally operative for many years, and for most of that period they did not contribute to wanton acts of sectarian violence. The law on blasphemy (more accurately described as an anti-defamation law) was introduced in 1965 by President Sukarno, but was rarely enforced (Lindsey 2012, 52–62). Since 2003, however, the regulation been applied more than 150 times – most consistently, it should be emphasized, in those few parts of the country where Islamist militias are tolerated by local government officials courting their support (cf. Buehler 2008).

In a small minority among Indonesia’s 32 provinces, local government officials have cited the laws on defamation and places of worship to justify inaction in the face of mob violence. Two well-known examples of such connivance involve harassment of Christians in West Java: The GKI Yasmin Church in Bogor, and HKBP Filadelfia Church in Bekasi (Crouch 2014). The Yasmin Church came to international attention in 2006 when the mayor and local religious officials provided the congregation with a permit for church construction purposes, only to revoke the license three months later in the face of protests by radical Islamists. In January 2011, the Supreme Court ruled against the city officers’ revocation of the permit. In defiance of the Court, the mayor refused to issue a new permit, and allowed shows-of-force by militia thugs in an effort to frighten the congregation away. Muslim civic organizations that have rallied to defend the Church have themselves been the targets of
intimidation and reprisal. When asked about the mayor’s open defiance of the Supreme Court, then-President Susilo Bambang Yudhoyono said simply that it was not the president’s role to interfere in mayoral politics. Although a political moderate, Yudhoyono (r. 2004–2014) was criticized during his presidential terms for failing to take action in the face of repeated assaults on Christians as well as far bloodier attacks on Ahmados and Shi’as. In 2007, the President shocked human rights proponents when he promised a meeting of the Council of Indonesian Ulama (which had just re-iterated its rulings on Ahmados and “deviant” Muslim groups) that, “We must all take strict measures against deviant beliefs,” and he offered the tools of the state for that project.

The election in October 2014 of President Joko Widodo suggests that that the nationalist center has again asserted itself. A Javanese Muslim, President Widodo, popularly known as “Jokowi,” has long been regarded as a staunch proponent of multi-religious nationalism. His choice of ministers, not least of all the new Minister of Religious Affairs, has confirmed that reputation. However, at both the national and provincial levels, Indonesian politics is driven by complex and shifting coalitions, and the resulting alliances are anything but ideologically consistent. Although Indonesia has made great progress with regards to general freedoms, religious freedoms are likely to remain points of contention for some years to come.

Lesson Four: The ISIS/Daesh Effect

On January 14, 2016, five ISIS militants attacked a Starbucks and police post in downtown Jakarta, clearly intending to carry out a mass killing. I was in Jakarta that day, and saw firsthand that the police and anti-terrorist units responded quickly and professionally. The attackers seemed peculiarly inept, and they were quickly neutralized. Two civilians died. The following day, the leader of a special ISIS brigade made up of Southeast Asian militants and based in Raqqa, Syria, claimed responsibility for the attack. It was the first-ever ISIS attack on Indonesia, and a worrying reminder that some two or three hundred Southeast Asian militants are currently training in Syria, with the declared plan of bringing their war on “infidel” Muslim governments back to Indonesia.

Public opinion in Indonesia rallied quickly and massively against the ISIS killers. In fact, from the government’s point of view, the attack provided a sobering but useful public service reminder that, although Indonesia succeeded at containing earlier al-Qa’eda adventurism (Jones 2013), ISIS represent a new species of terrorist threat. ISIS’s end-of-time apocalypticism obviates against any need to build a mass-based movement in favor of an “anywhere-anytime” strategy, staging mass killings of civilians on a scale that even al-Qa’eda spokespersons find religiously reprehensible. Combined with, and reflecting the influence of internet- and social-media recruitment mechanisms, this mobilization strategy seems certain to alienate the great mass of Indonesian Muslims. But it may well prove sufficient to mobilize a few hundred militants, who, with proper training and arms, can do serious damage to Indonesian society.

Of course, none of this scenario is peculiar to Indonesia. Indeed, if anything, Indonesia is better positioned than many Muslim-majority lands because there is a substantial national consensus against ISIS and like-minded terrorists. But more attacks are likely, and they may well damage the social and investment climate on which Indonesia, like all modern societies, depends. In the face of this challenge, the new American administration would do well, not merely to support the Indonesian authorities, but to speak loudly and clearly to the American public about just what Indonesia represents: a Muslim-majority country, with a functioning democracy, an increasingly well-educated middle-class, and a hopeful, plural future.
In other words, Indonesia’s importance lies in the fact that it is, not only a pivotally strategic country, but a reminder of something populist politicians in the West have recently overlooked or chosen to deny: that the struggle against terrorism is not just a primary concern of the West, but of most of the world’s Muslims. Indeed, far from reluctantly following a Western leadership in a global anti-terrorist alliance, Muslims in countries like Indonesia remind us that our struggle is theirs—and in most regards they are in the front lines of this moral battle for human civilization. If the new administration can convey this simple lesson from Indonesia to the American public, it will have done a great service indeed.

For a new American administration, the bottom-line in policy terms should include the following four points:

- First, quietly support Indonesian efforts to project the country’s achievements internationally, not least with regard to Islam and democracy. The “Indonesian model” cannot be exported, but its experience and achievements are relevant for other Muslim-majority countries; they are equally relevant for Western publics unfamiliar with the diversity and promise of the Muslim world.

- Second, continue our government’s long history of cooperation with democratic-minded Muslim organizations, including the Muhammadiyah, Nahdlatul Ulama, and the State Islamic University System (UIN/IAIN). USAID and other American aid agencies have worked closely with Indonesian Muslim social welfare organizations since the 1980s, and the collaboration has been one of the unheralded triumphs of US foreign policy in the Muslim world.

- Third, deepen US and multi-lateral assistance to strengthen the judiciary and the professionalization of the national police; all such programs need to dedicate special resources to the development of a legal culture committed to containing acts of violence against religious minorities.

- Fourth, urge the Indonesian government to deepen programs of economic reform aimed at curtailing corruption and the growth of special-interest cartels. An open economy and continued economic growth are keys, not only to Indonesia’s prosperity, but to political stability and the growth of a well-educated and tolerant middle class. With these and other policies in hand, the prospects for Indonesia and Indonesian–US relations in the coming years look bright indeed.

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ADVANCING RELIGIOUS FREEDOM AND COEXISTENCE IN MYANMAR: RECOMMENDATIONS FOR THE NEXT U.S. ADMINISTRATION

By Susan Hayward and Matthew J. Walton

Freedom of religion has long been restricted in Buddhist-majority Myanmar, both by formal regulation and by common practice. While non-Buddhist faiths have always had some space to practice their faith, government restrictions placed on religious minorities, particularly during the fifty-year period of military dictatorship, limited that practice and created deep grievances and mistrust, fueling several ethnic insurgencies. Religious minority communities and actors, on the whole, are more vulnerable to intimidation, arbitrary arrest, and social bias. The country’s 2008 constitution, which led the way for the military’s “discipline-flourishing” transition to democracy that reached its nominal conclusion in 2011, includes protections for religious freedom, even as it affirms Buddhism’s “special place.” However, some old restrictions remain in practice, while new laws have been passed that challenge religious freedom anew. Meanwhile, the judiciary and other rule of law institutions fail to protect religious minorities and sometimes enable discrimination, a legacy of their historical abuse by previous military regimes.

As a new U.S. administration takes office, it will need to capitalize on the renewed diplomatic relationship between the U.S. and Myanmar, and the country’s new freedoms, democratic institutions, developing rule of law, and increasingly robust democratic processes. If carefully oriented, U.S. support can help to secure the advancement of religious freedom so that Myanmar’s diverse communities can flourish and a primary root driver of violent conflict can be transformed. The country’s nascent national political dialogue is usually seen as primarily

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addressing the longstanding grievances of ethnic groups, but in fact, national reconciliation would necessarily include the treatment and status of all marginalized groups, including religious minorities. With the National League for Democracy (NLD) taking over leadership of this dialogue, as well as the government, there is cause for optimism. However, the U.S. Administration must remain cognizant of Buddhist nationalist organizations ascendant in Myanmar and the region in recent years, the long history of suspicion toward non-Buddhist religions and foreign agendas, and low levels of trust between different ethnic and religious groups. These have been the products of limited inter-group connections and divide-and-rule tactics of the colonial government and successive military regimes.

Background

The country known until 1989 as Burma, thereafter as Myanmar, was ruled by a series of autocratic military regimes beginning in 1962, when General Ne Win overthrew the democratically elected Prime Minister U Nu. This lasted until 2011, when the military junta began to relinquish its political chokehold through a gradual and closely managed transition to civilian rule. Home to dozens of ethnic groups (the total number of which is still disputed), many with their own distinct languages, cultural and religious practices, and historical memory, historic Burma and modern Myanmar’s reality has been defined by shifting alliances of competition and allegiance between its diverse communities.

Today, the majority ethnic group is the Burmans, who constitute approximately 68 percent of the population. Other major ethnic groups include the Shan (9 percent), Karen (7 percent), Rakhine (4 percent), Mon (2 percent), and Kachin (1.5 percent). Many of these non-Burman groups live in outlying states that border neighbors Bangladesh, India, China, and Thailand. Ethnic difference and religious difference overlap only to a degree. Theravada Buddhism is the religion of the Burman ethnic majority and of many non-Burmans, practiced by about 89 percent of the overall population. Some ethnic minority groups, including the Karen, Kachin, and Chin, have sizeable or even majority Christian populations; the overall percentage of Christians in the population is 4 percent (mostly Baptist). Muslims comprise 4 percent of the population, and the remaining 3 percent are practitioners of indigenous spirit worship (nat) or other religions (including Hinduism and Bahai).

Under the military regimes that ruled Myanmar from 1962 until the recent reforms began, religious freedom for non-Buddhists was severely limited. Christians, Muslims, and others faced restrictions on free movement, ability to construct buildings, and public worship. For the ruling military, religious difference, like ethnic difference, marked individuals and groups as potential threats to the integrity and stability of the country. Partly as a result of this, Burmese nationalism became increasingly conflated with Buddhist religious identity, such that to be a Myanmar citizen was to be Buddhist (and ethnically Burman) (Walton 2013). Outside support from Western or other foreign elements to insurgency efforts and anti-junta democratic movements fed the perception of non-Burman, non-Buddhist “others” as a threat to the State, and tools of regional or global power interests.

There is a good deal of evidence of religious discrimination in Myanmar. But it can be difficult to separate violence and oppression visited on communities because of their religious beliefs from more general political and military actions, simply because most of the non-Burman areas have been active conflict zones for the past 50 years. That is, the military carries out violence that targets non-Buddhist populations, and monitors and restricts their activities, but in some cases justifies these actions as a necessary response to ethnic insurgencies rather than religious discrimination. By extension, the religious repression faced by Christians in Kachin and Karen states (both more intense conflict zones over the past several decades) has been qualitatively greater than that faced by Christians in other areas, such as the Chin and Naga Hills and even in urban areas in the center of the country.

A series of ethnic insurgencies broke out in the country not long after independence was achieved from British colonial rule in 1948.
Ethnic armed groups sought to achieve independence from a central state perceived to be Burman Buddhist dominated. Among their demands was greater protection of religious freedoms, which was threatened when Prime Minister U Nu sought to establish Buddhism as the state religion through a law passed by the parliament in 1961. This move fueled existing insurgencies and sparked the rebellion of several more ethnic groups. Upon taking power in 1962, General Ne Win overturned this act. Nonetheless, due to the close relationship of patronage between state leaders and the Buddhist sangha (monkhood), and the preferential treatment given Burman Buddhists in the military government, Buddhism has retained a privileged place in state affairs.

There have been regular reports of the government refusing permission to Christians to preach or hold church services (Karen Human Rights Group 1998). Christian pastors, missionaries, and church workers have been arrested, detained, and tortured by both members of the military and local representatives of the Burmese government (CHRO 2012). Worryingly, a 2012 report by the Chin Human Rights Organization contains detailed evidence and interviews with people in the Chin and Naga Hills that attest to the fact that these abuses have continued even during the current period of democratic transition. For example, the report describes an incident in March 2012 where members of the local Burmese Army battalion disrupted a conference of Chin Christians. When a Chin Member of Parliament who was at the meeting tried to mediate, the Army Captain allegedly replied,

Who do you think you are? What are you talking about? I will kill you. I don’t give a [expletive] about you being a Member of Parliament. We are not under the control of the Chin State authorities. We take orders from the Northwest Regional Command. (quoted in CHRO 2012, 61)

Incidents like this confirm the sense of impunity that still characterizes the Burmese military in the border regions. It also reflects the distance between reforms made in the capital and freedoms felt in the larger cities, on the one hand, and the experiences in more rural outlying areas, on the other, where military and other authorities may act in accordance with past practices. These incidents also demonstrate the precarious position of prominent non-Buddhist ethnic leaders.

Other new domestic conflicts have emerged since the democratic reform began in 2011 (International Crisis Group 2013). Perhaps the most strident conflict has been between Buddhists and Muslims, what has been referred to as “communal” conflict, often connected to the spread of rumors that demonize Muslim populations in Myanmar and elsewhere. Some of these rumors tap into fear-based claims about Muslims in Myanmar that have existed for generations while others have developed a modern twist as they are connected to broader global discourses about Islam, and given space through new freedoms of expression and media.

A little over a year after the new quasi-civilian government came to power, in June 2012, Western Rakhine State experienced violent riots between Rakhine Buddhists and primarily Rohingya Muslims, triggered by the rape of a Buddhist girl by two Muslim men and the subsequent revenge killing of ten Muslims by a group of Buddhists. The Rohingya suffered a disproportionate loss of life and property. A second wave of violence broke out in October 2012 across Rakhine State, displacing some 100,000 people, mostly Muslim (Roos 2013). Although the conflict in Rakhine state initially appeared to be an isolated incident, anti-Muslim violence soon appeared across the state border, affecting non-Rohingya Muslims. Throughout the country, including in ethnic Burman territory, several violent episodes broke out throughout 2013 and 2014 directed against Muslim homes, mosques, and schools. In the midst of this so-called communal conflict, Muslims have experienced close monitoring of their activities by security actors and authorities. Accused of fueling these violent episodes, if not directly participating in them, are Buddhist monk-led nationalist movements, especially the group known as MaBaTha (a Burmese language acronym for its longer name, the Organization for the Protection of Race and Religion). These
movements fuel anti-Muslim bias and rumors about Muslim agendas to convert Buddhist women and “take over” the country and region through rampant reproduction. These social movements have had an explicit impact on religious freedom, fueling discrimination based on religious identity (especially against Muslims but also affecting other non-Buddhist adherents) and leading to the passage of a set of laws that further entrench religious discrimination in the Myanmar state, as will be explored further below.

Current Legal Protections and Challenges to Religious Freedom

Constitutional Protections

The constitution drafted by the former ruling party, the military-backed Union Solidarity and Development Party (USDP), was carefully constructed to advance the vision of the military’s “discipline-flourishing democracy.” This managed transition has consisted of a gradual and controlled relinquishing of authoritarianism to establish democratic governance and greater freedoms, with institutionalized protections for limited military control maintained with the justification of ensuring stability. The constitution includes protections for religious freedom, such as the provision in Article 348, which stipulates that no Union citizens should be discriminated against on the basis of religion. But it also notes a privileged place for Buddhism, saying in Article 361 that the government “recognizes the special position of Buddhism as the faith professed by the great majority of the citizens of the Union.” Provisions protecting religious freedoms include language meant to preserve the right of authorities to restrict those religious freedoms for the purpose of stability and order. For example, Article 34 of the constitution states that “Every citizen is equally entitled to freedom of conscience and the right to freely profess and practice religion subject to public order, morality or health and to the other provisions of this Constitution.” However, Article 354 qualifies this freedom, stating that every citizen shall be at liberty … if not contrary to the laws, enacted for Union

security, prevalence of law and order, community peace and tranquility or public order and morality … to develop … [the] religion they profess and customs without prejudice to the relations between one national race and another or among national races and to other faiths.

This kind of caveat for public order is not necessarily uncommon or in contradiction with international legal norms. However, given Myanmar’s history, in which the military restricted human rights for the sake of maintaining public order, there is concern, and evidence, that these caveats are overly relied on as justification for oppressing religious minority activities and for restricting the activities and speech of some Buddhist monastics deemed critical of the government in their preaching.

Four Race and Religion Laws

Beginning in 2013, and mobilizing on anti-Muslim rumors, Buddhist nationalist activists began to focus their organizing efforts on passage of a law that would restrict interfaith marriages between Buddhist women and Muslim men, requiring Buddhist women to get permission from their parents and authorities to do so. Monks carried out demonstrations to show support for the bill and joined with laypeople to allegedly collect some 2.5 million signatures in support of it. Then, Buddhist nationalist groups worked with sympathetic political parties to develop three additional bills and introduce them in Parliament in July 2013; these additional bills were related to religious conversion, monogamy, and population control. In accordance with parliamentary procedures, the laws were printed in local papers to allow citizens to offer input. In May 2014, an alliance of civil society organizations led by several prominent women’s rights activists issued a statement strongly opposing the proposed laws, claiming they violated the rights of women and minorities (Aung and Solomon 2014). In the following weeks, some of the most prominent members of the groups that signed the statement received death threats, sexually harassing phone calls, and personal attacks on social media.

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The Religious Conversion Law requires those wishing to convert to complete a government application and be subjected to an interview with at least five members of an oversight committee to demonstrate that they were not coerced into conversion. The law also criminalizes coercive conversion of other people. The Monogamy Law seeks the “upholding [of] monogamous practices to protect women from becoming mistresses, and preventing emergence of family crimes arising from men practicing polygamy” by giving a blanket outlaw of multiple spouses, or of “ unofficially living” with another person while married. The law specifies its application to Buddhist women marrying non-Buddhist men, in addition to inter-Buddhist and inter-non-Buddhist relationships. The Population Control Healthcare law would give the government authority to designate particular regions in which women would be required to wait at least 36 months after giving birth before becoming pregnant again. And finally, the Buddhist Women’s Special Marriage Law requires Buddhist women seeking to marry outside their faith to receive permission from parents and local authorities before so doing. Notably, the law only specifies this requirement in the case of Buddhist women marrying non-Buddhist men (but for no other situation), stipulates punishments should non-Buddhist men restrict the rights of their wives to practice freely their Buddhist faith, and denies custody of children to non-Buddhist men under all circumstances in case of divorce. As noted in the United Nations’ technical review, the four laws must be considered together as a package that unfairly targets particular communities (i.e. Muslims) in the country based on prejudicial views, and that violates several international human rights laws, including those regarding gender equality, women’s rights, and individuals’ rights to freedom of religion and belief (UN Report 2014).

The four laws were passed by the parliament in stages in Spring 2015, and signed into law by President Thein Sein shortly thereafter, despite widespread international condemnation of them as in violation of international human rights standards. Following their passage, MaBaTha held a series of celebratory rallies around the country that drew thousands, which took place in the run-up to the country’s national elections.

Other Legal Provisions and Common Practices Restricting Religious Freedom

In the mid-1960s, the government expelled all foreign missionaries and nationalized nearly all of the private schools and hospitals run by non-Buddhist groups. Most of these buildings have never been transferred back. In the meantime, the construction of new religious buildings by non-Buddhist groups has been limited. The government commonly refuses to give permission for the construction or repair of non-Buddhist religious buildings, even after citizens have gone through an onerous application process (CHRO 2012). In rural areas, the construction of a Buddhist meeting hall or meditation center does not usually require the same degree of permission, if any.

Section 295(a) of the penal code, introduced during British colonial rule, prohibits “deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs.” In practice, this religious defamation law has tended to be applied selectively, used to target those believed to be insulting Buddhism, but not those insulting Islam or other religions. In March 2015, a New Zealander and two Burmese men were arrested under this law for posting an image online of the Buddha wearing headphone as an advertisement for their bar (Moe and Renzey 2015; Lone and Dinmore 2015). In June 2015, writer and NLD member Htin Linn Oo was sentenced to two years in prison with hard labor for defaming religion in a 2014 speech that was critical of MaBaTha, and of hardline nationalism couched in Buddhism.

Some Buddhist monastics have also faced government restrictions on their activities. For example, Shwe Nya Wa Sayadaw was banned indefinitely from public preaching in April 2015 by the state’s Sangha Maha Nayaka Committee, the highest Buddhist authority in the country. He was known for preaching sermons on human rights issues and in support of the NLD, containing criticism of government practices and Buddhist nationalist groups (Min 2015).
The Emerging Political Landscape

The November 2015 election in Myanmar resulted in a landslide victory for the NLD, led by Daw Aung San Suu Kyi. In the run-up to the election, tensions between religious groups in the country flared as many prominent monks from MaBaTha campaigned on behalf of the USDP, achieved passage of the four race and religion laws, and criticized the opposition NLD as insufficiently willing to protect the Buddhist tradition. That the overwhelming majority of the country voted in favor of the NLD demonstrated the limits of MaBaTha’s influence and gives some cause for optimism among those concerned by inter-religious violence and exclusionary policies during the transition period. But it would be premature to interpret the NLD landslide victory as a wholesale defeat of Buddhist nationalism or anti-Muslim sentiment, or as a victory for religious minority rights.

Notably, the election campaign period, and the election itself, was not marked by the episodes of inter-religious violence that many had feared. On issues of religious freedom generally, and the four race and religion laws more specifically, the NLD election platform was woefully vague, likely a political calculation in an environment of seemingly strident Buddhist nationalism. Even as early as election day itself, it was clear that the NLD had won big. Aside from the USDP, ethnic political parties also performed poorly, with the NLD sweeping in most outlying ethnic states other than Rakhine. Though many NLD parliamentarians are from non-Burmans, it is yet to be seen the extent to which they will push for issues of concern for their ethnic group that go against, or at least are not priorities of, the NLD. Among the vast litany of priorities Aung San Suu Kyi has laid out for the new NLD-led government, a review of the four race and religion laws and Rohingya rights do not appear to top the list. Meanwhile, the country’s nationwide ceasefire (NCA) was signed with eight of the ethnic armed groups who have been negotiating with the government beginning in 2012 (though notably, not the largest group, the Kachin Independence Organization). The signing of the partial NCA in October 2015 led to the launch of a national dialogue process on the future of the country, with a framework adopted in December and the first iteration of the Union Peace Conference held in Naypyitaw in January 2016. At the time of writing this article, it is unclear if the political dialogue framework will be adjusted by the now-ruling NLD, or if other ethnic armed groups will join the NCA. In whatever form the political dialogue moves forward, however, it is likely at some point to have to address issues of religion and state relations generally, and religious freedom more specifically. If the national dialogue process is truly inclusive, and interests and concerns of all stakeholders are engaged meaningfully, it could be an invaluable opportunity to make considerable advances in religious freedom, and in building a truly pluralist Myanmar national identity and state system.

Commensurate with this will be the need for ongoing legislative and rule of law review and reform on issues related to religious freedoms and discrimination, in order to cleanse the system of laws restricting rights, and to ensure practices by all rule of law actors, from the security sector to the judiciary, that ensure equal treatment and protections of religious freedom. But perhaps most immediate is the need for efforts to advance a social environment of respect for religious difference, and to curb inflammatory hate speech directed against groups based on their religious identity and commitments. To that end, a rebuke by the Ministry of Religion and NLD leadership of an inflammatory Facebook post by Buddhist nationalist monk U Wirathu on February 2, the day after the new NLD-led government was seated in Parliament, could be a positive sign (Lone and Min 2016). The new NLD government ought to be encouraged and empowered to take further steps to end the environment of permissiveness towards religious
hatred and instigation that was created under the previous USDP government.

Recommendations

- It is crucial that U.S. government actors understand the diversity within Buddhism in Myanmar, indeed, within all of the country’s religious communities. There is no “true Buddhism” in Myanmar or anywhere else and such claims are merely attempts at policing the boundaries of a religious community. Even as non-Buddhists face the direst threats to their religious freedom, non-mainstream Buddhist practices and beliefs have also been repressed at times.
- At the same time, consider Myanmar within its regional context, in which Buddhist nationalism has been expanding in some countries, regional criticism of Burmese government and popular attitudes towards Muslims is increasing, and Southeast Asian nations seem poorly prepared to work together to solve transnational crises such as the mass exodus of Rohingyas from Myanmar.
- Make use of the social, political, and legal fields to advance religious freedom. These areas, and the norms that govern them, are mutually constructive and advocacy must consider which is the proper domain for particular actions as well as the ways in which the three spheres overlap and influence each other.
- Do not demonize Buddhists en masse, as much of the international media coverage has done. This is not constructive, as it spurs people in the country to close ranks in the face of perceived attacks on Buddhism universally, rather than more targeted criticisms of violent or hateful rhetoric and actions. In the past, international condemnation has more often played into the hands of nationalist groups by strengthening their argument that Buddhism is under attack.
- Be patient, but don’t back down from basic principles such as the overall commitment to religious freedom. The new NLD government will already be limited in what it can control, partly because it is new to governance but also because the military still controls key areas of authority, including the Ministries of Defense, Border Affairs, and Home Affairs as well as the police. The government will need regular pressure to ensure that religious freedom issues remain on the agenda (in the face of a seemingly endless list of priorities) but will sometimes need to be supported and empowered to put pressure on the military when necessary.
- Balance freedom of expression with restrictions on hate speech. Recognize that, while hate speech is damaging, it is not necessary in Myanmar today for the demonization of Muslims; rumor, insinuation, and even factually accurate statements are all used at times to reinforce a narrative of Buddhism under threat from aggressive Islam. Ensure that the need to “combat extremism” does not justify state control over religion or pre-emptive actions based on speculation.
- Support inclusive processes for legislative reform on religious issues that include respected religious figures, but choose targets carefully. The four “Race and Religion” laws are problematic but repealing them would spark a strong backlash from MaBaTha. Furthermore, it is other laws that are more commonly used (at the moment) for purposes of religious repression and persecution.
- Draw attention to everyday violations of religious freedom, including when authorities refuse to give permits for non-Buddhist houses of worship or religious festivals.
- Ensure that the political dialogue process remains inclusive of issues of religious diversity and freedom, including new conflicts that might arise. National reconciliation in Myanmar will have to occur on multiple fronts in the coming years.
- The next administration should learn from and continue the constructive policies and practices of the current Embassy Rangoon staff.

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They have supported interfaith work and peace-building initiatives and also helped facilitate the broadening of people’s conceptual boundaries by creating opportunities for Myanmar people to gain international experience, usually in non-Buddhist majority countries. Most importantly, over the past few years they have sought to actively engage with some of the more moderate elements of MaBaTha, which is absolutely essential to promoting alternate narratives about present anxieties that do not demonize Muslims or non-Buddhists.

Notes
1. While “nationalist” is not the most accurate term to describe these organizations’ outlook, it is used here in lieu of a better option. Disaggregating the “nationalist” tendencies of these groups in Myanmar is beyond the scope of this article, but suffice to say that the Burmese word a-myo, which is often translated as nationality, literally means “type of person” and in different contexts can refer to ethnic, national, or religious identities and indeed, in the Myanmar context, frequently expresses all three simultaneously as well as aspects of identity beyond these three categories.

2. These statistics on ethnicity and religion are from the CIA World Factbook [Accessed February 8, 2016. https://www.cia.gov/library/publications/the-world-factbook/geos/bm.html]. However, it should be noted that demographic statistics related to ethnic and religious identity in Myanmar are bitterly contested and rely on estimations or outdated census data. A census was conducted in 2014 with technical assistance from the UNFPA, but, citing concerns about the effects on inter-communal conflict, the government has declined to release ethnic and religious aggregate data up through the present. Thus, the figures provided here should be considered estimates.


4. The Rohingya are a distinct identity group primarily found in the West of the country. They are a stateless group, not recognized as an ethnic group with legal status in the Myanmar or neighboring Bangladesh, where many reside. They face significant social prejudice, in addition to systematic legal and political persecution, and restrictions on freedom of movement. They were not allowed to vote in the 2015 elections unless they denied their identity as “Rohingya,” assuming instead the legal designation of “Bengali,” an identification many refused to adopt.

5. Activists recounted these experiences in interviews with author Hayward in Yangon in March 2015.

6. Language from the draft law is quoted from a version printed in the Myanmar Alin Daily on December 4, 2014 by the government with an invitation to the public to provide feedback. The other three laws were similarly printed in the newspaper for this purpose.

7. It should be noted that while the New Zealander, Philip Blackwood, was released in an amnesty in January 2016, his two Burmese co-defendants remained in prison.

8. MaBaTha spokespeople were careful to attribute these comments to individual monks, insisting that the organization itself did not have a stance in support of any particular party, simply in support of those parties that would protect race and religion. This may have been a disingenuous position, but it allowed MaBaTha to skirt both constitutional provisions and electoral regulations prohibiting the use or abuse of religion in politics.

References


ENGAGING SINHALESE
BUDDHIST MAJORITARIANISM
AND COUNTERING RELIGIOUS
ANIMUS IN SRI LANKA:
RECOMMENDATIONS FOR THE
INCOMING U.S.
ADMINISTRATION

By Neil DeVotta

Sri Lanka, an island approximately the size of West Virginia with over 20 million people, is a multi-ethnic and multi-religious society. Ethnically, the Sinhalese comprise 74.9 percent of the population, while Sri Lankan Tamils, Indian Tamils, and Muslims are 11.2 percent, 4.1 percent, and 9.3 percent, respectively. In terms of religion, Buddhists are 70.1 percent, while Hindus, Christians, and Muslims are 12.6 percent, 7.6 percent, and 9.7 percent, respectively (Department of Census and Statistics Sri Lanka 2012, 20–21). The vast majority of Sinhalese are Buddhist, while the vast majority of Tamils are Hindu. Groups of Sinhalese, Tamils, and Burghers (the latter a diminishing Eurasian demographic) constitute Christians, with Catholics being around 6.2 percent of the country’s population. While Muslims mainly speak the Tamil language, they use their Islamic identity as their primary identity so as to differentiate themselves from the Tamil communities.

Sri Lanka’s strategic location made it an attractive possession and this led to the Portuguese, Dutch, and British occupying the island for around 450 years. While colonialism contributed to an already rich cultural heritage, certain malpractices during this period also influenced Sinhalese Buddhist majoritarianism. For instance, Buddhist institutions, which depend on lay donations and state subventions, were neglected during the colonial era and monks and Buddhism were likewise ridiculed even as some colonial authorities promoted Christian proselytization. That unfortunate past plays no small role in the siege mentality of the Buddhist clergy and Sinhalese Buddhist nationalists and should be taken into consideration when interacting with the island.

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Buddhism is mainly responsible for Sri Lanka’s unique character. Even the Sinhala language is linked to Buddhism in that Sinhala is derived from Pali, which is the language that the Buddhist scriptures were written in and propagated. The Mahavamsa (or Great Chronicle), a 6th century text that discusses the roles various Sinhalese kings played beginning in 543 BCE, especially legitimated the relationship between Sri Lanka and Buddhism by claiming Lord Buddha chose the island to preserve and promote his teachings (dhamma). Sinhalese Buddhists thus ardently hold that Sri Lanka is sinhadipa (the island of the Sinhalese) and dhammadipa (the island containing Buddha’s teachings).

Sinhalese Buddhist nationalists in turn have used these claims to fashion an ideology that justifies majority domination and minority subordination (DeVotta 2007). The subsequent ethno-religious majoritarianism, which seeks to absorb or disregard minorities, saw the 1972 constitution providing Buddhism special status, which the 1978 constitution reiterated. This nationalist ideology also insists that Sri Lanka must be a unitary state and hence opposes meaningful devolution to the predominantly Tamil-speaking northeast (despite Sri Lanka comprising of three independent kingdoms when the Portuguese landed and prominent Sinhalese politicians having considered federalism in the 1930s). Tamils continue to clamor for a more devolved political structure, but the island is slated to remain a unitary state.

Majoritarianism has been the bane of Sri Lanka and was the basis for a nearly three decade long Civil War between the Sinhalese-led government and the Liberation Tigers of Tamil Eelam (LTTE) that likely killed over 100,000 people by the time it ended controversially in May 2009. While discrimination along linguistic lines was the main reason for post-independence Sinhalese-Tamil contestation (DeVotta 2004a), pro-Buddhist sentiment played no small role in galvanizing Sinhalese and creating the extant majoritarian dispensation (Little 1994). For instance, the movement that culminated in Sinhala being made the country’s only official language in 1956 coincided with the 2500th anniversary of Buddha attaining final nirvana, and Sinhalese Buddhist nationalists deftly conflated religion and language in cementing their ethnocentric preferences. This continues to be the case, although with Sinhala now enjoying hegemonic status it is Buddhism that gets mainly manipulated for ethno-political purposes.

The LTTE’s defeat has further emboldened Sinhalese Buddhist nationalists, and some among them, supported by certain extremist Buddhist clergy and politicians, have targeted the island’s Muslims (and some Christians). This anti-Muslim agitation that feeds off the Islamophobia now trending globally was especially rife under former President Mahinda Rajapaksa, whose majoritarian ethno-religious policies were dictated by the Sinhalese Buddhist nationalist ideology. The Rajapaksa years saw Buddhist supremacy flaunted on television and in movies and newspapers, Buddha statues erected in Muslim and Tamil areas in the northeast where hardly any Buddhists lived, state land in the predominantly minority northeast set aside for Buddhist temples, some villages with Tamil names given Sinhalized titles, and the Department of Archeology takeover of certain areas by claiming they were historically connected to Buddhism. Rajapaksa’s defeat in the January 2015 presidential election and failure to become prime minister in the August 2015 parliamentary elections (DeVotta 2016a; International Crisis Group 2015) have led to a more tolerant religious milieu, but his continued politicking along nationalist lines coupled with dormant anti-Muslim sentiment make religious violence a very real threat in the years ahead.

This essay, consequently, discusses the Sinhalese Buddhist-Muslim dynamic in the country as part of its focus on religion and public life in Sri Lanka. The essay has two sections: the first juxtaposes religious intolerance in Sri Lanka with Buddhist apprehensions, while the second discusses how best the United States may engage the country’s leaders on this front. With nationalist discourse often caricaturing the West (and especially the United States) as being part of a conspiracy to undermine Sri Lanka and Buddhism, the essay argues that a policy that
combines discretion and persuasion with a firm stance consistent with United States ideals, rooted in religious freedom and tolerance, will be necessary when dealing with Sri Lankan stakeholders.

The Majoritarian Mindset

A prominent Sri Lankan historian has noted that the island’s Civil War could be considered a conflict between “a [Sinhalese] majority with a minority complex, and a [Tamil] minority with a … majority complex” (De Silva 1998, 304). Having benefitted disproportionately in education, employment, and influence during the British colonial period and being able to count on the support of tens of millions (currently nearly 70 million) ethnic cousins in India’s state of Tamil Nadu, it is easy to see how the Tamil minority cultivated a majority complex. On the other hand, the Sinhalese Buddhists, despite being a clear majority, have long felt surrounded by non-Buddhists in South Asia. Many among them understandably argue that while minorities speaking Tamil and English and practicing Hinduism, Islam, and Christianity can look for support beyond the island’s borders, the Sinhalese people and Sinhala language have only Sri Lanka to call home.

This fear and self-imposed isolation, when coupled with notions of sinhadipa and dharmadipa, contribute to Sinhalese Buddhists viewing pluralism pejoratively and framing majoritarianism as an entitlement. Thus the scholar monk Walpola Rahula could argue that Sri Lanka is a Buddhist Sinhala country. Let no one make a mistake. Seventy percent of the country consists of Buddhists and Sinhala people. Also … Sri Lanka is the only Buddhist Sinhala country in the world. If we don’t live here, are the LTTE and some of the Tamil parties asking us to jump in to the sea? (Quoted in Peiris 1996)

And Sarath Fonseka, who contested for the presidency and is a current Member of Parliament, could likewise claim (when he was Commander of the Army) that the country belongs to the Sinhalese but there are minority communities and we treat them like our people. … They can live in the country with us. But they must not try to, under the pretext of being a minority, demand undue things. (LankaNewspapers.com 2008)

Similarly, Galagoda Aththe Gnanasara, a leader of the extremist Bodu Bala Sena (Buddhist Power Force, or BBS), has argued: “This is a Sinhala Buddhist country. We have a Sinhala Buddhist culture. This is not Saudi Arabia. But you must accept the culture and behave in a manner that doesn’t harm it” (The Economist 2013, 35).

Politicians and other ethnic entrepreneurs have deftly manipulated such fears. Starting in the mid-1950s Sri Lanka Freedom Party (SLFP) and United National Party (UNP) leaders sought to outbid each other on who could provide the best deal for the majority at the minorities’ expense. If this outbidding phenomenon now plays out in a less conspicuous manner it is because the majority community has now secured most of its preferences, such as (1) making Sinhala the official language, (2) providing Buddhism the foremost place in the island, (3) defeating the separatist and terrorist LTTE, (4) having the military occupy the northeast, (5) promoting Sinhalese colonization of hitherto predominantly Tamil areas in the northeast, and (6) securing employment within the state sector for those in the majority community so that over 95 percent of the bureaucracy and 98 percent of the military are now Sinhalese. But nationalists need a supposed enemy or threat to stay relevant, and with the LTTE militarily eradicated, the island’s evangelical Christians and especially Muslims have turned out to be convenient scapegoats.

Most Tamils and Muslims vote for their respective ethnic parties in parliamentary elections and, in the main, for the UNP candidate in presidential elections. The Sinhalese typically split their votes between the SLFP and UNP, with the former commanding more support in rural areas. The LTTE’s defeat, however, saw SLFP President Mahinda Rajapaksa’s popularity skyrocket, especially among Sinhalese. His easy reelection in 2010 and the SLFP’s strong
performance in the subsequent parliamentary elections led to the belief that whatever minority support the SLFP had hitherto garnered was now unnecessary (Uyangoda 2011, 133). The impunity the BBS enjoyed under the Mahinda Rajapaksa presidency must be seen in this light.

The BBS was formed in July 2012 and embraced anti-Muslim and anti-Christian (mainly anti-evangelical) rhetoric from the beginning. The immediate predecessor to the BBS was the Jathika Hela Urumaya (National Sinhala Heritage Party, or JHU), which was created in February 2004 following the death of a telegenic monk named Gangodavila Soma. Soma, who embraced anti-Muslim, anti-Christian, and anti-Western sentiments when seeking to create a new Buddhist revival and contest for the presidency, died while on a trip to Russia in December 2003 (DeVotta and Stone 2008; Ivan 2009, 219). But his adversarial positions are very much a part of the Sinhalese Buddhist nationalist ideology that the BBS has taken to new heights. Anti-Muslim sentiment is not a recent phenomenon in Sri Lanka. The very first ethnic riots in the island were between Sinhalese and Muslims in 1915, and there is reason to believe the BBS was hoping to mark its centennial with a pogrom. Furthermore, the Buddhist revival that began in the late 19th century saw some Sinhalese nationalists denounce minorities, and the Muslims were no exception. For instance, a few years before independence in 1948 one writer referred to Muslims as “barbarians” when comparing them to the Sinhalese (Dharmadasa 1992, 138), and Anagarika Dharmapala, the foremost revivalist of Buddhism in Sri Lanka, claimed Muslims were “alien people … [who] by Shylockian methods became prosperous like the Jews” (quoted in Guruge 1965, 540). The anti-Muslim rhetoric the BBS now embodies is merely an extension of such calumny.

The BBS has grasped at a number of issues while trying to whip up anti-Muslim sentiment. It demanded that the government (1) ban Sri Lankan women from working in the Middle-East, (2) stop women from wearing the niqab, (3) halt mosques being built using Middle Eastern funds, (4) go after Muslims it claimed were at the forefront in pushing narcotics in Sri Lanka, and (5) counter Muslim fundamentalists who were seeking to make Sri Lanka an “Arabian country.” The latter was mainly used when it violently sought to ban halal products, a movement that various Buddhist temples around the country appeared to support given how they incorporated that particular message into the Sunday school curriculum.

Many areas of South Asia practice syncretic forms of Islam that incorporate Hindu and Sufi practices, and this is the case in parts of Sri Lanka as well. Yet over the past few years, perhaps due to the manner in which the ethnic conflict solidified identities (Haniffa 2008) and/or the Salafi/Wahabi influence that those returning from employment in the Middle-East have promoted, a more pietistic Islam has been increasingly on display. The dogmatism certain Muslim clerics espouse and the rise in those wearing the burqa (a garment that was rarely seen among Sri Lankan Muslim women a quarter century ago) is partly evidence of this.

The concerns stemming from this transformation, signifying a more conservative Islam, feed into a prevalent anti-Muslim sentiment that the island’s ethnic conflict conveniently masked. Yet even during the Civil War it was commonplace to hear Sinhalese claim that it was possible to coexist with Tamils provided they stopped supporting separatism, whereas Muslims were not to be trusted as they were more loyal to Muslim countries such as Pakistan and Saudi Arabia than they were to Sri Lanka. Other stories, that they traded unfairly with non-Muslims, were insular, were prone to having large families, and insisted on non-Muslim spouses converting to Islam (with the latter two criticisms suggesting there was a calibrated movement among Muslims to grow their numbers) were common. The BBS and other extremist Buddhist groups have manipulated and magnified these exaggerations and misconceptions to claim that Islamist fundamentalism is threatening the island.3

Nationalists especially obsess over demographics. The BBS has called on Buddhists to have five or six children even as it bemoans the slight rise in Muslim numbers over the years. The JHU’s Gangodawila Soma claimed Muslims (and
Hindus) were seeking to make Buddhists a minority in the country (Balachandran 1999). While the BBS parrots the same argument when targeting Muslims, this is a line some prime ministers have also promoted. For instance, former Prime Minister Ratnasiri Wickramanayaka claimed that foreign powers were conspiring to make Sinhalese Buddhists a minority and the community’s “declining population is a serious threat to the country’s unitary status” (Jayasinghe 2006). His successor D.M. Jayaratne compared the Sinhalese to the small Eskimo population and claimed it was “endangered with extinction” (Shanthaudaya 2012, A-18). Such bogus arguments get reiterated despite the island’s Sinhalese population having gone from 66.1 percent in 1911 to 74.9 percent in 2012. The Buddhist population has climbed from 60 percent in 1911 to 70.2 percent in 2012 (Department of Census and Statistics Sri Lanka 2012, 20–21; Denham 1912, 196 and 245).

Much of this anti-Muslim rhetoric mirrors that of India’s Hindutva adherents. Its comingling of Islamophobia and Buddhism is especially similar to that of the anti-Muslim 969 Movement in Burma. This is mainly due to the internet and globalization now enabling “emulative linkages,” whereby these groups learn from one another (Thomas 2005, 39–40). Indeed, leaders from the BBS and the 969 Movement have not only visited each other in Sri Lanka and Burma, they claim to work together to protect Buddhism from Islamist extremism and the sociocultural challenges that Islam’s growth portends for their societies.

Despite speaking the Tamil language, Sri Lanka’s Muslims successfully cultivated a different identity vis-à-vis Tamils (McGilvray 2008, 314). Younger Muslims learned Sinhala even as community leaders sided with the Sri Lankan government against Tamil attempts to secure greater rights for Tamil speakers. Until the Sri Lanka Muslim Congress was formed in 1981, Muslims also avoided setting up their own political parties and worked instead through the UNP and SLFP. For all this the community was branded the “good minority” (De Silva 1986, 443–452). Their pro-government tilt partly influenced the LTTE to expel over 60,000 Muslims from Northern Province in 1990 and also led to LTTE attacks on some Muslim mosques in Eastern Province. During the Civil War some Muslims played important roles gathering intelligence on the LTTE for the armed forces and Muslim politicians lobbied Muslim countries in the Middle-East to support Sri Lanka at international forums. The two leading Muslim parties that were eventually formed were also part of the coalition led by President Rajapaksa’s SLFP. The anti-Muslim violence the BBS unleashed, consequently, surprised and terrified Muslims even as it made them feel used and abused (Imtiyaz and Mohamed-Saleem 2015).

While 65 attacks against religious establishments took place between May 2009 (when the Civil War ended) and January 2013 (Center for Policy Alternatives 2013, 6), the Secretariat for Muslims reported 155 anti-Muslim acts during the first six months of 2013 (Perera 2013). Between July 2012 (when the BBS was organized) and December 2014 over 350 threats and acts of violence against Muslims were documented. In most instances the police watched passively as mobs attacked mosques and vandalized Muslim stores and homes. The worst violence took place in June 2014 when thugs attacked a Muslim enclave south of Colombo called Dharga Town and torched homes and vehicles. Residents claimed that the paramilitary Special Task Force assisted the mobs.4 This, together with the fact that no one has yet been charged for any of the anti-Muslim violence, highlights the impunity with which certain forces were able to operate under the Mahinda Rajapaksa regime.

Catholic churches have also experienced sporadic attacks, although evangelical church houses have fared worst among Christians. While 21 and 52 attacks took place against Protestant groups in 2011 and 2012, respectively, there were 49 such incidents documented between January and July 2013 (National Christian Evangelical Alliance of Sri Lanka 2013, 3). In Hambantota District, in the island’s south, evangelical pastors have been asked to control church growth, charged with disturbing the peace, and forced to close down places of worship.5 Sinhalese
Buddhists claim that evangelical Christians especially distribute money and rations among poor Buddhists and Hindus and thereby resort to “unethical conversion,” an accusation pastors strongly dispute.

Minorities voted en masse against President Rajapaksa in the January 2015 presidential election. The new government led by President Maithripala Sirisena and Prime Minister Ranil Wickremasinghe have promoted a message of tolerance, albeit without seeking to prosecute those responsible for the recent communal violence. The realization that they cannot undermine the rule of law with the same degree of impunity as they did under Rajapaksa has forced extremist groups to tone down their rhetoric, but Sinhalese Buddhist nationalists have consistently manipulated Buddhism and promoted anti-minority sentiment when seeking to mobilize masses. Given the economic challenges and various crosscutting cleavages facing the island, there will be ample opportunity for them to continue to do so. Mahinda Rajapaksa is determined to keep playing a leading political role, mainly to counter accusations of corruption that have piled up against him and his family, and it is amply clear that he intends to mobilize people to his side by portraying himself as a Sinhalese Buddhist icon. The current government thus operates under his baleful shadow, and such dynamics need to be seriously considered as the United States and the international community engage Sri Lanka on issues of inter-religious relations and religious freedom.

Engaging Sri Lanka

While demands for accountability for alleged war crimes soured relations between the Mahinda Rajapaksa government and the United States and led to anti-American commentary and protests (often with government collaboration), Sri Lankans are hardly anti-American (as any American tourist or diplomat will confirm). While the local media criticize United States foreign policy as arrogant and hypocritical, especially when countering United States criticism of Sri Lanka, Sri Lankans in general admire and envy the United States. With the change in government and return to a more democratic climate, the United States now enjoys relations with the island that are more amicable than at any point during Mahinda Rajapaksa’s 10 years in office. The steady stream of American dignitaries, including United States Secretary of State John Kerry and United States Ambassador to the United Nations Samantha Power, who have visited the island since President Sirisena was elected, is testament to this.

President Rajapaksa sought to cozy up to China even as his policies estranged India, and his ouster has also seen Indo-Lanka relations improve dramatically even as the island adopts a more traditional nonaligned foreign policy (DeVotta 2016b). This has meant engaging China and the West while not unnecessarily upsetting India. Sri Lanka’s western partners especially are sensitive to Indian security concerns, and the United States consults closely with India regarding its interactions with Sri Lanka. At a time when the United States is pivoting towards Asia and enjoys increasingly robust military relations with India, the changes that have taken place in Sri Lanka in the past 18 months are helpful for maintaining America’s geostrategic interests in the region.

Security issues are very much a part of the two countries’ relationship and the inaugural USA-Sri Lanka Annual Partnership Dialogue (that took place in February) is significant in this regard. Should Sri Lanka deal adequately with issues pertaining to ethnic reconciliation and accountability for alleged war crimes, there is no reason for the United States to not ramp up military ties with the island. For instance, the Sri Lanka Navy can easily assist in protecting Indian Ocean sea lanes, and this is an outcome that both the United States and India stand to benefit from. Such geostrategic opportunities must be balanced against the American desire to promote good governance and democracy, but doing so may
now be easier provided the United States understands the island’s majoritarian zeitgeist.

Given recent events, it is perhaps not surprising if Sri Lanka’s friends feel the need to promote secularism. But doing so is bound to be futile because nationalists consider secularism a Western notion designed to weaken Buddhism’s primacy, and they brand those advocating such a position to be enemies of the state. If secularism in the South Asian context is defined as “equal respect for all religions (and for those who choose not to follow any religion)” (Aiyar 2004, 5), Sri Lanka, having provided foremost status for Buddhism in the constitution since 1972, has failed in that regard. Likewise, if one was to consider secularism an ideational standard under which religion is denied a determining role in how society functions (Thapar 2013, 30), the island fails in that regard as well, given the influence the Buddhist clergy especially commands on issues like devolution, the military presence in the predominantly Tamil northeast, and how the government handles accountability and reconciliation in the post-Civil War era.

The reality in Sri Lanka is that whatever degree of “secularism” may have existed, it has now been replaced with Sinhalese Buddhist majoritarianism. This is why former President Dingiri Banda Wijetunge saw nothing wrong in likening the Sinhalese to a tree and the minorities to the vines that cling to it. This majoritarian sentiment was perhaps best captured recently by a leading BBS Buddhist monk who said:

This is a Sinhala Buddhist country. Can you go to England or the US and say that they are a multi-religious country? Of course there are other communities in those countries, but they are Christian countries. It’s the same here. Other communities have been living here, but this is a Sinhala Buddhist country. You call a coconut plantation a coconut plantation. We don’t identify it by the other small plants that have grown there. (Jayasuriya 2013)

It is in the United States interest to recognize the extent to which majoritarianism has triumphed in Sri Lanka even as it advocates for religious coexistence.

The United States may not disburse the most aid in Sri Lanka, but the country enjoys as much clout as any other when dealing with the island. While American hegemony is one reason for this, the United States is also Sri Lanka’s biggest export market. The soft power the United States commands, especially in areas such as tertiary education, the rule of law, and effective and impartial government institutions, makes it a preferred destination for educated Sri Lankans and adds to its influence (as it does in other parts of the globe). Consequently, the Sri Lankan government and media take serious notice when the Department of State or United States Embassy in Colombo issues statements or intercedes in the face of gross injustice towards minorities. For instance, the United States Ambassador visited Dharga Town soon after BBS-inspired thugs attacked that Muslim enclave in June 2014, and this is said to have pressured the Rajapaksa government to address the violence.7

Indeed, Sri Lanka’s minorities count on the United States to speak out against ethno-religious harassment, although doing so persistently can complicate relations between the two countries. The minorities’ reliance on the United States and other western embassies were especially acute during the Rajapaksa years. The Rajapaksa regime mauled civil society and neutered the opposition in parliament, which then forced minorities to rely on the diplomatic corps to voice their legitimate grievances. But the diplomatic corps is in Sri Lanka to take care of their respective countries’ interests, not those of the island’s Tamils, Christians, and Muslims. This notwithstanding, the United States was at the forefront in pressuring the Rajapaksa regime on democratic regression and ethn-religious malpractices and it should continue to voice its concerns on these issues irrespective of the regime. Some Sri Lankans, and this is certainly true of Sinhalese Buddhist nationalists, will not appreciate their island being placed under a United States microscope, but a United States that does not speak out in defense of democracy, human rights, religious tolerance, and good...
governance only emboldens the forces of sectarianism and violence. The more democratic a country, the better it will treat its ethno-religious minorities. Comparing the Rajapaksa regime with the current one alone proves that point. The United States should therefore continue to advocate forcefully when promoting a more democratic milieu in Sri Lanka. Doing so is not merely part of its avowed mandate, it is also in the island’s best interest.

Sri Lanka has a strong civil society whose rich history in the religious, cultural, and economic spheres extends to pre-independence times (DeVotta 2004b; Saravanamuttu 1998). President Mahinda Rajapaksa may have sought to emasculate civil society, but various organizations nevertheless played a major role in deposing him. Some of these leading organizations have long promoted interfaith dialogue and they should be helped to scale up such activity. The present Sri Lankan government also appears serious about facilitating inter-religious dialogue through an Inter-Religious Advisory Committee. The Maithripala Sirisena administration has sought civil society expertise when creating oversight committees and to write a draft constitution, and the government should be encouraged to liaise with civil society to promote religious tolerance as well. Many Sinhalese Buddhists loathe the BBS and its ilk but are especially averse to speak out against Buddhist monks. A government and civil society that is proactive against religious intolerance may empower them to oppose the extremists who tarnish Buddhism.

Sri Lanka has robust ties to Pakistan and other Muslim-majority states in the Middle-East, where hundreds of thousands of Sri Lankans work in various capacities. The United States should liaise with these Muslim-majority states to lobby the Sri Lankan government to crack down against anti-Muslim sentiments being spread. While this is bound to look hypocritical given the Islamophobic rhetoric the Republican presidential primary campaign has unleashed, it is imperative for the Sri Lankan government to realize that BBS-type anti-Muslim agitprop can only radicalize hitherto peaceful Muslims and entangle Islamist extremists causing mayhem in South Asia and beyond. Riots and pogroms against Sri Lanka’s Muslims remain a real possibility, and while this is more likely if a hardcore Sinhalese Buddhist nationalist takes power, the United States and the international community should be prepared to deal with such eventualities.

Additionally, the United States, perhaps by working through civil society and Muslim leaders, should encourage Sri Lanka’s Muslims to speak out against Islamist terrorism being perpetrated by the likes of ISIS and Al-Qaeda. While Sri Lankan Muslims do not hesitate to speak forcefully against Islamist terrorism in private, they appear fearful about doing so publicly. Countering Islamist extremism by merely claiming Islam is a religion of peace (as opposed to pointedly condemning violent jihad) allows Sinhalese Buddhist nationalists to pillory the community as enablers of terrorism. Muslims must therefore be encouraged to draw a clear distinction between solidarity with the umma and disapproval of Islamist extremism.

Ensuring meaningful accountability for alleged war crimes is likely to be the most vexing issue for the United States when dealing with Sri Lanka. The island’s own Lessons Learned and Reconciliation Commission (LLRC) recommended a number of reforms so minority grievances that led to, and were exacerbated by, the ethnic conflict could be rectified. President Rajapaksa disregarded the LLRC’s recommendations and this was a major reason the United States and others had to work through the United Nations Human Rights Council (UNHRC) to push for reconciliation and accountability. The current Sri Lankan government co-sponsored the UNHRC resolution that called on it to investigate alleged war crimes, account for missing persons, facilitate reparations, and ensure such incidents will not recur. However, given the widespread opposition among Sinhalese to see military personnel and politicians held accountable for crimes committed during the war, the government will most likely fail to fully satisfy the Tamils and international community in this regard. With former President Rajapaksa and Sinhalese Buddhist nationalists determined to use the reconciliation and accountability process to undermine the government, it becomes tricky to
know how far to pressure Sri Lanka to meet its UNHRC obligations. Soft-peddling the issue of accountability, especially after having pushed for it so forcefully, will allow Rajapaksa and the nationalists to burnish their credentials as saviors of the Sinhalese Buddhists even as it delays transitional justice, without which meaningful reconciliation is unlikely. But forcing the present regime to operate in a manner antithetical to majority Sinhalese Buddhist wishes could very well topple the government, catapult Rajapaksa to the helm, and propel the island once more towards sectarianism and authoritarianism. This is not a scenario the United States wants to deal with once more. In any case, Asia’s oldest democracy most certainly deserves better.

Conclusion

Pope Francis visited Sri Lanka a few days after Maithripala Sirisena became president and the vast crowds that lined up to welcome him and the cordial interactions he enjoyed with Buddhist and other religious leaders helped promote a much-needed sense of inter-religious harmony among Sri Lankans. While the international community can try to build on this, it will need to do so amidst a majoritarian milieu. This is because the notion that Sri Lanka is for Sinhalese Buddhists is now fully embedded, and policies supporting it are fully institutionalized. Trying to alter this is counterproductive and may only further complicate minorities’ position in the island. The reality is that Sinhalese Buddhist nationalism has triumphed. The challenge for the United States when dealing with Sri Lanka is how to promote ethno-religious tolerance in the island amidst such triumphalism even as it balances its geostrategic preferences in the region.

Notes

1. The island is currently in the process of trying to create a new constitution. All major Sinhalese politicians and parties have made clear that the new document will continue to uphold Buddhism’s special status and the country’s political structure will remain unitary.
2. The conflict saw the LTTE, a group the United States proscribed as a terrorist organization in 1997, militarily defeated and the war crimes allegations stemming from the government’s victory has since complicated relations between Sri Lanka and especially western countries.
3. While Sri Lankan military sources have repeatedly said there is no ISIS presence in Sri Lanka, some reports claim that nearly three dozen Sri Lankans may have gone to fight for ISIS. If true, this has the potential to further aggravate religious tensions in the island.
4. Author interviews with Dharga Town residents, February 2015.
5. With the Sri Lanka constitution protecting religious freedom, the pastors usually get charged for disturbing the peace, not for preaching Christianity. Author interviews in February 2012 and February 2015.
6. The U.S. now also enjoys tremendous access to those at the highest levels of government, which contrasts with how the Rajapaksa regime cavalierly cancelled appointments with visiting U.S. dignitaries.
7. Some Dharga Town residents felt the ambassador’s visit forced President Rajapaksa to also subsequently make a visit. It appears that concerns expressed by the diplomatic corps representing Muslim countries also forced the president to visit the area. Author interviews in Colombo (June 2014) and Dharga Town (February 2015).

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ENGAGING VIETNAM AND LAOS ON RELIGIOUS FREEDOM

By Hien Vu, Stephen Bailey, and James Chen

Vietnam and Laos, as the two remaining Communist nations in Southeast Asia, will always occupy a special place in the hearts and minds of Americans due to the complicated legacy of the Vietnam War. In recent years, great strides have been made in the bilateral relationships between the U.S. and these two countries. Much of that springs from the desire on the part of many Americans to reconcile with former foes and close a painful chapter in history.

In addition, there is a significant geopolitical factor at play. Vietnam and Laos have grown increasingly wary of China’s rising economic and military power. As a result, they have both sought to hedge against Chinese influence by building relations with other regional powers. In Vietnam’s case, it is the U.S. For Laos, it is Vietnam and, to a lesser extent, the U.S.

This trend also coincides with ASEAN taking on a more important role in U.S. foreign policy, particularly with the Obama administration’s “Rebalance to Asia.” This was demonstrated by the November 2015 ASEAN-U.S. Summit where the relationship was elevated to the level of a “strategic partnership.” In addition, in February 2016 President Obama hosted a meeting of all ASEAN heads of state in the U.S., the first ever standalone meeting between top leaders of the U.S. and ASEAN.

However, the status of human rights in Vietnam and Laos has long presented challenges to further deepening ties between the U.S. and the two nations. On the issue of religious freedom in particular, significant differences remain over the role of religion in the public square. Due to their Communist heritage, Vietnam and Laos have traditionally viewed religion as a phenomenon that is inimical to social development and the Party’s rule. Thus, “religious freedom” is largely seen as a political issue rather than a “human rights” one. As a result, the Vietnamese and Lao governments have strongly restricted the ability of citizens to engage in religious practice. This has often led to harsh persecution of religious believers as well as ethnic minorities, who often strongly identify with a particular faith.

However, during the past decade, Vietnam and Laos have slowly shifted away from this approach. Much of this is due to the sustained and constructive engagement of both the U.S. government and NGOs on this issue. There is also growing recognition amongst officials in Vietnam and Laos of the positive contributions that religious communities make to societal

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flourishing, particularly through charitable endeavors and inculcating ethical norms through religious education. As a result, both countries have shown interest in learning more about positive models of governance of religion from around the world.

This presents a strategic window of opportunity for the next U.S. president to advance both religious freedom and bilateral relations with Vietnam and Laos.

Vietnam

Vietnam’s Communist Party has had a spotted history with religion. Like other Communist countries, the Marxist view that the ruling class in the society will use religion as a tool to exploit and control the working class is still widespread among Party officials. Although Vietnamese lawmakers have moved away from Marxist economics, they still hold a Marxist view of religion. Therefore, Vietnam’s religion policy has mainly been based on the perception of religion as a threat to social and political stability.

As a result, Vietnam’s religion policy calls for closely monitoring religious groups and strictly limiting religious practice in order to curb its influence in the public square. There are often reports of religious leaders in rural areas being arrested, beaten, and banned from performing their religious duties. Negative stereotypes, misunderstandings, and lack of respect and trust between government authorities and religious leaders have existed for decades. This tension has boiled over into violent conflicts, particularly in the Central Highlands in 2002 and 2004. The causes of these conflicts were multi-layered and involved ethnic and religious minority, security, and public policy issues.

The violence, coupled with the desire for Vietnam to join the World Trade Organization, caused the Vietnamese government to issue a new set of policies. From 2004 to 2005, the Vietnamese government seemed to signal an evolution toward a new approach toward religion when it issued the “Ordinance on Beliefs and Religion” and Decree 22/2005/ND-CP. In the past decade, Vietnam’s Governmental Committee on Religious Affairs (CRA) has conducted hundreds of seminars throughout the country to push for implementation of these policies. At some level, these efforts eased religious tension in certain areas. The CRA also continues to work with European and American organizations to conduct seminars on religious freedom issues (Governmental Committee on Religious Affairs 2014). Nevertheless, many religious leaders still encounter bureaucratic resistance and negative attitudes from local authorities when seeking to obtain official registration. Those who advocate for social justice, religious freedom, or human rights face imprisonment, beatings, and house arrests. Most of the outspoken advocates for religious freedom and human rights belong to one of the five largest religious groups in the country: Buddhists, Catholics, Protestants, Cao Dai, and Hoa Hao Buddhists.

Today, there are contradictory reports on religious freedom from Vietnam. The degree of freedom in which religious groups operate is greatly influenced by relationships between religious leaders and local authorities. While some religious groups enjoy more freedom to practice their faith, others still struggle. Some religious groups have been able to gain a stronger voice, engage in charitable work, and participate in public life. For example, some religious groups were recently consulted by the government on the topic of environmental protection. Religion’s contributions to society have also been recognized and encouraged, although this has been seen more in large cities and with registered groups as opposed to rural areas and unregistered groups.

Draft Law on Religion

In 2015, the CRA presented a draft law on religion. Policy-makers collected feedback and recommendations for the draft from domestic religious groups and academic institutions as well as foreign legal experts and scholars. The law drafting process was more open than previous instances in which the government presented draft ordinances and decrees on religion in 2004, 2005, and 2012. According to CRA’s Legislation Department,

the proposed new law on belief and religion aims to better protect the right to freedom
of belief and religion for the people and stipulate responsibilities of State and competent authorities to ensure the right to religious freedom. The draft law on belief and religion has been drafted in line with the 2013 Constitution’s spirit on freedom of religion and belief and is compatible with international agreements and treaties to which Vietnam is a member. (Governmental Committee on Religious Affairs 2016)

However, many observers argue that the draft law does not provide adequate guarantees for religious freedom in Vietnam. Their concerns include limits placed on the legal rights of religious groups, bureaucratic obstacles that stymie religious registration, government interference of religious practice and the operations of religious groups, and the government’s lack of compliance with international human rights standards (Democratic Voice of Vietnam 2015).

Vietnam’s policy-makers and advisors are predominantly Communist Party members. As a result, there is very little understanding or knowledge of fundamental concepts related to religion and the rule of law among Party elites. This absence of research and scholarship is reflected in the religion law drafting process thus far. It has only been during the past 10 years in which Vietnam has gained greater access to international standards and embarked on efforts to build a foundation of scholarship on religion and the rule of law.

As the draft law is revised, there are several key questions facing Vietnam. Which model will it follow: the emerging international model of religious freedom, or the Marxist one which sees religion as a threat to the state? Do lawmakers have access to lawmaking principles, religious freedom norms, and knowledge on religion and rule of law in order to draft a law that would treat people of faith fairly? Are there channels available to state officials and religious groups to communicate openly and build trust? What legal channels are available if religion-based conflicts cannot be solved by dialogue? The answers to these questions will determine Vietnam’s long-term success in developing a legal structure and societal norms that will enable people of faith to participate and contribute to societal flourishing as equal citizens.

Engaging Vietnam on Religious Freedom

“Religious freedom,” “human rights,” and “democracy” have been taboo topics in Vietnam. However, during the past decade, the Vietnamese government has started to provide trainings on religion and rule of law, religious freedom, and human rights for academic scholars, government officials working on religious affairs, and public security officials. The government has also partnered with international NGOs and foreign governments to convene seminars on the positive role of religion in society (Institute for Global Engagement 2015).

The U.S. has been the most active country in engaging Vietnam on religious freedom. The State Department’s International Religious Freedom office and the U.S. Commission on International Religious Freedom (USCIRF) issue regular reports on Vietnam. The U.S. embassy and consulate in Vietnam have also made religious freedom and human rights a regular part of their work (U.S. Department of State 2014a; U.S. Commission on International Religious Freedom 2015a). When Presidents Obama and Sang announced in 2013 that the U.S. and Vietnam would enter into a Strategic Partnership, issues such as human rights, freedom of assembly, and freedom of expression were included in their meetings. The U.S. Congress has also held numerous hearings featuring Vietnamese-American religious freedom advocates.

While some Vietnamese government officials criticize the U.S. government for “interfering in Vietnam’s internal affairs,” there are actually others who think that the U.S. government needs to engage with greater intentionality the Vietnamese government on these issues. Accordingly, below are recommendations for the next U.S. presidential administration in engaging Vietnam.

First, the U.S. government should continue to ensure that religious freedom and human rights are placed on the agenda in all dialogues with the Vietnamese, particularly those involving...
economic and military issues. The U.S. government should express concerns through diplomatic channels whenever there are verified incidents of religious harassment, human rights violations, and arrests of people who advocate for religious freedom and human rights progress in Vietnam. The U.S. should also remind Vietnam of human rights standards embedded in international bodies in which Vietnam is already a member such as the United Nations Human Rights Council and the World Trade Organization.

Second, the U.S. government should ensure that American companies doing business with Vietnam operate in such a way that would improve rather than harm rule of law, religious freedom, and human rights. This effort will be a strategic investment toward building a more competitive, fair, and rules-based business environment that will benefit citizens of both Vietnam and the U.S. With the Trans-Pacific Partnership coming into force, this will take on even greater significance.

Third, the U.S. Agency for International Development’s efforts in Vietnam should seek to encourage or strengthen the role of local religious groups, many of whom are marginalized by the local government. Community development projects should also ensure that voices from affected religious and ethnic minority communities are included in every project phase. Not only will this improve the chances for successful outcomes, but it also has the added benefit of building the capacity of marginalized communities and strengthening civil society.

Fourth, the U.S. government should provide training for Vietnamese legal professionals and judicial officials. In Vietnam, judges and prosecutors are not independent as the positions are all filled by Communist Party members. As a result, the legal system is incentivized to maximize benefits to the Party rather than society as a whole. Offering opportunities to receive exposure to the American legal system and receive training in the U.S. will provide a helpful comparative lens for Vietnamese to evaluate and reform their own legal system.

Finally, the U.S. government should support NGOs which are effectively working with both the Vietnamese government and religious communities to promote religious freedom. There is a critical need recognized by Vietnamese officials for training Vietnamese policy workers, academics, religious affairs officials, and religious leaders on good governance and religion. Encouraging and supporting NGOs that can meet this need will lay the foundation for positive and sustainable improvement of religious freedom in Vietnam.

Laos

The upcoming visit of President Obama to the Lao People’s Democratic Republic, as it will be hosting and chairing the ASEAN meetings, promises to make 2016 a historic year for Lao–American relations. Already in recent months there have been unprecedented high-level visits to Laos by deputy national security adviser for strategic communication for the President, Ben Rhodes, Assistant Secretary of State, Daniel R. Russel, and U.S. Secretary of State, John Kerry. As the first U.S. President to ever visit Laos, Obama’s visit will mark a high point in Lao–American relations. The visit is of course also part of the ongoing efforts to “rebalance” the role of the U.S. in the Asia Pacific Region (Davidson and Dickey 2015). Specifically the U.S. seeks to slow the growing influence of China in Laos and encourage Lao support for slowing China’s influence in the South China Sea (Malloy 2016). The Lao may find this difficult given the significant Chinese foreign assistance to Laos and China’s role as its major source of foreign investment (Howe and Park 2015).

Since the early 1990s the communist government in Laos has slowly opened up to international investment and bi-lateral partnerships. For example,

In 2012, Laos scored big wins internationally by hosting the 6th ASEAN University Games and the 9th Summit of the Asia-Europe Meetings, joining the World Trade Organization, and receiving US Secretary of State Hillary Clinton on a visit to Laos. It was the first visit to Laos by a US Secretary of State in 57 years. (Bailey 2013)
The economy has been growing quickly even if unevenly. Of course Laos is one of many nations wrestling with the economic inequalities that result from neo-liberal free market policies. Nevertheless, the Lao People’s Revolutionary Party is in firm political control and has brought stability and increasing prosperity to the nation. The U.S. has been contributing to stability and prosperity through a number of assistance programs (approximately $26 million in 2012) (U.S. Commission on International Religious Freedom 2015b). Clearly both nations have a great stake in the stability and prosperity of Laos and the region. As President Obama clearly knows, protecting human rights in Laos will be a key factor in achieving these goals. As more and more U.S. policy experts are realizing, establishing and protecting religious freedom will be key to the establishment of other human rights and to internal and regional security (Farr and Hoover 2009).

Laos does not have a good track record with human rights. Civil rights have suffered the most since 1975 when the Party took power, but religious freedom is also limited. U.S. State Department reports on human rights and religious freedom state that Laos is still a long way from being a nation “ruled by law” (U.S. Department of State 2014b). Significant strides have been made to increase the participation of the people of Laos in electing local government officials and members of the People’s Assembly. But too often the concerns of culture, religion, and Party politics infringe on individual human rights and freedoms. As of this writing, there are three Hmong Protestant Christians being held without trial in the village of Phonthong, District of Muangkho, Hua Phan Province. They appealed to the local courts and argued that their right to religious freedom had been violated. The local court apparently agreed but the local police subsequently beat the three men—one of whom is a 15-year-old student—because they dared to make the appeal. Many other human rights and religious freedom cases in Laos could also be cited (see Amnesty International 2016; Christian Solidarity Worldwide-USA 2016).

Progress in Laos
But the USCIRF report must be placed within an important larger context if the U.S. government is to formulate a policy toward Laos that will enhance the environment for religious freedom and other human rights. The larger context is shaped by the fact that Laos has been making steady progress on these rights for the last 15 years. If you ask leaders from all of Laos’ religious communities, they will tell you that while there is still a lot of work to do there is significantly more religious freedom today than 15 years ago.

Over the past 10 years there have been fewer and fewer arrests made for religious reasons. While some people have been detained—in some cases for several months—it has been several years since anyone has been sentenced to prison for issues related to religious belief. Every year there are more and more minority religious communities in Laos, and their relationships and communication with the government is improving. Decree 92, the government’s policy document on implementing religious freedom, are being revised after extensive feedback from religious leaders from all over the country. While Decree 92 has come under criticism from some quarters such as USCIRF, the facts on the ground are there is more sincerity on the part of the government than might first be seen. The document has sometimes been misinterpreted and used to refuse people their constitutionally guaranteed religious freedom, but it has also been used to defend those freedoms by officials working in the Department of Religious Affairs at both the Lao Front and the Ministry of Home Affairs.

Challenges
The greater problem with regard to expanding religious freedom lies with the long-
standing practice of interpreting law as leaders see fit and the lack of an independent judicial system. Another equally important problem is the lack of experience among government officials everywhere in the country with the rule and respect of law. But this is changing as more officials attend seminars on religious freedom and the laws and policies of the Lao government. This positive momentum on religious freedom must be the lens through which the ongoing issues on religious freedom in Laos are interpreted.

While the Lao economy is growing quickly, the social and political transformation of Laos is happening slowly because the government prioritizes a pace that protects its place in power and the social stability of the nation. Stability in this context means national unity and the absence of political and religious conflict. This is not just the result of communist ideology. Rather, it reflects long-standing cultural values and ideas of power. The U.S. must be clear minded about the need for the Lao government to make progress on human rights and religious freedom at a pace acceptable to its social context but energetically motivated by engagement with the international community.

Engaging Laos on Religious Freedom

So how should the U.S. engage Laos on religious freedom given its own geopolitical concerns to mitigate China’s influence and encourage economic prosperity? This question can be answered by taking the USCIRF (2015b) Report’s recommendations seriously: The U.S. needs to integrate “concerns about religious freedom into its bilateral agenda when engaging with central government and provincial Lao authorities.”

The U.S. should continue and increase foreign assistance and do more to encourage American business investment. But the U.S. also needs to ramp up its commitment to helping the Lao protect and implement religious freedom. Specifically, this engagement needs to be done in such a way that empowers and fuels the momentum the Lao have already made on religious freedom.

The U.S. can empower Laos’ progress on religious freedom by building the capacity of government officials to (1) understand and implement the rule of law, (2) appreciate and protect religious freedom and diversity, and (3) learn the skills of peace building and conflict resolution. This will require investment in educational and training programs.

The U.S. can fuel the momentum on religious freedom by partnering with the Lao government (specifically the Lao Front) to raise the level of public awareness about religious freedom issues in Laos. This can be done by (1) creating international religious exchanges between Laos and the U.S. that would give religious leaders in both nations opportunities to see and discuss how religious freedom is implemented and experienced in other nations (not only in the U.S.), (2) creating a public dialogue in partnership with the Lao Front and other state media departments on religious freedom issues, and (3) publicly applauding Laos’ progress on religious freedom while privately pressing their government to resolve specific cases in which religious freedoms appear to be denied (and urging U.S. allies to do the same).

We can either focus on Laos’ failures in the past, or we can lean into its progress and help Laos build a sustainable social environment protecting human rights. We recommend that the future presidential administration take the latter approach. More specifically, the U.S. needs to more intentionally integrate religious freedom into U.S. policy as we realize that the implementation and protection of human rights like religious freedom are foundational to political and economic stability at home and abroad. A new and positive engagement between the U.S. and Laos could make all the difference.
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While US policy-makers today generally take religion and religious actors more seriously than they did two decades ago, there remains a need for greater understanding of what makes for an effective response to the problem of violent religious extremism. Religious extremism has become particularly acute in parts of Sub-Saharan Africa over the past several years. Having already spread across national borders in some cases, it threatens to spread across sub-regions, wipe out some recent gains in human development, and politically destabilize the continent in ways that are harmful to US national security. While the US has attempted to address the problem, its efforts, like those of African governments, appear to be focused almost exclusively on “hunting down and killing the bad guys.” Although force has its necessary place in subduing insurgents and curtailing their activities, the US must ensure its policies are informed by the best available evidence. That evidence clearly shows that force is an inadequate solution to the problem of religious extremism (Gompert and Gordon 2008; Campbell 2014; Gompert, Binnendijk, and Lin 2014). It is of paramount importance that the next US presidential administration develop a nuanced strategy to deal with the problem of religious extremism in Sub-Saharan Africa, one that is comprehensive, pro-active, far-sighted, and informed by a more sophisticated understanding of religious freedom.

Based on analysis of previous attempts to address religious extremism within and beyond Sub-Saharan Africa, it is becoming increasingly clear that efforts which merely respond to immediate threats, which rely almost exclusively on force, and which do not engage religious civil society are ineffective and even counter-productive. All too often, the efforts of African governments to subdue murderous groups like Al Shabaab and Boko Haram have been rather murderous themselves. Military and police action have been heavy handed and indiscriminate, often harassing, injuring, or killing people unlucky enough to live in the vicinity of suspected extremist hideouts or who share ethnic and religious identity with extremists. As a result, there is reason to think that such responses have made matters worse and played into the narrative promoted by extremists—namely, the narrative that there is a religious war in Africa, and that they are merely defending Islam against the US and Christian-dominated governments or, as in the case of Nigeria, governments led by those they consider to be unfaithful Muslims. Several Christian religious leaders I have interviewed in Kenya and Nigeria were of the view that overly

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violent and poorly targeted responses to groups like Al Shabaab and Boko Haram have inadvertently boosted the efforts of extremist groups to recruit. These same religious leaders said they believe that such responses have unnecessarily increased tensions between Christians and Muslims and that, in the long run, such tensions will make it more difficult to promote good inter-religious relations and the communal resiliency necessary for longer term security and economic development.

In this essay, I argue that the next US president should develop a strategy for dealing with religious extremism in Sub-Saharan Africa that focuses more on preventing extremism, building resiliency, and supporting Christians and Muslims who are engaged in efforts to promote religious tolerance and freedom of religion. Further, the US should work with African governments to promote a more measured and precise use of force to subdue extremists, recognizing that, as necessary as force may be, in the long run it is not the solution to the problem at hand. In the long run, economic development, inter-religious cooperation, and equal freedoms and responsibilities for all religious and secular groups in civil society will create conditions that allow for holistic human development, which in turn will help advance US national security interests.

This essay proceeds as follows. In the next section I review the problem of religious extremism and how African governments have responded, focusing in particular on efforts to defeat Boko Haram and Al Shabaab. I continue by briefly assessing how the US has and has not responded to the problem. In the third and final section of the essay, I put forward important components of a more far-sighted US strategy. I conclude by calling for research that would assist the US in preventing and not merely reacting to religious extremism in the region.

The Problem of Religious Extremism in Sub-Saharan Africa

In western and eastern Africa, religious extremism has become an increasingly serious problem. While there are a number of groups that have arisen in recent years in West Africa, including the Macina Liberation Front, Al-Mourabitoun, and Al Qaeda in the Sahel, for the sake of this essay I focus on the “Congregation of the People of Tradition for Proselytism and Jihad” or Boko Haram (often translated as “western education is forbidden”). In East Africa, I focus on the “Movement of Striving Youth” or Al Shabaab. Despite recent successes by both Nigerian and Kenyan militaries and police agencies, Boko Haram and Al Shabaab continue to wage successful attacks.

While it is difficult to trace the exact origins of Boko Haram and Al Shabaab, both groups began as Islamist revivalist movements intended to establish a Shari’ah-based society in Nigeria and Somalia, respectively (Campbell 2014; Hansen 2015; Smith 2015). Boko Haram most likely began in Maiduguri, the capital city of Nigeria’s Borno State in the far northeastern corner of the country, one of the most economically underdeveloped regions of Nigeria. The charismatic Muslim preacher Mohammed Yusuf gathered young Muslim men around his message of Islamic revival and strict adherence to the Shari’ah. That message included a withering critique of the Nigerian state and Western culture (Comoli 2015). What has come to be called Al Shabaab is an offshoot of the Islamic Courts Union in Somalia. It seems to have originated around the year 2004. Al Shabaab largely began as a movement to fill the vacuum of central political authority in a “failed state” (Hansen 2015). The group gradually became more ambitious, as it sought to recruit from and establish its authority over northeastern Kenya, an impoverished area of Kenya where the population is largely made up of Somali-Kenyans who are mostly Muslims. Al Shabaab became increasingly violent and declared war on Kenya after the Kenyan military invaded Somalia in 2011 as part of the African Union Mission in Somalia (AMISOM). It is important to put both Boko Haram and Al Shabaab in their proper contexts. It is difficult to understand the growth of Boko Haram without considering inter-religious tensions in Nigeria over the past several decades and the perceived political and economic marginalization of the northeastern part of the country, where the group was born and continues to be most powerful.
While Christians and Muslims in most parts of Nigeria get along quite well and there is a long history of accommodation if not mutual respect, inter-religious tensions have been of growing significance in Nigeria. Nigeria is roughly half Christian and half Muslim and, since the late 1970s and early 1980s, deadly violence between Christians and Muslims has engulfed some portions of Nigeria’s Middle Belt and northern parts of the country (Kukah 1993; Falola 1998; Paden 2005, 2008). *Boko Haram* emerged in this context of inter-religious tensions and conflict, and its attacks on Christian churches in and beyond its stronghold in the northeastern part of Nigeria have fueled more inter-religious tensions and suspicions.

As of August 2015, Nigeria’s National Emergency Management Agency (NEMA) estimates that there were more than 1.5 million internally displaced persons (IDPs) as the direct result of religious conflict, and the vast majority of the displaced have fled the advances of *Boko Haram* (Comoli 2015). There are 24 official camps for displaced.

According to NEMA, there are also as many as 200,000 Nigerian refugees, both Christians and Muslims, who have fled the *Boko Haram* insurgency into neighboring Chad and Cameroon. It is estimated that *Boko Haram* has been responsible for at least 13,000 deaths since the insurgency began, with about half of these killings, 6,644, having occurred in the year 2014 alone, which is more deaths than the Islamic State of Iraq and Syria (ISIS) is thought to be responsible for that same year (Global Terrorism Index 2015).

While the number of people who have been killed or displaced by *Al Shabaab* in Kenya is lower than the number killed and displaced by *Boko Haram* in Nigeria and surrounding countries, the attacks waged by *Al Shabaab* have been sensational and have instilled a great deal of fear, particularly among Christians, who have often been targeted for death by the group. As in the case of *Boko Haram*, it is important to put *Al Shabaab* in context. It emerged in a failed state, Somalia, and has appeared to be rather successful at recruiting Kenyans of Somali ethnic background in the long-impoverished northeastern and northern coastal areas of Kenya (Hansen 2015). There is evidence to suggest that *Al Shabaab* would like nothing more than to trigger something like a destabilizing “religious war” between Muslims and Christians in East Africa, particularly in Kenya (see Mutiga 2015). Both *Boko Haram* and *Al Shabaab* consider the governments of Nigeria and Kenya to be vehicles of US and Western influence and by triggering more violence in both countries and creating an economic and political crisis in each, they hope to do damage to such interests in the region.

Nigeria’s President, Muhammadu Buhari, has claimed that the Nigerian government has wrested control a significant amount of territory from *Boko Haram*. However, there is concern that the recent gains are ephemeral. The government’s strategy has relied almost exclusively on force and there have been well-documented reports that the Nigerian military has been guilty of violating the human rights of local Muslim populations in the northeast (see Human Rights Watch 2014; Nossitier 2015; Amnesty International 2016). These violations have played into the narrative promoted by *Boko Haram*—that it is defending northern Muslims from Christians and unfaithful Muslims who care little about their well-being. It is important to recognize that there have been attempts to adopt a more comprehensive strategy through working with local communities and religious civil society to spread messages that counter those of the insurgents. For example, Nigeria’s Countering Violent Extremism Programme has been a vehicle for the federal, state, and local governments to engage traditional and religious leaders (Akilu 2015). However, such efforts have been relatively weak and under-funded. They have not been important components of President Jonathan’s or President Buhari’s strategy. Several Muslim and Christian leaders have expressed dismay that those in government, the police, and the military do not seem interested in their experience or in their opinion about the best way to respond to the insecurity in the northeast. “The government sends us the signal that they are sorry about the problems we experience, but they do not need
our advice on how best to end the Boko Haram insurgency,” said one religious leader from Nigeria’s Borno State.⁷

Like the Nigerian government, the Kenyan government too has claimed recent successes in foiling plots hatched by Al Shabaab and in capturing and killing militants (see Ohikere 2016). The question is, are such successes enough and, in the long run, will they contribute to the end of religious extremism and greater security in the region? Many of Kenya’s Christian leaders, those who should ostensibly care most about subduing Al Shabaab, have their doubts. Based on recent conversations with Christian leaders in the coastal area of Kenya, there are fears that the Kenyan government’s responses have been overly violent, rather indiscriminate, and damaging to Christian–Muslim relations. Several Christian leaders noted that they thought that any longer term solution to the anti-Christian violence along the coast and in the northeast must involve efforts to increase economic opportunities for young people, whether Christians or Muslims, and in greater inter-religious dialogue and cooperation.⁸ According to one of these Christian leaders who work along the north coast of Kenya,

There are people who want this to look more and more like a religious conflict. They encourage despondent youth to attack Christians. Government’s tactics are playing into their hands. A religious war will be bad for us and bad for Kenya; it will make defeating terrorists difficult.⁹

How the US Has and Has Not Responded

The US responses to the problems of religious extremism in Sub-Saharan Africa, and in particular Boko Haram and Al Shabaab, have been largely reactive and improvised. It is understandable that the wars in Iraq and Afghanistan, Syria, and, more recently, the challenges posed by ISIS have been the focus of US policy-makers’ energies. Since Boko Haram has not been considered a direct threat to the US homeland and because of problems of corruption in the Nigerian military, the US has appeared largely content to allow the Nigerian government to deal with the group (Campbell 2014). Al Shabaab has been a greater concern to US officials since there is some evidence that the group has successfully recruited US citizens to its ranks and, therefore, the US has been directly engaged in efforts to subdue Al Shabaab.¹⁰

While the US has provided assistance to help Nigerian and Kenyan authorities locate extremists and has been directly engaged in the attempt to subdue Al Shabaab, and more recently Boko Haram, the US response has been largely military and military-intelligence in nature (Campbell 2014). While the US may play a very helpful role in assisting militaries and intelligence-gathering agencies to be more precise and effective, there is good reason to think that a strategy that relies solely or mostly on force is inadequate. Although building the capacity of Nigerian’s intelligence and defense forces to detect and thwart violent attacks while they are still in the planning stages is crucial to any comprehensive strategy, such capacity building does not get at the root of the problem of religious intolerance and radicalization.

Indeed, even if the use of force was more effective in killing militants and reclaiming territory, this would not be enough to end the problem of extremism in Nigeria. In fact, even after military successes, Boko Haram has been responsible for several deadly bombings in 2015 and 2016 (Guardian 2016). The same goes for Kenya’s response to Al Shabaab. As long as US efforts are mostly focused on assisting Nigeria and Kenya to be more effective in the use of force, they will be inadequate for addressing the longer term problem of religious extremism in West and East Africa. Unless a longer term and more comprehensive strategy to address the problem of religious extremism in Sub-Saharan Africa is developed, the problems of religious extremism and inter-religious violence will persist and likely even grow to become more serious and damaging; reversing recent advances in economic growth and human development, destabilizing fledgling democracies, providing havens for
international terrorist networks, and damaging US security interests.

Toward a More Comprehensive and Far-Sighted Strategy

It is important to note that there are limits to what the US can do to address the problems of religious extremism anywhere, including western and eastern Africa. US policy-makers must be careful to observe the first principle to “do no harm” and not to involve the US in Sub-Saharan Africa in a way that actually prompts more extremism. If thoroughly informed by realities on the ground, the US can play a role in preventing and not just reacting to religious extremism. First, the next US presidential administration should continue to work with African governments to provide military training and to enhance intelligence gathering so as to eliminate human rights abuses and increase the accuracy of efforts to subdue extremists. Second, the next administration must find a way of working with African governments to promote economic growth and human development in areas vulnerable to religious extremism. Third, the next US presidential administration should work with Africa governments to engage with religious civil society and support inter-religious efforts to promote religious tolerance and freedom. In short, the US should work with its allies in Sub-Saharan Africa to develop a grander and more far-sighted strategy that (1) promotes respect for human rights and a more discriminate use of force, (2) focuses on economic growth and human development, and (3) supports religious civil society in efforts to promote inter-religious tolerance and greater respect for religious freedom for all.

Promote Respect for Human Rights and a More Discriminate Use of Force

The Obama Administration has not effectively encouraged Nigerian and Kenyan governments and their militaries to respond to attacks waged by religious militants in ways that are largely respectful of human rights. Admittedly, it is difficult to do so. There is credible evidence that Nigerian military officers have committed gross human rights violations as they have sought Boko Haram militants, adopting something like scorched earth tactics in areas where they suspect militants are hiding or where local populations are thought to have valuable information (Human Rights Watch 2015). As noted earlier in the essay, even many of those most threatened by Boko Haram and Al Shabaab have complained that the use of force by Kenyan and Nigerian militaries has been indiscriminate and that in the long run, such use of force is not promoting greater security for them.

Among other things, the next US presidential administration should offer to grow the International Military Education and Training (IMET) program to support more precise, measured, and proportionate use of military force. Further, it should use the program to teach search and questioning techniques that respect the human rights of populations in areas where militants are thought to take cover (Campbell 2014).

Because any sizeable and noticeable US military presence in West Africa or East Africa would likely trigger a backlash and put local people in danger, the US should continue to focus on training African governments’ security personnel and sharing certain types of military hardware and intelligence equipment/expertise. However, the sharing of military hardware and intelligence equipment/expertise should be made contingent on the training regimen that focuses on respect for human rights and more discriminate use of force. Further human rights violations should trigger an immediate suspension of further military or intelligence assistance. Without doubt, there will be those who will disagree with such strict conditions on US military and intelligence support, claiming that suspending US support in response to such violations will mean more advances by groups like...
Boko Haram and Al Shabaab. However, I would argue that US support for military activities that are abusive of human rights would, in the long run, make efforts to contain religious extremism all the more difficult. Further, the US must work with African governments to diversify their strategies and to consider the longer term consequences as well as the short-term objectives in the struggle to subdue extremist groups. All too often, the ways of achieving shorter term objectives, such as capturing or killing individuals responsible for violent attacks or those thought to be planning violent attacks, undermine longer term goals of creating conditions that make extremism less likely. The US should focus on partnering with its allies in Africa, such as Nigeria and Kenya, to find ways of achieving both shorter term objectives without undermining the longer term goals.

Focus on Economic Growth and Human Development

An important component of a more diversified and far-sighted approach to tackling the problem of religious extremism is an effort to promote economic growth and human development. While we know that poverty and political marginalization do not necessarily lead to religious extremism, such conditions may contribute to the rise of and attractiveness of extremist movements. It is no accident that Boko Haram and Al Shabaab have emerged or recruited successfully in impoverished regions of Nigeria and Kenya, respectively. It is hard to imagine such groups emerging and/or thriving in contexts where people enjoy greater access to education and public health, where there is a greater degree of opportunity. Religious extremists are able to make compelling arguments to local populations where the state has largely failed to provide basic order and public services. The next US presidential administration should redouble efforts to promote economic growth and human development in those parts of Sub-Saharan Africa that are most vulnerable to religious extremism. In the short term, this means urging the governments, like those in Nigeria and Kenya to invest to a much greater degree in education, health, and basic infrastructure in the northeastern parts of each country. The US should consider funding programs in areas that have been most successful at boosting health indicators and educational outcomes. Such programs would be best run through government and trusted non-governmental organizations. Any comprehensive strategy to root out the problem of religious extremism should involve non-governmental organizations that are religiously based, particularly those that are rooted in local communities and that bring Christians and Muslims together.

Support Religious Civil Society to Promote Tolerance and Religious Freedom

It is clear that African governments have not focused a great deal of energy on engaging religious civil society in their efforts to address religious extremism. An essential component of a more comprehensive and far-sighted strategy intended to inhibit the rise of religious extremism is support for groups that bring Christians and Muslims together in the region. There are Christian and Muslim leaders in East and West Africa who work hard at promoting equal rights and responsibilities for Christians and Muslims. An example of such efforts includes those of the Catholic Archbishop of Jos, Nigeria Ignatius Kaigama, and the late Grand Khadi Kanam, as well as those of Pastor James Wuye and Imam Muhammed Nurayan Ashafa, based in Kaduna. The Interfaith Mediation Centre, founded by Wuye and Ashafa, is an example of an institution that has proven effective at bringing Christians and Muslims together to encourage mutual respect and freedom of religion (Paden 2012, 2005). Recently, the Kukah Centre in Abuja, Nigeria, has brought people together across the religious divide to defuse religious and political conflicts. Named after Catholic Bishop Matthew Hassan Kukah who is widely respected for his work with Muslims and Christians, the Centre has devoted considerable energy to issues of faith and public policy. Present at the grassroots level and led by religious leaders who have the
respect of Christians and Muslims, the efforts of these groups and organizations serve to build resiliency to withstand the rumors and innuendo that all too often fan the flames of religious conflict. While the Nigerian government has recognized the importance of grassroots community engagement, it has not sufficiently engaged with such groups and supported their efforts.

The same is true of US policy-makers. While many of them note the importance of engaging religious civil society, at the end of the day, efforts that focus on religious civil society have been relegated to the margins of US strategy. Perhaps this is partly due to the fact that the US does not know how to support such groups without harming their reputations among populations that are already suspicious of the US. If people already suspicious of US activities were to learn of US government support for inter-religious activities designed to prevent extremism, such activities may be discredited. The reluctance to support religious civil society may also be due to a lack of patience. Yet, impatience typically leads to mistakes that end up undermining the ultimate objective of societies free of religious extremism and serious threats to US national security interests. Efforts to engage religious civil society may take years to pay off. Nonetheless, there is good reason to think that an effective effort to subdue religious extremist groups and make religious extremism less likely in the future requires such long-term engagement. The next US administration should make such engagement central to its strategy.

Conclusion

Ultimately, it is important to recognize that there remains a great deal that we do not yet understand about the causes of religious extremism, let alone the most effective ways to address the problem. Therefore, the next US presidential administration should devote considerable resources to monitoring and evaluating any strategy that it employs. It should also seek to support rigorous research devoted to more fully understanding why extremism emerges where and when it does, and the most effective means to counter the narratives used by religious extremists to attract followers. In Sub-Saharan Africa, the stakes are high. While there is much we do not know, it is becoming clear that a strategy that relies largely on force is inadequate at best and counter-productive at worst. Any US strategy to address the problem of religious extremism in Sub-Saharan Africa should be predicated on a mindset of long-term prevention. Such a strategy should certainly include a focus on promoting human development and on engaging with religious civil society to promote religious tolerance and respect for religious freedom.

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Notes

1. These interviews were conducted in Kenya in July 2015 and in Nigeria in August 2015. For example, one Christian leader from Kenya’s coastal region said, “It’s not easy, but we have had to work hard to prevent violence and seek restraint. Al Shabaab and others are trying to draw a violent response.” Interview conducted by the author, August 12, 2015.

2. One Nigerian Christian leader in Maiduguri said he witnessed human rights abuses committed by Nigerian soldiers. “People were dragged out of their houses, stepped on, and beaten within an inch of their lives. I do not think they had anything to do with Boko Haram.” Interview conducted by the author July 18, 2015.

3. Ugandan and Ethiopian troops also make up the AMISOM force.

4. Boko Haram has also attacked Christians outside of Nigeria’s northeast. In August 2011, Boko Haram claimed responsibility for Christmas day bombings of several churches throughout Nigeria.

5. These statistics are taken from the Nigeria’s National Emergency Management Agency (NEMA). For more on the camps, see Offiong 2015.

6. The deadly attacks that have received the most attention are those on the Westgate Shopping Mall in Nairobi in September 2013 and on Garissa University, in northeastern Kenya, in April 2015.
8. Interview conducted by the author on July 16, 2015.
9. Interview conducted by the author on July 29, 2015.
11. I attended a workshop on responses to the Boko Haram insurgency that was sponsored by the Kukah Centre on August 12, 2015. For more on the work of the Kukah Centre, see http://www.thekukahcentre.org/.

References


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By 2050 there will be 2.8 billion Muslims in the world, of whom almost half will be women. If women are integrated in efforts to confront violent extremist ideology, through equal opportunities and participation in social, political, and economic life, this demographic could positively alter the future of the Muslim world. Currently, traditional, conservative, and patriarchal societies in most Muslim-majority countries tend to ignore women’s education, their participation in the workforce, and their rights. This enables Islamist groups, which reject the concept of women’s rights being equal to men’s rights, to target women as potential recruits for their extremist cause. Personal, cultural, and societal factors, along with the broader grievance culture amongst Muslim populations, have contributed to some women supporting and joining Islamist extremist groups.

Women’s participation in the workforce, in national parliaments, and even in schooling lags behind in countries geographically as far apart as Egypt and Indonesia, which share Islam as the religion of most of their population. Women’s inclusion and status in Muslim-majority countries does not necessarily improve with enhancements in a country’s economic standing. Gender inequality affects richer Muslim-majority countries as well as poorer ones (World Bank n.d.).

Women’s rights, already challenged by tradition and social conservatism, are coming under greater attack by radical Islamists who seek to reshape societies in the mold of how things stood in earlier centuries of what they deem to be pristine Islam. For decades Islamists and traditionalist Muslims have questioned the Western ideal of full and equal participation of women in public, especially political, life.

According to the Islamist worldview, the role of women is clearly defined in the Qur’an and elaborated further in Hadith and tradition. This definition rejects the notion that women have the right to an equal say in all matters that have an impact on their lives. In the initial phase of modernization of most Muslim-majority countries, there was great resistance by religiously conservative elements against giving women equal rights, with some clerics going to the extent of denying the right to women to sit in legislative bodies or to even vote.

In recent years, a few political Islamist groups (such as the Muslim Brotherhood in the Arab world, Iran’s revolutionary regime, and the Jamaat-e-Islami in Bangladesh and Pakistan) have embraced the idea of “democracy” at least as a means of acquiring power through mobilization.

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of popular support. The objective of acquiring such power for them, however, remains to establish an Islamic State. These groups seek women’s votes in elections but remain committed to rolling back women’s rights upon seizing power.

Women are not only part of Islamist groups that have embraced electoral politics, but also play a role in groups that have chosen the path of terrorism, such as Al-Qaeda and ISIS. There are also a number of women’s Islamist social conservative movements that work with, but are not part of, the Islamist political groups.

In a majority of Islamist and jihadi groups, women’s roles were traditionally limited to the spread of propaganda and incitement of husbands and male relatives to jihad. In the last few years, the leadership has been responding to both the change in context as well as to Islamist women’s requests to play a larger role in offensive combat. This is reflected in the fact that between 1985 and 2010, there were over 230 suicide bombing attacks by women belonging to Jihadi groups (Bloom 2011).

There are many reasons why these groups use women operatives. Women provide structural support which varies from teaching their children how to be “defenders of the pure faith,” maintaining the household for the fighters, encouraging other women to join them in their task, and, in the case of educated women, even translating extremist propaganda. When women participate in an act of violence, they provide an element of surprise. Experts say that female terrorists have a four times higher kill rate than their male counterparts (Bloom 2011).

In “When Women Become Terrorists,” Jane Huckerby (2015) points out the challenge of Islamist women’s role in public life. About ISIS, she writes, “While the group oppresses many women, many also flock to its ranks.” Almost 10 percent of ISIS recruits from Western countries are female, “often lured by their peers through social media and instant messaging.” An estimated 63 of the 350 French nationals believed to be with the group are women, just under 20 percent. According to Huckerby, “despite stereotypes about their domesticity and passivity, women are drawn to groups like the Islamic State by many of the same forces as men: adventure, inequality, alienation, and the pull of the cause.”

The women of ISIS feel no compunction in violence against other women. The all-female Al-Khansa Brigade of ISIS enforces the group’s morality codes for women, requiring modest dress and segregation of the sexes. They operate checkpoints and participate in home raids in addition to being recruiters, trainers of women suicide bombers, wives and homemakers, fundraisers, and propagandists.

Author Mia Bloom in her book Bombshell: Women and Terrorists puts forth the “Four R plus One” framework to explain why women become terrorists. The four Rs are revenge, redemption, relationships, respect, plus rape—the death of a relative (revenge), relatives being involved with jihad (relationships), respect for female martyrs in patriarchal societies (respect), need to avenge a personal or familial shame (redemption), and sexual exploitation by jihadis (rape) (Bloom 2011, 234).

Other existing motivations include the perception of the Muslim community being under attack all over the world, the feeling of contributing to a cause, as well as personal incentives such as the allure of marriage and transition into adulthood. The feeling of community, sisterhood, and identity within the jihadi groups and larger community are a huge draw. For some female jihadists, Western feminism may be found unfulfilling or disappointing, and Jihadi groups provide an alternative of sorts, when personally chosen, as a path they interpret as a chosen way to avoid discrimination and abuse. These women see women’s roles as complementary to men’s, rather than equal. The growth in numbers of women living in the Western world who join these groups can be traced to factors such as grievances about Muslim-majority regions being under siege, belief that joining these groups gives them a goal in life and a way to contribute to a cause in which they believe deeply. There are also motivations like the desire to marry a true Muslim, bonds with other women who have joined these groups and are friends and provide sense of community, and finally a theological/doctrinal belief in an obligation to provide support for jihad.
ISIS has succeeded in the recruitment of women because of underlying causes within Muslim communities both in the West and in Muslim-majority countries. Even in relatively tolerant Muslim societies, patriarchy and paternalism are widely embraced, leading women to accept gender roles assigned to them. Polls indicate, for example, that a majority of women in several Muslim-majority countries feel it is their duty to obey their husbands and that spousal abuse is acceptable because it is allowed in Islam (NPR 2015). Extremists take this “submission to the will of God” one step farther and convince women that engaging in acts of violence is also divinely ordained.

In the West, Muslim diaspora communities from Paris to Toronto have seen an upsurge in anger and alienation from the broader community. One of the attackers linked to the November 2015 blasts in Paris was a woman, Hasna Aitboulahcen, as was one of the two San Bernardino attackers, Tashfeen Malik. Muslims, particularly youth and women, have felt ignored, hated, and apart from the larger society. Women, whether young girls or adults, feel that they are the easiest, most visible targets because of the hijab, and we have seen the backlash against it in places like France.

Within schools in Western countries, Muslim teenagers, because of their religious demands, often feel or are made to feel different. Teenagers growing up in Muslim households—fasting for the month of Ramadan, wearing the hijab, not dating or being able to drink alcohol—start feeling like “outsiders.” ISIS and other extremist recruiters often tap into such feelings of alienation, especially at impressionable ages.

In Muslim-majority countries, other forces are at work: easily-understandable triggers like unemployment in Tunisia and unhappiness with the nascent democracy’s inability to deliver, as well as forced secularity by dictatorial regimes. Today, Tunisian women and youth are the world’s greatest exporters of ISIS recruits. More Tunisians join ISIS in terms of percentage than citizens of any other country (Byrne 2014).

The recruitment tactics of the Islamic State have also been groundbreaking in social media. From Facebook pages to Twitter and Tumblr, the outreach has had an enormous impact on women all over the world—particularly in MENA and the West. Magazines, letters, and stories by women wanting to join active jihad and mothers’ proud remembrances of martyred sons have all been utilized in the Al-Qaeda affiliated al Shamikha and in Tayyabiat, which is linked to Hizb-u-Tahrir. The ISIS magazine *Dabiq* in a recent issue featured a message from the wife of the Paris supermarket gunman, advising women to study religion and support their jihadi husbands. This feeling of a community of believers, a group of acceptance, and a social experience is available in this online world of Jihadi women.

Unlike Al Qaeda, ISIS, or Daesh do not just want to eliminate Western allies in the region and attack Western systems. They have already put down the foundations of a state alongside the old states. The imposition of Sharia has begun in the regions they control. A barbaric form of warfare and control which puts all women—especially women belonging to minority religious groups like Yazidis, Shias, and Christians—at greater risk of death or debasement.

According to Ravina Shamdasani of the United Nations, “educated, professional women, particularly women who have run as candidates in elections for public office, seem to be particularly at risk” under ISIS rule. The revival of the slave trade of women from areas conquered by ISIS has increased the physically and sexually violent crimes against female children and women. The rise of ISIS has rolled back gains women made under secular governments like in Iraq and Syria (Shahabian and Sonenshine 2016). A similar fate awaits women and religious minorities in parts of other Muslim-majority countries that might fall under control of extremist groups.
The United States needs a comprehensive policy to deal with these developments in Muslim societies and beyond. Former Under-Secretary of State for Public Diplomacy Tara Sonenshine acknowledged in a February 2016 op-ed article in The Hill, co-written with Leon Shahabian, that the United States has still not comprehensively defined “Countering Violent Extremism” or “Counter-Extremism.” The next president of the United States must define both the problem and its solution in clear terms. As Sonenshine points out, several government agencies currently deal with countering violent extremism, often working in a vacuum and with different institutional agendas.

Moreover, violent extremism in the Muslim world cannot be dealt with without addressing the broader issues of religious freedom and women’s rights. Strategic considerations have lead U.S. policy to ignore marginalization of religious minorities in Muslim countries and to accept limitations on women as cultural or traditional. A more robust linking of U.S. foreign assistance and arms sales with policies on women’s rights and religious freedom could force governments in Muslim countries to tackle these issues.

The problem stems from the gender gap in the Muslim world, with low levels of literacy and low levels of labor force participation by women in all spheres of life. It also stems back to the traditional Muslim societies that have resisted what they see as Western human rights including rights for women. Instead of military dictators, orthodox ulema, and jihadists defining what are women’s rights, women should have the right to do so. It is here that the foreign policy of the United States can be proactive by placing women at the heart of its policies. This includes more aid for women’s education and scholarships for women students to study both in their countries and in the U.S. Support from the United States, both monetary as well as symbolic, for women activists in majority-Muslim countries will be further boosted if a global network of such activists is created and sustained. If the president takes the lead, policy confusion can be replaced with a comprehensive strategy that rebuts the culture of Muslim grievance—a grievance culture which enables extremists to recruit and operate. Instead of interacting just with clerics in token gestures, the United States must embrace Muslim modernizers including human rights activists, scholars, and writers. Moreover, U.S. officials must stop assuming that modernist Muslim women are somehow unrepresentative. Despite oppression and persecution, they remain as much part of Muslim societies as conservative women.

Women must, in particular, be the cornerstone of the anti-extremist effort. There are many positive historical and modern day examples of women and Muslims that can be used to show positive role models. It is imperative to make a distinction between Islam and its extremist distortions. It must be understood, moreover, that the consequences of inattention to combating extremist Islamist ideology would not be different from the results of ignoring the rise of totalitarianism in Europe before the World War II.

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ADVICE FOR THE NEXT AMERICAN PRESIDENT: COMMONWEALTH COLLABORATION, COOPERATION, AND CONCERN ON FREEDOM OF RELIGION OR BELIEF

By Robert Joustra

The Commonwealth is such a sprawling, cosmopolitan group that its sheer diversity makes it startling that a common thread on freedom of religion or belief (FoRB) could actually unite such a disparate group. Herein lies a group of countries from Belize to the Cyprus, India to South Africa, Nigeria and Pakistan to Canada, from whom it would be hard to extract coherent, simple lessons for the next American President on FoRB. From the shores of Australia’s Gold Coast or Canada’s Bay of Fundy, we may, for example, see some liberal democratic modeling worth emulation and engagement on human rights. Would we find similar models in Nigeria? Or Pakistan? Clearly the Commonwealth is a hub for both collaboration, cooperation, and concern. It is not a simple group to engage for anyone, least of all an American President.

This article draws upon the Commonwealth to offer two pieces of advice for the next American President. First, based on a case study of the Canadian Office of Religious Freedom and its special relationship with Pakistan—especially the late Shahbaz Bhatti, who was assassinated on March 2, 2011 while serving as Pakistan’s Minister of Minorities Affairs—I aim to show how religious freedom policy is often downstream of culture. Long-term, sustained advocacy for FoRB abroad begins with its prize at home. Paper laws, for example, in countries like Pakistan, are only that, apart from the public will and cultural pressure to enforce those laws.

This is why, second, Commonwealth countries represent a kind of partnership that can appeal to the sorts of historic and cultural bonds...
that durably root FoRB. That cultural backing, however, may appear very different from the American experience. Domestic rationales will look very diverse. But such rationales are indispensable.

The Commonwealth is pioneering a few models of diplomacy on FoRB that leverage common cultural bonds, and the United States could do much worse than be a like-minded collaborator. The next president should follow after and encourage the models of parliamentarians, parties, and civil, religious, and academic associations that are putting FoRB at the top of their agenda. FoRB needs not only the legal frameworks, but the political and cultural will that enables those frameworks. The Commonwealth may well be the kind of fertile forum that proves catalyst and collaborator for FoRB.

The View Downstream: Political Culture and FoRB

“Top-down” international covenants are indispensable. They are often the most important work that states and foreign offices can do. But they are also inherently limited. The political culture that enables legal covenants is inescapably important. This is one of the lessons that should be learned from the assassination of Shahbaz Bhatti, and the special case his death makes for political culture in FoRB advocacy. Politics must lead, but a political agenda that gets too far ahead of the culture can run up against dangerous limitations of the state. Weak states and strong religions still make up much of the world.

When Bhatti was an appointed Minister of Minorities Affairs of the government of Pakistan, he had a stated priority to change its blasphemy laws. But when President Musharraf signaled such a change in the blasphemy and apostasy laws, militants warned, “If the government tries to finish it, the government itself will be finished” (Marshall and Shea 2011, 100).

This was the topic of conversation when Stephen Harper, then Prime Minister of Canada, and other Ministers met with Bhatti in Canada in February of 2011. The meeting was part of a broader strategy to fulfill a 2008 election platform promise for a new, non-partisan democracy promotion agency that would help emerging democracies build institutions and support peaceful democratic change in repressive countries. The government’s focus on the rise of repressive and undemocratic laws around the world was in part the result of consultations with those like Bhatti.

Then Immigration Minister Jason Kenney, who was also the Conservative party’s point man for outreach to immigrant Canadians, said Mr Bhatti made a major impression on Mr Harper in that February 2011 meeting:

The Prime Minister was deeply affected by this as was everyone who had the chance to meet him. His visit to Canada shortly before his assassination helped to galvanize within the government the reality of this kind of persecution. … Just before I brought Shahbaz to meet the Prime Minister, I told the Prime Minister it would be a miracle if the man he was about to meet would be alive in a few months’ time. (Chase 2012)

Minister Kenney is said to have counseled Mr Bhatti against returning home. “Shahbaz was very conscious that in returning to Pakistan he would be facing not just the possibility but also the likelihood of assassination,” the minister said (Chase 2012). He was shot and killed visiting his mother in Islamabad the very next month.

Al-Qaeda and the Pakistan Taliban Movement in Punjab claimed responsibility in leaflets left at the scene. In Pakistan, few convicted of blasphemy and apostasy have been judicially executed, partly because of the length of trials, but also because mobs and vigilantes have killed hundreds of the accused. Paul Marshall describes the culture of blasphemy as one of systematic intimidation, in which during elections, “the vast majority of Pakistanis rejected radical parties,” but freedom of press, debate, and religion are repressed by this terrorizing minority (Marshall and Shea 2011, 100).

The problem in Bhatti’s homeland, as those like Marshall have argued, is far more intractable than extremists that may be contained and eliminated. The problem is, precisely, this
political culture of silence, a culture of intimidation and fear that tries to eliminate reformist practice and interpretation.

Bhatti’s case had a major effect on the Prime Minister, and on his decision to launch what would become the Canadian Office of Religious Freedom in 2013. One of the primary goals of that Office became not only profiling and resourcing the issue of FoRB politically, but a modest investment fund to work with local actors and nongovernmental partners in growing roots for a political culture of FoRB. The insight is exactly that there are limits to what states can do. When their ministers are shot down in their own family homes, it is the political culture—of intimidation, of silence—that must be transformed.

This is a daunting challenge, but there is real reason for hope too. The seeds of such transformation exist. On March 9, 2011, Pakistan’s embassy in the United States held a memorial service for Bhatti, at which then Ambassador Husain Haqqani spoke:

Those who would murder a Salman Taseer or a Shahbaz Bhatti deface my religion, my prophet, my Qur’an and my Allah. Yet there is an overpowering, uncomfortable, and unconscionable silence from the great majority of Pakistanis who respect the law, respect the Holy Book, and respect other religions. … This silence endangers the future of my nation and to the extent the silence empowers extremists, it endangers the future of peace and the future of the civilized world … When Shahbaz Bhatti is murdered, and we remain silent, we have died with him. (as quoted in Marshall and Shea 2011, 100)

Track 1.5: Partners in Political Culture

The exchange between Canada and Pakistan, and the development of Canada’s own Office of Religious Freedom, is just one example of the kind of possibility that exists in the Commonwealth. Real, systemic, top-down reformation is absolutely necessary. But so is building up domestic rationales for FoRB. The truth of the matter is that the protection of minorities, Christian or otherwise, will come in countries like Pakistan, and others, only when reformers with credibility, enlisting the best of their faith to defeat the worst of religion, have both the courage and support of the international community. We need top-down, but we cannot do without bottom-up advocacy either. And that bottom-up rationale for FoRB may look different than it does in America, or Canada. The Commonwealth is simply one more example of common culture and historic bonds that can and should be used in building partners around political culture.

Advocacy strategies in Commonwealth countries have already begun to focus on parliamentarians. Several formal and information networks already exist. A few examples follow.

The International Panel of Parliamentarians for Freedom of Religion or Belief (IPPFoRB) includes a range of parliamentarians including significant representation from Commonwealth countries, who are committed to advancing religious freedom issues abroad from their own platforms. Their Charter was signed in Oslo, Norway in November of 2014 and mainly reaffirms Article 18 of the Universal Declaration of Human Rights as well as committing to promote the issue through their own work. Current leadership includes David Anderson, a Canadian MP, and Elizabeth Berridge, of the British House of Lords.

Baroness Elizabeth Berridge herself is responsible for leading the Commonwealth Initiative for Freedom of Religion or Belief (CIFoRB), hosted by the Edward Cadbury Centre for the Public Understanding of Religion in Birmingham University’s Department of Theology & Religion. This group describes itself as an answer the question: “How can parliamentarians be effectively equipped to make a significant contribution to reversing the global decline in freedom of religion or belief?” The group’s funding and work are very new, and very little other than a website and some preliminary job postings are available, though some strategic goals do appear. These include an emphasis on research, training, mentoring, and developing as well as the establishment of a Commonwealth
Commission on FoRB to support and encourage parliamentary activity.

Inside the United Kingdom itself, the All Party Parliamentary Group for International Freedom of Religion or Belief is an effort to build broad partisan support. Here, too, is an effort the American President can glean some advice from.

The President must work to overcome the increasingly polarized way that FoRB is received not only abroad, but also at home. FoRB is not a Republican or Democrat issue, nor is it a “conservative,” “Christian,” or “American” issue. Framing FoRB as much as possible within all-party or bi-partisan contexts, and doing so as much as possible within the context of things like Commonwealth collaboration, may help to lift some of this stigma (especially abroad; see Hurd 2012; Saunders 2012; Sharma 2011). Regardless of American election outcomes, narrowly partisan levers, powerful as they may be, must be resisted on this issue. Branding FoRB as a “Republican” issue, for example, is not only intellectually and culturally disingenuous, it is politically dangerous. Commonwealth collaboration may be one way the American President can actually get Americans thinking beyond their own narrow political definitions, and—probably more importantly—build the kind of international coalition that equips political actors with the data and training they need to move the issue forward in their own contexts.

But coalition and advocacy building, diverse as it may be among parliamentarians, cannot end with the political class. At least three other groups in the international nongovernmental sector need sustained support and attention, even from the American President: (1) think tanks, public intellectuals, and journalists; (2) academics; and (3) religious groups. All three of these groups have made major progress on understanding and engaging FoRB in the last decade inside the United States, but have made much more limited progress in Commonwealth countries. Without the underlying intellectual and social architecture, policies on FoRB in these countries risk being niche interests, disposed of easily when the governing party loses (see for example the recent closing of the Office of Religious Freedom in Canada, shortly after the Liberals came to power). FoRB advocacy may be broadening internationally yet remain shallow, lacking expertise and credibility needed to really operationalize policy, and easily assailed as a culturally offensive “import” from abroad (read: America). Building Commonwealth capacity and credibility—intellectually, publically, religiously—should be a priority for the incoming American President. Even small seeds of “capital investment” in FoRB advocacy in other countries can bear significant fruit in the long-term.

The first two groups, think tanks/public intellectuals/journalists and academics, have come a very long way in the United States vis-à-vis FoRB advocacy and scholarship. But the contrast with Commonwealth contexts is revealing, including even closely allied countries like the United Kingdom and Canada. No mainstream think tanks in either the UK or Canada have made FoRB a top priority, and those think tanks that have talked about it tend to be religious in origin or outlook, and for that reason their motivations tend to be “suspect” in the dialogue. The list of public intellectuals in both countries who speak regularly and persuasively to this issue needs no more than two hands to count, and journalists themselves have only barely gotten beyond the skeptical narrative of FoRB being a policy to court immigrant or ethnic minorities.

Most difficult of all, perhaps, is that when experts are sought, whether academics or not, it is Americans who normally show up to lecture halls of Commonwealth diplomats and bureaucrats. In Canada, almost no major scholarly research has been done on FoRB as it relates to Canadian foreign policy. Organizers, in other words, can be forgiven for inviting their American compatriots, world renowned scholars on FoRB, because the list of domestic experts is so thin. Small wonder, then, that places like Canada betray a shallow depth of enthusiasm for issues that few intellectuals, think tanks, and journalists have made a priority. What may be mistaken for hostility on an issue may often be simple ambivalence. Building international coalitions of experts on FoRB is therefore necessary to sustain even the modest gains that countries like Canada and the United Kingdom have begun to make on this issue. If
Americans are to share leadership on religious freedom abroad with other Commonwealth collaborators, they must have the capacity to take it. That question is, for now, in doubt.

Religious groups, finally, are a key stakeholder that the American President continues to recognize. This is, naturally, one of the less direct areas in which the American President can provide leadership, being a political, not religious, leader. But through things like the State Department’s Office of Religion and Global Affairs, international summits of religious traditions can be encouraged and supported, if not directly, at least rhetorically. Again, here is a model where American leadership, by engaging Commonwealth partners, may pay larger dividends for already ongoing projects.

Conclusion: Advice for the Next President of the United States

The office of the American President is “just” a political office, and so there are real limits to what it can accomplish on complex, multi-level issues like FoRB. However, there are some key areas where the American President can and should make significant contributions to the emerging international concern on this issue, a key example of which is the Commonwealth.

First, the President should take seriously the limits of religious freedom advocacy from formal platforms, including his or her own. The case of Shahbaz Bhatti makes clear that a President who suffers from too much “top-down” will miss the story of “bottom-up,” the political culture that can enable and enforce legal and judicial rights for religious minorities.

But, second, this is tied to a good news story: the American government does not need to “do it all.” Not only are Commonwealth countries coming online on the issue of FoRB, but emerging models, like those among parliamentarians, show real promise for providing global leadership. This is a key reason why the President should take every measure possible to encourage sustainable advocacy on FoRB in places like Canada and the UK. This means prioritizing diplomatic tracks further downstream of politics, building expertise amongst Commonwealth public intellectuals, journalists, academics, think tanks, and, of course, religious leaders.

FoRB is not a narrowly American, Christian, or conservative concern. The next American President has the opportunity to show that by working proactively with an emerging international coalition, and supporting the already ongoing growth of domestic experts and leaders around the world, especially in Commonwealth countries. This is a small, but critical, step for American leadership. It is subtler, more instrumental work, but work that in the long run will pay dividends badly needed to combat the growing crisis of religious persecution and religious violence in the world today.

Note

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Any discussion of post-Obama U.S. international religious freedom (IRF) policy needs to acknowledge two basic structural realities. First, the State Department’s IRF Office is arguably the strongest and healthiest it has ever been. Second, the State Department as a whole is more institutionally attentive to religion than at any time in living memory. The next administration will have the duty and opportunity to consider afresh where IRF fits—conceptually, practically, and bureaucratically—within the State Department’s greatly expanded architecture for religion and diplomacy.

I will try to justify these two rather bold claims regarding the IRF Office and the State Department, and then offer a series of recommendations for how the next administration might best leverage existing momentum to further enhance U.S. IRF promotion.

IRF in the Bush Administration

First, the IRF Office is the strongest it has been since its creation in 1998. Despite the torrent of criticism that Obama and his administration have received for supposedly giving short shrift to international religious freedom, Obama’s record on the issue, especially during his second term, has actually been fairly good. And it looks all the better in comparison to the Bush Administration. I served in the IRF Office under Bush and Obama, so my reflections here are based largely on my own first-hand experience—as well as on the research I conducted for my doctoral dissertation, *A New Beginning: Barack Obama and Reshaping of American Religious Diplomacy* (Birdsall 2014).

During the Bush Administration, the IRF Office grew rapidly—from a handful of staff to over 20—but it struggled to capitalize on its size and its status as the Department’s only “religion office.” The office’s potential was limited by significant conceptual, practical, and bureaucratic impediments. Let’s briefly examine each of these three impediments.

Conceptually, the IRF Act of 1998, the legislation that created the office, framed U.S. promotion of religious freedom as a humanitarian objective largely disconnected from broader strategic goals. The opening line of the act states its purpose: “To express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals...
persecuted in foreign countries on account of their religion.” A noble cause, for sure. But why is it in American interests to pursue this objective? The act grounds U.S. IRF promotion in America’s historical experience, international human rights documents, and the gruesome realities of persecution in the modern world. But it does not detail why assisting persecuted individuals might advance other U.S. goals such as democracy, civil society, economic development, or counter-radicalization.

To be fair, at the time of the act’s drafting, scholarly and policy attention to religion in international affairs was still in its infancy. But then as scholarship raced forward in the ensuring years—propelled, in no small measure, by scholars mining the data in the Department’s annual IRF Report—the IRF Office remained saddled with a congressional act that fossilized a 1990’s vision of religious freedom. As Thomas Farr, IRF Office director from 1999 to 2003, argued, the State Department’s promotion of religious freedom was one of “reacting to the outrages of persecuting governments,” and thus “The religious freedom office has nearly no input into our broader democracy strategy” (Farr 2006).

Practically, the office’s potential was limited by a lack of religious diversity among its staff and the perception of pro-Christian bias. Many of us “IRFlings,” as we called ourselves, did actively engage and advocate on behalf all religious communities, but most of the high-profile cases that consumed the office’s time, attention, and political capital involved persecuted Christians. It did not help that the administration’s “War on Terror” was widely perceived by Muslims as an anti-Islamic campaign.

Bureaucratically, the IRF Office’s marginalization within the State Department structure militated against its success. The IRF Act established the IRF Office, but did not specify where the Department should place the office within its vast bureaucracy. The Clinton Administration, which had vigorously denounced the IRF Act for creating a so-called hierarchy of human rights, placed the new office within the existing human right bureau. This arrangement set up an inherently awkward dynamic. As Farr noted,

The position of ambassador at large, created by the act as “principal advisor to the president and secretary,” is viewed at the State Department as a mere deputy in the human rights bureau, itself perceived within the building as outside the diplomatic mainstream. (Farr 2006)

As for the ambassador’s office, Farr lamented that it is “still viewed within State as custodian of a special interest issue imposed by Congress.”

IRF in the Obama Administration

During the Obama Administration, the IRF Office has continued to face these challenges, but significant progress has been made on each front.

Conceptually, the IRF Office has in recent years articulated, for internal and external audiences, a much broader understanding of religious freedom and its relation to strategic foreign policy goals. The Introduction to the 2009 IRF Report, the first issued during the Obama era, framed the issue this way:

Despite the varied conditions religious communities encounter around the globe, the principled and practical reasons for safeguarding their freedom remain the same: religious freedom is a fundamental right, a social good, a source of stability, and a key to international security. (US State Department 2009)

Many other statements by Obama, Clinton, Kerry, and a host of other senior administration officials have expounded the strategic relevance of religious freedom.

Practically, the IRF Office has diversified its staff and greatly expanded its engagement with religious communities around the world. The current IRF ambassador, David Saperstein, is a Jewish rabbi who brings an extensive network of new contacts to the job. Having spent 40 years as the director of the Religious Action Center, Reform Judaism’s political and legislative arm, Saperstein is supremely well connected and respected around Washington and indeed around the world.
Bureaucratically, the IRF Office remains in DRL, as is appropriate, but it enjoys much more congenial relationships with colleagues inside and outside its bureau. Life within a bureaucracy is complex, but a reputation for competence, fairness, and collegiality goes a long way. Also, the office now has added firepower as the institutional home of the first-ever Special Advisor for Religious Minorities in the Near East and South/Central Asia. In September 2015, the Obama Administration tapped veteran religious freedom advocate Knox Thames for the new role.

Even with all this conceptual, practical, and bureaucratic progress, promoting religious freedom is of course still an uphill battle. Authoritarian governments and extremists movements fiercely oppose efforts to advance international respect for religious pluralism and toleration. Closer to home, Obama’s first term was a reputational nightmare for the IRF office. The position of IRF ambassador remained vacant for two years and then was filled for two years by someone spectacularly unqualified and ineffective. With Saperstein’s arrival the office has thoroughly rebounded. But it now has the blessing and curse of needing to navigate a much more complex religion bureaucracy at the State Department.

The State Department Got Religion

That leads us to my second claim, that the State Department as a whole is more institutionally attentive to religion than at any time in living memory. This claim is even easier to substantiate than the first.


Former Secretary of State Madeleine Albright concurred with Johnston’s assessment and even commended many of his policy recommendations in her 2006 book *The Mighty and the Almighty: Reflections on God, America, and World Affairs*. Albright frankly admits that she was trained to avoid religion in polite company and applied that mind-set to her diplomacy. Not wanting future diplomats to make the same costly mistake, she urges them to “learn as much as possible about religion, and then incorporate that knowledge into their strategies” (Albright 2006, 73).

In the decade since the publication of Albright’s book, American diplomats have been on a steep learning curve with respect to religion. At a conceptual, practical, and bureaucratic level, Albright’s message has been taken to heart. Conceptually, American diplomats increasingly understand that religion is a factor whose relevance extends far beyond obvious issues like religious freedom, radicalization, and faith-based charity. It touches on nearly every major issue. Religious groups have unique capability, credibility, and constituencies to bring to bear on issues of concern to the United States government. Thus, John Kerry signaled in 2013 that religious engagement would be a signature priority of his time as Secretary of State:

> So I say to my fellow State Department employees, all of them, wherever you are, I want to reinforce a simple message: I want you to go out and engage religious leaders and faith-based communities in our day-to-day work. Build strong relationships with them and listen to their insights and understand the important contributions that they can make individually and that we can make together. (Kerry and US State Department 2013)
Practically, the State Department, along with other foreign affairs departments, has developed a range of new tools for understanding and engaging religion overseas. In 2010, President Obama commissioned the Religious Engagement Report to assess how every U.S. overseas post was engaging faith communities. In 2011, the Foreign Service Institute launched an excellent new course on Religion and Foreign Policy that it continues to offer periodically. The Working Group on Religion and Foreign Policy, a community of eminent outside experts, has advised the State Department on a range of religion-related issues for the past several years.

Bureaucratically, there has been a dramatic proliferation of religion-related institutions within the State Department. When Johnston wrote in 1994 the State Department had no religion-focused office. When Albright wrote, there was only the IRF Office. But in the last decade we have seen the creation of the Special Envoy to Monitor and Combat Anti-Semitism, the Special Envoy to the Organization of Islamic Cooperation, the Special Representative to Muslim Communities, the Special Representative for Religion and Global Affairs, and the aforementioned Special Advisor for Religious Minorities in the Near East and South/Central Asia. All these “specials,” save for that last one, now reside within the Office of Religion and Global Affairs, itself situated within the Office of Secretary on the State Department’s rarefied 7th floor.

Between the RGA Office and the IRF Office, the State Department now has over 50 employees working full-time on issues at the nexus of religion and foreign policy. Hundreds of other State Department officials in Washington and at overseas posts work on portfolios that regularly intersect with religious actors and factors.

Religion is no longer the missing dimension of statecraft—or at least it is more findable than it once was.

Recommendations

So, how should the next administration leverage the Department’s enhanced religion-attentiveness in the service of advancing religious freedom around the world? In keeping with the schema of the conceptual, practical, and bureaucratic, let me offer a series of recommendations under each of those headings.

Conceptual Recommendations

The next administration will need to give serious attention to both religious freedom and religious engagement. It must articulate and then demonstrate a compelling account of how the two intersect. George W. Bush came to office with a keen personal interest in religious freedom but not until 9/11 did he give much thought to broader religious engagement—and his administration struggled mightily to conceptualize a coherent approach to Muslim outreach. Obama was just the opposite. He came to office having pledged to restore America’s relationship with the Muslim world, but he initially gave little attention to religious freedom and some of his White House aides were quite skeptical of the IRF Office. Given the urgency of persecution and other religion-related global crises, the next administration must attend to religious freedom and engagement from the get-go.

But how are the two related? As I see it, religious freedom and religious engagement are distinct yet overlapping, and they can be mutually reinforcing. They need each other and build off of each other. Some modicum of religious freedom is necessary for any meaningful religious engagement. There is no possibility of genuine engagement with faith groups in North Korea, for instance. If done well, engagement with diverse religious communities on any given issue can help to foster the understanding, trust, and relationships required for pluralism and freedom to take root. And more freedom brings more opportunities for engagement. And on it goes.

That does not mean the two activities are easily synchronized in practice. It can be awkward to pursue proactive engagement and condemn abuses in the same meeting in a religiously restrictive country. For that reason, the two functions should be coordinated but not combined. There is currently a good deal
of communication between IRF and RGA staff, and the next administration should ensure that this communication continues. When selecting appointees for RGA and IRF leadership positions, the next administration should look for individuals who share a strong commitment to collaboration and who see their particular role as part of the larger whole of religion and foreign policy.

Practical Recommendations

There are any number of practical steps the next administration can take to advance religious freedom, but the first order of business is this: appoint an IRF ambassador immediately. Even before the inauguration in January, the incoming administration should identify a person for the post, and then announce that nomination within weeks of announcing the next Secretary of State and other senior diplomatic positions. The Bush and Obama administrations both took an inexcusably long time—14 months and 17 months, respectively—to nominate an IRF ambassador. That need not and should not happen again.

What is the rush? Three primary reasons. First, religious persecution is an urgent and escalating problem. Second, an expeditious appointment signals America’s commitment to advancing religious freedom. Everyone knows low priorities get slow appointments. Third, of all the “specials” with religion portfolios, the IRF ambassador is the only one who requires Senate confirmation—a process that can take several months. As length of service is an important element within the State Department’s formal and informal hierarchy, an IRF ambassador who is sworn in long after his or her colleagues in RGA will be at a distinct disadvantage.

I should add that if a Democrat wins the 2016 presidential election, they should consider keeping Amb. Saperstein in his post until the Senate confirms his replacement, so as to avoid an ambassador-less interregnum.

That leads me to one further practical recommendation: keep Knox Thames as the Senior Advisor for Religious Minorities in the Near East and South/Central Asia. Thames is a globally respected expert and is well liked by Republicans and Democrats. And he is new in the position and still carving out his diplomatic niche. Thames is not a political appointee, so he does not need to tender his resignation in January 2017. The next administration would do well to keep him on.

Bureaucratic Recommendations

The next administration should undertake a serious review of the vast bureaucratic apparatus that has evolved around religion and foreign policy. There are many questions to ask. Does the State Department now have too many or still too few specialized religion envoys? Does it make sense to have all religion-related offices, other than IRF, consolidated within RGA? Is it best to keep RGA within the Office of the Secretary? Above all, how can institutional religion-related resources best be arranged to facilitate collaboration on advancing American foreign policy objectives in a pervasively religious world?

The model for such a review process could be Obama’s Advisory Council on Faith-based and Neighborhood Partnerships. The council, which convened in early 2009, included a taskforce focused on reform of the faith-based initiative that had developed throughout the George W. Bush Administration. After a year of research and discussion, the taskforce issued a 34-page report detailing 12 policy recommendations for reform, as part of the Council’s overall report to the president. In 2017, the State Department could initiate a similar review process regarding the bureaucratic architecture for religion and diplomacy. Such a review should build on the work of the Religion and Foreign Policy Working Group, especially its consequential 2012 white paper.

Conclusion

We are not in the 1990s anymore. Back then the State Department deserved its reputation for avoiding religion. There is still plenty of room for improvement, but we must appreciate the fact that an institutionally cautious and highly secular agency has in a relatively short time span created an impressive array of resources for engaging religion in international affairs. And the IRF Office, after a rough patch in Obama’s
first term, has rebounded and reached new heights of influence and impact. The next administration will have the important opportunity to review, consolidate, and extend the gains made on religion and diplomacy during the past decade.

Note
1. The Office to Monitor and Combat Anti-Semitism was created by the Global Anti-Semitism Review Act of 2004, but the State Department did not announce its appointment for anti-semitism special envoy until May 22, 2006—a few weeks after the publication of The Mighty and the Almighty.

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S

cholars and practitioners of international law are constantly faced with the conundrum that international legal regimes designed to mitigate some of the international system’s worst problems are frequently circumvented when it suits state interests to do so. The plot thickens when you consider the role of religion in international law, especially in the international human rights regime. Are universal human rights compatible with religious convictions, or do they undermine religiously particular communities? For example, can the Convention on the Rights of a Child, which grants children the right to an education that supports the charter and principles of the United Nations (Article 29) be compatible with private religious education? Should religious communities, or religious states, be exempt from international legal human rights standards that conflict with their convictions?

Ioana Cismas’ recent book, *Religious Actors and International Law*, seeks to sidestep the debate about whether religion is compatible with international law, instead focusing on whether religious actors—including states, non-state actors, or international organizations—enjoy special protection under international law. From my perspective, she makes two notable contributions to the body of literature concerned with understanding the universal applicability of international law, and prompts us to ponder whether religious actors’ claims to unique sources of legitimacy alter their rights, duties, and obligations under international law.

First, a large portion of the book is devoted to the task of developing the analytical category of religious actors. Most generally, Cismas considers any state, non-state, or interstate actors that grant religion a special place in their functioning to be religious actors (51). More specifically, state religious actors like the Islamic Republic of Iran assume the authority to interpret religion and use that interpretation as a primary source for making and enforcing laws (52). Non-state religious actors like the Russian Orthodox church or the Jehovah’s Witness use religion, and the authority to interpret religion, as a tool for governing their members (53–54). Finally, intergovernmental religious organizations like the Organization of Islamic Cooperation use religious authority to govern interactions between member states. The analytic rigor of her typology of religious actors not only clarifies her following analyses, it provides future researchers with an innovative analytic method of considering the intersection of religion and international law that does not rely on theological exposition.

Second, her three extensive case studies apply this analytical category to non-state religious organizations (chapter 3), the Holy See as a state-like entity (chapter 4), and the Organization of Islamic Cooperation as an international organization (chapter 5). Of the three case studies, the chapter on the Holy See was clearly
the most analytically challenging, and from my perspective the most perplexing and interesting. She demonstrates how the dual personality that the Holy See claims, both as a state that commits to international treaties and as the official government of the Roman Catholic Church, prevents it from fully acknowledging and implementing its international legal obligations. She claims that the Holy See shifts between these two personae “at will according to need,” so that it can have the privileges typically restricted to states, but denying that it has the corresponding obligations of states (237).

To build on these contributions, there are two issues I hope Cismas devotes more time to addressing in future works that build on this seminal piece of scholarship. First, I hope to see greater attention given to a class of actors who were largely undiscussed in the book—NGOs and other private organizations with religious affiliations. I anticipated that these organizations would be discussed in the chapter on religious organizations, but that chapter was more focused on what we could typically consider church-based organizations and/or denominations. For example, my own work investigates how religiously affiliated adoption agencies set standards for international adoptions and influence state behavior as they consider whether intercountry adoption can provide a solution to their domestic child welfare crisis. These organizations do not have members, per se, nor do they focus on interpreting scripture. Rather, they serve as religiously affiliated service providers. Yet I am interested in how Cismas might classify their relationship with international law. For example, is it permissible under international human rights law for a religiously affiliated adoption agency to limit adoption service provision exclusively to heterosexual couples based on religious conviction? Does international law treat such organizations differently from their non-religious counterparts? Although I anticipated being able to answer this question through Cismas’ research, I did not find this class of actors sufficiently addressed to provide a satisfactory answer.

And second, I hope future work more extensively addresses the discrepancy between how the international legal regime works in theory, treating religious and non-religious actors the same, and the special circumstances that undermine this claim. Cismas demonstrates consistently that any difference in legal treatment stems from the fact that religious organizations are essentially collectives of religious rights-bearing individuals (151). Yet chapter three provides numerous examples of surprising rulings that seem to undermine this claim to equal treatment under the law. This tension is also present in the challenging analysis of the dual nature of the Holy See. Cismas claims that some states and certain treaty bodies have “only recently recognized that the human rights obligations of the Holy See are legal, not merely moral” (238). In the conclusion, Cismas again reiterates that the Holy See is consistently recognized as a special actor, and the method of holding the Holy See accountable to their treaty obligations is still in flux (309). I look forward to seeing how her future work will further delineate these difficult inconsistencies in the application of international law.

This book is an excellent choice for legal scholars who will undoubtedly be impressed with the sophisticated legal analysis and the in-depth case studies. It should also intrigue political scholars who are interested in the intersection between international law and religion. But because the book is targeted to a specialized audience familiar with the particularities of international legal research, and uses specialized legal jargon, the book is probably less accessible for a non-scholarly audience. Despite this challenge, the book is an important contribution to the body of literature addressing the twin problems of facilitating religious actors’ commitment to and compliance with international law.

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The Routledge Handbook of Religion and Security
Edited by Chris Seiple, Institute for Global Engagement, Dennis R. Hoover, Institute for Global Engagement, and Pauletta Otis, Marine Corps University

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This Handbook will be of great interest to students of religion, security studies, war and conflict studies and IR in general.

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