

RELIGIOUS FREEDOM IN THE WORLD TODAY: PARADOX AND PROMISE

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Consider a profound paradox of our age: at the very time that the value of religious freedom is becoming manifest, the international consensus behind it is weakening, assaulted by authoritarian regimes, attacked by theocratic movements, violated by aggressive secular policies, and undermined by growing elite hostility or ignorance. Indeed, not only do we see widespread violations around the world, but looming threats in the West that jeopardize previous gains.

Behind this sobering picture, however, lies promise. We are witnessing an historic convergence of empirical evidence and events on-the-ground that corroborate a key ontological reality: humans are spiritual creatures who thrive best and most harmoniously when they enjoy the freedom to express their fundamental dignity. Religious liberty is crucial to thriving societies and peace.

This reality produces a strategic opportunity for policy makers, religious authorities, and civil society leaders groping for remedies to the destabilizing religious strife afflicting the globe. In the place of counterproductive measures of repression – often the default impulse – enlightened strategies that protect the freedom of conscience and religious practice offer the best means of navigating the crucible of the 21st Century: living with our differences in a shrinking world.

This paper is based in part on research conducted for the John Templeton Foundation, which entailed an extended immersion in the global networks of scholarship and advocacy on religious freedom. That endeavor was launched by a symposium I organized for Templeton in Istanbul in 2009, titled ‘Constituting the Future: Religious Liberty, Law and Flourishing Societies’. A forthcoming book by the same title features multidisciplinary chapters by eminent scholars and practitioners from around the world.¹ I also produced for Templeton a strategic plan and donor guidebook, drawing upon scholarly research, government reports, international briefings, hear-

¹ Allen D. Hertzke, editor, *Constituting the Future: Religious Liberty, Law, and Flourishing Societies*, under review.

ings, and interviews with scholars, human rights advocates, policy makers, NGO directors, foundation leaders, and religious authorities.

One of the insights I gained from this project is the positive synergy between scholarly research, public policy, and advocacy. Scholars developed the case for religious freedom as a universal human right, policy makers built the international legal regime to uphold it, and advocates press for accountability and document violations. That documentation, in turn, informs path-breaking scholarship, which can influence further public policy initiatives.

We see an illustration of this synergy in the movement to make the promotion of religious freedom an aim of American foreign policy. Diverse religious advocacy groups pressed for congressional passage of the International Religious Freedom Act of 1998. Though not implemented robustly by American officials, the law erected a vast and transparent reporting infrastructure on the status of religious freedom around the world, which advocacy groups routinely critique and amend. That annual reporting by the State Department provided a new resource for scholarly investigation and inspired innovative techniques for systematically measuring restrictions on religion around the world. As we will see, the Pew Forum on Religion and Public Life applied this new methodology to produce the landmark report, 'Global Restrictions on Religion'. The findings of that report buoy global advocacy efforts, inform research on the correlations of religious freedom to other human goods, and feed into policy deliberations.

In order to appreciate the paradox and promise of the age, we must grasp how a growing empirical record validates ancient wisdom and international law on the ontological roots of, and justification for, religious freedom.

Ontological origins and empirical value of religious freedom

In contrast to claims that religious liberty is a Western construct, its threads 'weave their way back to ancient Sumeria, Persia, China, and Africa'.² Indeed, some 2,500 years ago, as recorded in both Hebrew Scriptures and Persian documentation, Cyrus the Great established a broad regime of religious tolerance, which included restoring freedom for Jewish exiles and allowing them to return to their homeland. In diverse sacred texts we learn that homage to the divine cannot be coerced, that, in the words of the Qur'an, 'there is no compulsion in religion'. Religious freedom is recognized in international law

² Sandra L. Bunn-Livingstone, 'A Historical Analysis: International Religious Freedom 1998-2008', Paper presented at the Pew Charitable Trusts Conference, April 30-May 2, 2008.

as a universal human right and firmly embedded as a fundamental freedom in UN declarations, international treaties, customary law, and national constitutions.³ The foundational statement, Article 18 of the *Universal Declaration of Human Rights*, adopted by the United Nations in 1948, provides the clearest articulation of this recognition:

Everyone has the right to freedom of thought, conscience, and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance.

As implied by this declaration, religious freedom is a potent human right that simultaneously encompasses the freedom of conscience and association, the right to own property, to publicly worship, publish, speak, petition government, and raise children according to family desires.

The freedom to practice religion is virtually a universal aspiration. In the 2007 Pew Global Attitudes Survey over 90 percent of respondents in every region on earth indicated that it was important to them to live in a country where they can practice religion freely (only 2 percent saying it wasn't important at all).⁴

Religious liberty, consequently, is not merely a desirable thing granted by the state. It is a universal inherent right and aspiration. But why? As we see from the discussion below, the answer lies in the ontology of human life and the concrete relationships that flow from it. This, in fact, was the theme of Pope Benedict's message to the world on January 1, 2011. 'Religious freedom expresses what is unique about the human person', he proclaimed. To deny this right or 'eclipse the public role of religion' is fundamentally unjust and stifles 'the growth of the authentic and lasting peace of the whole human family'.⁵

At the most basic level all people want to be treated with respect and consideration. Variations of the golden rule – to treat others as we would wish to be treated – are found in virtually every major religion and many

³ These include the U.N. Charter, the International Covenant on Civil and Political Rights, the Helsinki Accords, the Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief, and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

⁴ Pew Global Attitudes Project, October 4, 2007, <http://pewglobal.org/reports/pdf/258topline.pdf>.

⁵ 'Message of His Holiness Pope Benedict XVI for the Celebration of the World Day of Peace', January 1, 2011.

philosophical traditions (such as Confucianism). This trait of common humanity – potentially recognizable by people of all faiths or no faith – can provide a justification for religious liberty understood as the freedom to live in accord with one's conscience or belief.⁶

More specifically, the *Universal Declaration* hints at how certain human traits explicitly justify religious freedom as inherent. That landmark declaration anchored universal rights in the 'inherent dignity' and 'worth of the human person', and in the 'equal and inalienable rights of all members of the human family' who are 'endowed with reason and conscience'. In addition, Article 18 emphasizes the relational aspect of human life, that people must be free 'in community with others' to manifest their faith or beliefs.

Equal worth, dignity, reason, conscience, and community – these traits of common humanity provide the clues to the right, and scope, of religious liberty. Let us explore them.

In a number of religious traditions the dignity and worth of persons is rooted in their transcendent origins. In Jewish and Christian traditions people are 'made in the image and likeness of God' and thus endowed with a surpassing dignity, which mandates respect for their integrity and conscience. Presciently, the Vatican II statement on religious liberty, *Dignitatis Humanae*, explicitly anchored religious freedom in 'the very dignity of the human person'. A rich Islamic scholarship also grounds universal human rights in the divinely-ordained 'inviolability' of persons, who are created free and with rights so they can fulfill their duties toward God.⁷ This understanding was widely shared by the American founders, who declared that people are 'endowed by their creator' with inalienable rights.

Human reason, that unique capacity, propels an innate quest by people everywhere to understand ultimate truths about their purpose, meaning, and destiny. At a fundamental level this suggests that they should be free to explore such timeless questions – whether religious in nature or rooted in some other ultimate concern. As Pope Benedict put it, religious freedom should be understood 'not merely as immunity from coercion, but more fundamentally as an ability to order one's own choices in accordance with truth'.

The freedom to explore ultimate questions must extend to the skeptic or searcher. Indeed, a number of religious thinkers – from Roger Williams

⁶ Kevin Hassan, *The Right to Be Wrong* (San Francisco: Encounter Books, 2005).

⁷ Recep Senturk, 'Human Rights in Islamic Jurisprudence: Why Should All Human Beings Be Inviolable?', in *Constituting the Future*, edited by Allen D. Hertzke, forthcoming.

⁸ Abdolkarim Soroush, *Reason, Freedom, and Democracy in Islam*, especially Chapter 9 (Oxford University Press, 2000).

in the 17th Century to Abdolkarim Soroush⁸ in the 21st – make the case that coercion of the non-believer is not only sinful but counterproductive, because it suggests that the religious message is not persuasive on its own.

This brings us to the next dimension of human endowment: conscience, the human sense of right and wrong. Conscience can be ‘a demanding mentor’, compelling us at times to rise above what may seem as our own self-interest.⁹ Respect for ‘mandates of conscience’, therefore, vitally animated a number of formative thinkers of religious liberty and continues to motivate its champions today.

This insight is too often lost in contemporary debates over religion. Religious freedom is not merely a nice thing tolerated by the state. Rather, as Cardinal Newman put it, conscience ‘has rights because it has duties’.¹⁰ Thus one of the most compelling justifications for religious liberty is the freedom of conscience, the freedom to fulfill obligations – especially sacred duties – which flow from an authority higher than the state.

To be sure, conscience can be malformed or distorted, but people everywhere recognize the essential human trait of – and laud persons for – ‘good conscience’. And when people are denied this freedom they experience it as a powerful violation – something that prevents them from fulfilling their quintessentially human quest for meaning and purpose on earth. A key measure of a free society, therefore, is the extent to which people are not forced to choose between sacred duties and citizenship privileges.

Finally, religion is relational, and true freedom of faith must protect the right of people to gather in communities of belief for mutual expression and succor. Indeed, religious communities are historically and ontologically ‘prior’ to the modern state and their autonomy deserves protection from overreaching political authorities.¹¹

This communal aspiration serves as a powerful motivator, as family life and social networks have deep roots in collective religious experience. Surveying a growing body of scientific research – from evolutionary biology, neurology, and psychology – Stephen Post finds evidence for a powerful spiritual or religious inclination that naturally manifests itself in communal life. Hence, a good society is one in which persons can express their innate transcendent inclinations in public domains.¹²

⁹ Hassan, *The Right to be Wrong*.

¹⁰ John Henry Newman, ‘Letter to the Duke of Norfolk’, as cited by Charles J. Chappin in *Render Unto Caesar* (New York: Doubleday 2008), p. 148.

¹¹ David Novak, *In Defense of Religious Liberty* (Wilmington, DE: ISI Books, 2009).

¹² Stephen G. Post, *Human Nature and the Freedom of Public Religious Expression* (Notre Dame, Indiana: Notre Dame University Press, 2003).

Religious groups, consequently, should enjoy the right to build houses of worship, own property, determine their own doctrines, train clergy, establish and run schools, and engage in peaceful evangelization – persuading others to join them and accept new truth claims. Like other institutions of civil society, religious communities and institutions have the right to engage in public policy debates and petition government officials on behalf of their religious principles. In the words of David Novak, religious communities must be able to bring their ‘moral wisdom to the world’.¹³

This seemingly straightforward norm of democratic life collides with influential legal doctrines that view religious justifications for public policy as illegitimate and dangerous because they invoke divisive ‘comprehensive doctrines’ that not all citizens share.¹⁴ As Tom Farr suggests, this argument violates the very equality mandated by liberal democracy.¹⁵ To suggest that religiously-based claims are illegitimate or a threat to liberal systems shows a lack of faith in the marketplace of ideas and a truncated notion of democratic life.¹⁶

The international importance of religious freedom flows from the dramatic resurgence of faith around the globe. Contrary to the predictions of secularization theorists, religion not only thrives in the modern world but increasingly manifests itself in intense public commitments, making this, in a sense, ‘God’s Century’.¹⁷

Moreover, if modernity does not produce secularization, it does propel and diffuse religious pluralism. Given the rich diversity of human experience and culture, the default condition of religion, as Peter Berger suggests, is plurality, both among and within religions. By shrinking the world, globalization plunges people of diverse religious backgrounds into intense contact with one another, requiring religionists to negotiate their beliefs with seemingly alien or competing faiths.¹⁸ This makes nurturing articles of peace all the more vital.

¹³ David Novak, *In Defense of Religious Liberty*, 2009

¹⁴ John Rawls developed the notion of ‘public reason’ first in his book *A Theory of Justice* (Cambridge: Harvard University Press, 1971) but articulated more fully his argument against ‘comprehensive doctrines’ in *Political Liberalism* (New York: Columbia University Press, 1996).

¹⁵ Tom Farr, *World of Faith and Freedom* (New York: Oxford University Press, 2008).

¹⁶ Alfred Stepan, ‘The Twin Tolerations’, in *World Religions and Democracy*, Larry Diamond, Marc F. Plattner, and Philip J. Costopoulos, eds. (Baltimore: Johns Hopkins Press, 2005).

¹⁷ Monica Duffy Toft, Daniel Philpott, and Timothy Samuel Shah, *God’s Century: Resurgent Religion and Global Politics* (New York: W.W. Norton, 2011).

¹⁸ Peter Berger and Anton Zijderveld, *In Praise of Doubt* (New York: HarperOne, 2010).

Empirical validation

That people have a fundamental right to the freedom of conscience and belief is *one of the great ideas in human history*. It is a central measure of free society and bulwark of democratic governance.

What is stunning is the way empirical research mounts to validate this normative ideal by showing the contribution of religious freedom to other human goods. Propositions about such linkages have been advanced for centuries. But for the first time in human history we have the documentary record and the capacity to apply rigorous scientific methods to test such propositions.

What this initial research shows are strong correlations between religious freedom and the longevity of democracy, civil and political liberty, press autonomy, women's status, economic development, health outcomes, societal peace, and regional stability. Chart 1 (see p. 686) illustrates the strength and range of such correlations, which suggests that religious freedom is an integral part of the 'bundled commodity' of human freedom.¹⁹ Remove it and the others tend to unravel.

These statistical relationships invite work by scholars to develop explanatory theories. The link between religious liberty and economic development, for example, makes sense because societies that protect freedom of belief and conscience tend to operate with greater transparency and less corruption. Deregulated religious markets, moreover, can contribute to an enterprising ethos and climate so vital to economic progress.²⁰ Tim and Rebecca Shah suggest further that the economic value of 'spiritual capital' can operate for the very poor by enabling them to exercise agency and develop supportive communities.²¹

Sociologists Brian Grim and Roger Finke are pioneering leaders in this endeavor to explain the contribution of religious freedom to human flourishing. In their book, *The Price of Freedom Denied*, Grim and Finke probe the timeless question of why religious liberty matters. Their answer is theoretically elegant and empirically powerful: when religious freedoms increase, inter-religious conflict declines, grievances lessen, and persecution

¹⁹ Brian J. Grim, 'Religious Freedom: Good for What Ails Us?', *The Review of Faith and International Affairs*, Summer 2008.

²⁰ Brian J. Grim, 'God's Economy: Religious Freedom and Socioeconomic Well-Being', and Theodore Malloch, 'Free to Choose: Economics and Religion', both in *Religious Freedom in the World*, Paul Marshall, ed. (Lanham: MD: Rowman & Littlefield, 2008).

²¹ Tim Shah and Rebecca Shah, 'Spiritual Capital and Economic Enterprise', Oxford Centre for Religion & Public Life, www.ocrpl.org/?p=13.

wanes. On the other hand, as government restrictions increase – often at the behest of dominant religious groups – so does violent persecution, inter-religious hostilities, and regional strife. Thus their theory explains the interaction between societal pressures, government laws, and peace.

The theory also provides real guidance to policy makers because it shows why their common inclination to control religion is counterproductive. Government restrictions on religion, Fink and Stark show, trigger social hostility among religious groups, which produces more pressure for government restrictions and further religious strife. This ‘religious violence cycle’ is illustrated in the new book *God’s Century*, by Monica Toft, Daniel Philpott, and Timothy Shaw.²² Drawing upon international relations scholarship, these authors show that regime attempts to repress religion induce the very militancy such efforts purport to prevent.

But the vicious ‘religious violence cycle’, Grim and Finke contend, can be broken. When governments relax restrictions on religion and treat all groups equally, greater societal tolerance and civility ensue, leading to positive cycles where groups channel energies and competition in civil society pursuits.²³ Such a culture, in turn, buoys democratic governance and unleashes economic enterprise.

This empirical theory points toward ancient religious wisdom. In a pivotal passage in the Qur’an on religious pluralism, Surah 5.48 records that Allah could have created one people with one faith but instead created many peoples so that they could ‘vie one with another in virtue’.²⁴

In sum, empirically-derived theories suggest that restrictive laws and repressive societal practices produce persecution and conflict, undermine democracy and civil liberties, and contribute to terrorism and international conflict. Thus, contrary to claims by foreign policy ‘realists’ that promotion of human rights interferes with the pursuit of the national interest, this scholarship illuminates the importance of an international regime that respects the freedom of conscience and belief. As Tom Farr puts it, the promotion of re-

²² Monica Duffy Toft, Daniel Philpott, and Timothy Samuel Shah, *God’s Century: Resurgent Religion and Global Politics* (New York: W.W. Norton, 2011).

²³ Brian J. Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century* (New York: Cambridge University Press, 2011); Brian J. Grim and Roger Finke, ‘Religious Persecution in Cross-National Context: Clashing Civilizations or Regulate Religious Economies?’, *American Sociological Review*, 72 (August 2007): 633–658.

²⁴ *My Mercy Encompasses All: The Koran’s Teachings on Compassion, Peace & Love*, Gathered & Introduced by Reza Shah-Kazemi (Shoemaker Hoard, 2007).

ligious freedom is not only a humanitarian cause; it is vital to global security. It can help drain the swamps from which terror networks emerge. It can lessen regional tensions and international strife.²⁵ And more broadly, as Os Guinness observes, guaranteeing freedom of belief and conscience will help societies navigate a world of difference without violence and repression.²⁶

There are, in short, compelling reasons to see religious liberty as a fundamental and universal human right. *Justice demands it. Violations disrupt the social order.*

But, critics charge, religions can use their freedom to influence state authorities and seize unfair prerogatives. Responding to this critique, scholars are probing conditions that prevent this deleterious dynamic.

In a systematic inquiry into the institutional requirements of democracy, Columbia University professor Alfred Stepan developed a compelling thesis about the relationship between religion and the state he terms the ‘twin tolerations’. Liberal democracy, he shows, depends on a reciprocal bargain between the institutions of religion and the institutions of the state. The state protects and thus ‘tolerates’ the freedom of religious institutions to operate in civil society; those religious institutions, in turn, refrain from using the powers of the state to enhance their prerogatives and thus agree to ‘tolerate’ (not squelch) competitors.²⁷

Taking the twin tolerations as his point of departure, Daniel Philpott developed a cogent theory of the link between religion–state relations, theology, and democracy. Democracy is best anchored where religion and state are differentiated, not fused, and where the ‘political theology’ of religious communities eschews constitutional privileges or coercive state enforcement of doctrine.²⁸

To illustrate his theory, Philpott points to the dramatic impact of theological changes in the Catholic Church. For most of its history, the Church enjoyed prerogatives of state establishment and opposed religious pluralism, which made Catholicism a net drag on democratization. That posture was challenged by such Catholic intellectuals as Jacques Maritain and John Courtney Murray, who made the case for the compatibility – even necessity

²⁵ Thomas F. Farr, *World of Faith and Freedom: Why International Religious Liberty is Vital to American National Security* (New York: Oxford University Press, 2008).

²⁶ Os Guinness, *The Case for Civility* (San Francisco: HarperOne 2008).

²⁷ Alfred Stepan, ‘The Twin Tolerations’, in *World Religions and Democracy*, Larry Diamond, Marc F. Plattner, and Philip J. Costopoulos, eds. (Baltimore: Johns Hopkins Press, 2005).

²⁸ Daniel Philpott, ‘Explaining the Political Ambivalence of Religion’, *American Political Science Review* 3, 2007 (505–525).

– of freedom to authentic faith. That idea was ultimately embraced by the Church’s ‘Declaration of Religious Liberty’ at the Second Vatican Council, which suggested that free pursuit of spiritual truth was anchored in the ‘sublime dignity’ of humanity. *Dignitatis Humanae* stands as one of the pivotal documents of the 20th Century because when the Church stopped relying on temporal power to pursue its spiritual mission it was freed to challenge the legitimacy of authoritarian regimes, and with a few exceptions it did just that. Indeed, like a great ocean liner that turns slowly but with tremendous force in its new direction, the Church became the principal engine of democracy in the last quarter of the 20th Century. As extensively documented by scholars, the last great wave of democratization on earth was largely Catholic. Beginning in 1974, it swept away authoritarian regimes in the Iberian peninsula, Latin America, Eastern Europe, and the Philippines, leaving all but a few Catholic countries in democratic hands.²⁹

This account suggests why liberalization and democratization in Muslim-majority nations – so fateful to global peace and security – hinge on the development and diffusion of theological insights into the Islamic wellsprings of freedom of conscience and belief. And just as Catholic intellectuals laid the groundwork for the Church’s theological transformation, a number of Islamic thinkers – Abdullahi An-Nai’m, Abdolkarim Soroush, Recep Senturk, Abdullah Saeed, Abdelwahab El Effendi, Asma Afsaruddin, and others – are doing the same today.³⁰

²⁹ Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press, 1991).

³⁰ Abdullahi An-Na’im and Abdelwahab El-Affendi argue against the idea of an Islamic state where political authority enforces Shari’a law, and they make the case that contemporary Islamists have grafted onto Islamic jurisprudence a modern ideology of the absolutist state that is antithetical to classical Islamic tradition. Iranian intellectual Abdolkarim Soroush makes a powerful Islamic case for soul-freedom, arguing that state coercion in faith corrupts both the state and religion. Abdullah Saeed similarly develops the theological case against state enforcement of apostasy laws. Turkish scholar Recep Senturk, as noted in the text, documents an Islamic understanding of the inviolability of persons as grounding universal human rights. Asma Afsaruddin has developed Islamic interpretations that support religious pluralism, women’s rights, and religious freedom. See Abdullahi An-Na’im, *Islam and the Secular State: Negotiating the Future of Shari’a* (Boston: Harvard University Press, 2008); Abdelwahab El-Affendi, *Who Needs An Islamic State?* (London: Malaysia Think Tank, 2008); Abdolkarim Soroush, *Reason, Freedom, and Democracy in Islam* (New York: Oxford University Press, 2000); Abdullah Saeed, *Freedom of Religion, Apostasy and Islam*, (Aldershot, England: Ashgate Publishing, 2004); Recep Senturk, ‘Human Rights in Islamic Jurisprudence: Why Should All Human Beings be Inviolable?’, in *Constituting the Future*, edited by Allen D. Hertzke, forthcoming; Asma

The status of global religious freedom

Despite considerable progress since the passage of the *Universal Declaration*, only a minority of people on earth enjoys the kind of religious freedom called for in international covenants. According to the Pew Forum, some 70 percent of the world's 6.8 billion people live in countries with high restrictions on religion.³¹ Religious believers in many places suffer discrimination, intimidation, arrest, torture, and martyrdom. Religious communities face burdensome restrictions on their ability to build houses of worship or schools, see their property shuttered by authorities or destroyed by mob violence, and find themselves stigmatized in state media or by dominant societal groups.

This repression undermines the prospects for greater freedom and democracy. After three decades of solid progress, democratic freedom in the world reached a high point in 1998. It then stagnated and, ominously, has declined for five years in a row to the present, the longest decline in the 40-year history of Freedom House reporting.³² Religious repression and strife are among the key contributors to this trend, in effect acting as a drag on global progress.

While most modern democracies generally protect religious practice, emerging trends threaten the freedom of religious persons and communities. If unchecked, these threats will not only narrow the zone of religious freedom in the West but will undermine its ability to promote and model best practices to other nations.

We have two complementary sources of information on the global status of religious rights: 1) reports by national governments, international agencies, and human rights groups on country conditions; and 2) a massive project launched by the Pew Forum to systematically code and measure the degree of restrictions in each country on earth by drawing upon the documentation provided by such reports. This section summarizes some of the key findings of the Pew Forum report with illustrations from pertinent reports and studies.

To what extent do governments and social groups impinge on the practice of religion? To answer that question the Pew Forum on Religion and

Afsaruddin, 'Making the Case for Religious Freedom within the Islamic Tradition', in *Faith & International Affairs*, Summer 2008; Asma Afsaruddin, 'Absolutism vs. Pluralism in Islam Today', in *Faith & International Affairs*, Winter 2008.

³¹ 'Global Restrictions on Religion', Pew Forum on Religion and Public Life, December 2009.

³² 'Freedom in the World 2011 Survey', Freedom House, Washington DC, 2011 (www.freedomhouse.org).

Public Life – in partnership with the John Templeton Foundation – provides the first systematic quantitative measurement of the status of religion in different countries around the world. Its report, ‘Global Restrictions on Religion’, was released in December of 2009 (<http://pewforum.org/Government/Global-Restrictions-on-Religion.aspx>). The online report includes a narrative overview, country breakdowns by degree of restrictions, regional patterns, and detailed raw data on the coding of individual countries so scholars can determine exactly how a particular country received the score it did. The Pew team will continue to do this coding to record longitudinal trends in future reports.

The endeavor is directed by Brian Grim, who developed a unique methodology for coding restrictions on religion. Rather than attempting to measure some indefinable ‘quantity of freedom’, this method instead systematically codes observable *restrictions* to create a verifiable index, which can be compared cross-nationally, replicated over time, correlated for causal explanations, and plumbed for normative conclusions.

A brief explanation on this methodology is helpful to appreciate the rigor, value, and meaning of the country measures.

The Pew Forum team reviews 16 widely cited sources, including all country constitutions and reports by the United Nations, the United States, the United Kingdom, the European Union, and a host of reputable international NGOs. These reports become the factual basis for recording various restrictions on religion.

A rigorous coding protocol is then employed to provide comparable measures on two dimensions: 1) government restrictions on religion; and 2) social hostilities by groups against religious individuals and communities. This division emerged from initial research by Brian Grim and others, which found that the on-the-ground status of religious practice was indeed determined by these two interrelated, but distinct factors. Chart 2 (see p. 687) illustrates how both governments and societal groups can impinge on the practice of religion, in this case through harassment or intimidation of religious groups. While government and social restrictions often move in tandem, the shaded areas contain a number of different countries, illustrating how we need both indicators to fully capture infringements on religious freedom.

To code the degree of restrictions, the Pew team identified 20 indicators of government restrictions and 13 indicators of societal hostilities. Double-blind coders then recorded whether each indicator was present in a country.

For government restrictions the following were the kind of indicators coded: Does the constitution or basic law substantially contradict the con-

cept of religious freedom? Does any level of government interfere with worship or other religious practice? Was there harassment or intimidation of religious groups? Did the national government display physical violence toward minority religious groups? Does any level of government ban any religious group? Do all religious groups receive the same level of government access and privileges? Were there instances where the national government attempted to eliminate an entire religious group's presence in the country? Does any level of government use force toward religious groups that results in individuals being killed, abused, imprisoned, or forced from their homes? As we can see, the coding captured real restrictions, with increasingly severe restrictions given more indicators and thus more weight.

For social hostilities the following were the kind of indicators coded: Where there crimes, malicious acts or violence motivated by religious hatred or bias? Was there mob violence related to religion? Were religion-related terrorist groups active in the country? Did violence result from tensions between religious groups? Did religious groups themselves attempt to prevent other religious groups from being able to operate? Did individuals use violence or threat of violence to enforce religious norms? Again, we see the tangible reality captured by the coding.

After ensuring that the coding met rigorous standards for validity and reliability, a summary index measure was determined for every country on each of the two dimensions. That index is based on a 0–10 scale (with 0 registering no restrictions and 10 the maximum possible restrictions). The final report included index measures for 198 countries and independent territories on both dimensions. Chart 3 (see p. 688) lists the countries with the highest index scores on government restrictions and social hostilities.

The report grouped nations into the following categories on each of the two dimensions: *very high restrictions* (the highest 5% of the countries' index scores), *high restrictions* (the next 15%), *moderate restrictions* (the next 20%), and *low restrictions* (the bottom 60%). This grouping was determined on the basis of the range within each category, so that the bottom 60% of the nations clustered within a range roughly equal to the top 5%, or the next 15%. We learn from this clustering that the nations with high or very high restrictions really do stand apart from the rest; this is a meaningful indicator.

A key finding of the report is that the top fifth of the countries with high or very high restrictions (on each dimension) contain a disproportionate share of the world's population. Thus 57% of the world's population lives in nations with high or very high government restrictions and 46% live in societies with high or very high social hostilities. Chart 4 (see p. 689) combines these to produce a summary of the global picture.

As we see, about a third of the nations on earth (64 countries) have high or very high restrictions on religion, either through government action or social hostilities, or both. On the positive side, this suggests that two-thirds of the countries have achieved a modicum of religious freedom through protective laws and positive societal norms. But because the restrictive nations include some of the most populous, encompassing some 70% of the world's population, the study illustrates the enormous gulf between the promise of Universal Declaration and the reality on the ground for many.

While this finding is sobering, the analysis suggests the potential for a huge global impact with improvements in the two most populous nations, China and India. Because China has very high government restrictions (7.7) but low social hostilities (1.6), relaxing state restrictions on religion would produce an immediate and measurable gain. India's very high score on social hostilities (8.8), on the other hand, would be reduced by aggressive government actions that protect religious minorities from mob violence.

Still, even that momentous change would leave huge room for improvement. With respect to government actions, in two-thirds of the countries some level of government interfered with worship. In nearly half of the countries members of religious groups were killed, abused, imprisoned, or displaced by some level of government. In more than 80% of the countries governments clearly discriminated against one or more religious groups. With respect to social hostilities, in 70% of the countries crimes or malicious acts were committed against religious people. In more than half of the countries religious groups attempted to prevent others from operating.³³

Charts 5 and 6 summarize government restrictions and social hostilities by region, with a median score and range depicted. As we see, the Middle East-North Africa has the highest scores for both government restrictions and social hostilities, five times that of the Americas, with Asia-Pacific the next highest on government restrictions. All the rest of the regions have low median indexes, but the ranges are wide for the Asia-Pacific and Africa. The Americas are low on both (see Charts 5 and 6, pp. 690-1).

The wide variation within regions reveals important underlying patterns. Below we see the highest and lowest scores in the Middle East-North African region. The contrasting cases of Saudi Arabia and Qatar illustrate how countries in the same region with similar ethnic and religious make up can take diverging paths.

³³ Brian Grim, 'Restrictions on Religion in the World: Measures and Implications', in *Constituting the Future*, Allen D. Hertzke, editor, forthcoming.

	Government Restriction Index	Social Hostilities Index
Saudi Arabia	8.4	6.8
Qatar	3.9	<1

Saudi Arabia is the only country in the world to register very high restrictions on both dimensions. There the Wahhabi sect of Islam, which insists on the imposition of fundamentalist Shari'a and denounces nonbelievers in virulent fashion, is the state-recognized religion and all other faiths, including many Muslim branches, are either banned or heavily restricted. This repression provokes inter-religious hostilities, especially between Sunni and Shia, and accedes to the vigilante activities of the Muttawa, or religious police, creating a chilling environment for freedom generally.

What accounts for the enormous gap with Gulf neighbor Qatar, a kindred country with 90% Sunni population? Unlike Saudi Arabia, which intensified its concessions to fundamentalist theocrats from the 1980s onward, Qatar took a different path toward religion. Leaders there gradually relaxed restrictions on the practices of religious minorities, creating a social environment far more conducive to inter-religious peace and Muslim reform. Intriguingly, the process was facilitated by an American Ambassador, Joseph Ghougassian, a Catholic whose relationship of mutual respect with Islamic authorities helped lead to the lifting of the ban on non-Islamic worship and ultimately the opening of Christian churches for the first time in 14 centuries.³⁴

Just as the theory by Grim and Finke would suggest, Saudi policies fuel a 'religious violence cycle' of enmity among religious communities and state repression, while Qatar's policies not only minimize strife among Sunnis and Shias but helped unleash a positive cycle of foreign investment, reform of family law, improvement in women's status, and the flowering of universities.

We also see important variation in other regions. In terms of government restrictions Russia stands out in Europe, with an index of 6.0, compared to France at 3.4 and Poland at 1.0. French *laïcité* policies and anti-sect initiatives impose a number of restrictions on religion, which explains its significantly higher index than Poland.

³⁴ Joseph Ghougassian, *The Knight and the Falcon: The Coming of Christianity in Qatar* (Escondido, CA: Lukas & Sons, 2008). The first of a series of Christian churches to open in Doha was St. Mary's Catholic Church, which celebrated Easter in 2008, the first for a Christian church since the 7th Century.

One of the important findings of the Pew Forum report is the strong, though not universal, relationship between government restrictions and social hostilities, as we see in Charts 7 and 8 (pp. 692–3). Just as theorized by Grim and Finke, high government restrictions track with high social hostilities. Notable exceptions are the communist remnant countries of China and Vietnam, which restrict religion but tend to have low to moderate social hostilities, and Bangladesh, which has moderate government restrictions but very high social hostilities.

Of the 25 most populous countries only two, Japan and Brazil, score low on both measures. The United States registers in the moderate range on social hostilities because of frequent religious-based hate crimes. Among democracies Israel has some of the higher scores, 4.5 on government restrictions (owing in part to privileges for the Orthodox) and 7.2 on social hostilities (see Charts 7 and 8, pp. 692–3).

Discussion of government restrictions

As Jonathan Fox documents, over three-quarters of the governments on earth are involved in some way in regulating religion, extending privileges to favored faiths, or establishing a state religion. Such involvement ranges across a wide continuum of possibilities – from banning all faiths to mandating an exclusive state religion, from intrusive and inequitable regulation to modest requirements applied uniformly.³⁵

At one extreme, religions are simply outlawed and believers face fines, imprisonment, or even death for attempting to practice their faith. In North Korea all independent religious practice is illegal. The Orwellian regime requires destitute people to venerate Kim Il Sung and Kim Jong Il, who are presented as god-like figures. Any traditional religious observance, or the suspicion of it, can send whole families into labor camps, torture, or death. North Korean refugees, who are exploited in China, face harsh treatment when repatriated, especially if they are suspected of being Christians. Ironically, because North Korea is the most closed society on earth, the Pew team did not have the access to the same objectively-reported indicators of repression, so it was the only country excluded from the Pew Forum coding.

Other governments fuse the state with a dominant religion and harshly repress minority faiths. Especially in Muslim majority nations, militant Islamists have pressured authorities to enact harsh versions of Shari'a that dis-

³⁵ Jonathan Fox, *A World Survey of Religion and the State* (New York: Cambridge University Press, 2010).

criminate against religious minorities and Muslim dissenters or impose severe penalties for conversion. Other countries stop short of outright bans but violently repress non-approved religions, such as Bahá'ís in Iran.

Some regimes, especially the communist remnant, attempt to channel religion into state-sanctioned forms. China has created state-run forms of Christianity, Buddhism and Islam, and represses all other expressions. Independent Protestants and Catholics (of so-called house churches) have suffered property destruction, confiscatory fines and arrest. Muslim Uyghurs of western China endure violent repression akin to that meted out to Tibetan Buddhists. And thousands of practitioners of the meditation sect Falun Gong have been arrested and some killed in Chinese custody.

Authoritarian governments attempt to control the influence of religion by 'suppressing it, regulating it, prohibiting it, and manipulating it to their own advantage'.³⁶ In some cases, like Burma, this means harsh repression of virtually all religious communities. In other cases, as in Central Asia, authoritarian regimes employ national security justifications to control expressions of religion, and violent raids on Muslim religious communities are common.

Less extreme but more widespread is government refusal to grant legal status to particular religious communities, making it difficult or impossible for them to own property, enter into contracts, publish materials, run seminaries, or operate schools. Onerous or vague registration requirements result in arbitrary rulings by local authorities or shifting bureaucratic hurdles to the operation of religious organizations. Such hurdles can be demoralizing and enervating for religious communities, as enormous energy and time must be expended for the simplest of tasks, such as getting a permit to build or repair a church building. This is illustrated by Chart 9 (p. 694). While governments often justify registration requirements as reasonable, we see that in many cases such laws clearly discriminate against some religious groups (see Chart 9, p. 694).

We see instances, such as Turkey, where a secular government even regulates theological teachings, pays Sunni religious leaders, and requires millions of Alevis to worship in Sunni Mosques. This, in addition to restrictions on Christian religious practice, results in its high index on government restrictions (6.4).

Laws against the freedom to change one's religion represent an increasing problem. We see this with anti-conversion laws in India and Sri Lanka, or laws against apostasy in some Muslim nations. Even where conversion from

³⁶ Samuel Huntington, 'Religious Persecution and Religious Relevance in Today's World', in *The Influence of Faith: Religious Groups and U.S. Foreign Policy*, Elliot Abrams, ed. (Lanham, MD: Rowman & Littlefield, 2001), p. 58.

Islam is nominally allowed, as in some Malaysian states, legal obstacles to it are formidable. While such laws are often promoted as a means of protecting people from abusive proselytizing, the impact is a stigmatization of particular groups or individuals.

This catalogue of violations should not result in fatalism, because broad improvement has been made in some regions, most notably in Latin America. And in some countries, such as Vietnam, improvement over the last decade was clearly nudged by the efforts of religious NGOs and the American government.

Discussion of social hostilities

Societal repression or hostile acts deeply infringe on the free exercise of religion. Job discrimination against minorities, ostracism, intimidation, and mob violence by dominant groups afflict a number of societies, including some with relatively low level of legal restrictions. Such intimidation often serves as a means of extra-legal control.

Such repression is often fed by state action. When a regime declares certain religious groups dangerous or passes anti-conversion laws, it invites abuse by mobs or even score settling by neighbors with impunity.

This dynamic helps explain the high social hostilities score on India (8.8), where the rise of extreme Hindu nationalism spurred societal repression and attacks against Muslims, Christians, and Sikhs. A key lever for Hindu nationalists is an anti-conversion movement that invites mob violence against religious and ethnic minorities deemed a threat. As Angela Wu has documented, the anti-conversion law passed in the State of Orissa served as the pretext for militant Hindu chauvinists to attack vulnerable Christian communities and tribal people with impunity in 2008. Precisely as the 'religious violence cycle' suggests, the state's law, which implied that conversion is an act 'imposed' by one person on another, invited violence against Christians falsely accused of such conversions. Then, after hundreds of homes were destroyed and thousands displaced, the government's response was to call for more aggressive anti-conversion enforcement, not prosecution of mob leaders or teaching that violence is an unacceptable response to religious competition. This state action sanctions a chilling repression of millions of vulnerable religious minorities, tribal people, and Dalits (untouchables), thus undermining authentic democracy in what will soon become the most populous nation on earth.³⁷

³⁷ Angela Wu, 'The Lever of Law in Religious Advocacy', in *Constituting the Future*, edited by Allen Hertzke, forthcoming.

In a number of Muslim nations, especially those under pressure by militant Islamists, charges of apostasy or blasphemy often incite violent local mobs. In some cases such charges are employed merely by individuals to settle scores, but the devastating results send an intimidating message to religious minorities and Muslims who may dissent from the dominant local understanding of the faith.

Here Pakistan's high index on social hostilities (8.4) is instructive. After seizing power in a coup in 1977, General Zia ul-Haq consolidated rule through a social engineering program purportedly to Islamize the country but which also sought to legitimate the mujahedin fighting in Afghanistan. In a rejection of the pluralist democratic vision of Pakistan's founder Al Jinnah, the infamous blasphemy was enacted, Ahmadiyya were declared non-Muslims and banned from holding conferences, publishing, and travel, and women's rights undermined.³⁸ None of these measures was democratically enacted, but once in place they invite vigilante violence against religious minorities and Muslims who advocate reform, thus perpetuating repression and retarding democratization. Under the cloak of enforcing Islamic law vigilantes have killed Ahmadis, Shiites, and Christians accused of blasphemy. Judges, politicians, and religious leaders who challenged the blasphemy law have been assassinated. In sum, state actions undertaken by a dictator continue to fuel social hostilities that threaten the fabric of the nation.

Violent societal repression is also found in nations with severe inter-religious strife. Nigeria has laws protecting religious freedom, but the enjoyment of that right is undercut by clashes between Christians and Muslims. Numerous churches and mosques have been burned in the course of violent attacks and reprisals, and many people killed. The recent election of President Goodluck Jonathan, a Christian, sparked Muslim riots and attacks against churches in northern Nigeria. This sectarian divide explains wide gap between Nigeria, with a social hostilities score of 5.8, versus Namibia at 1.2 and Botswana and Mozambique at less than 1.

The weakening of international norms

To appreciate how religious freedom might be advanced, it is helpful to examine broad global forces that are challenging international norms on religious rights. Former United Nations Rapporteur on Freedom of Religion and Belief, Asma Jahangir, commented that the international covenant on religious freedom might not pass if proposed today. This captures some-

³⁸ Saroop Ijaz, 'The Real Blasphemy', *Los Angeles Times*, January 5, 2011.

thing of the emerging challenges to religious freedom. In a number of ways the normative consensus embodied in the *Universal Declaration* is weakening at the very time that it should be growing. This flows from a variety of converging forces, from secularization to theocratic movements, from identity politics to authoritarian pushback.

Secularization of elite culture in the West can be a powerful force chipping away at the norms and legal foundations of religious freedom, as Cole Durham has observed.³⁹ If religion is seen as passé, benighted, or inherently intolerant – by judges, policy makers, or public administrators – the defense of religious rights will likely be anemic. Even where such secularization does not produce overt hostility, it can induce indifference. If there is nothing *special* about faith commitments, why be concerned with the autonomy of religious institutions or the conscience rights of believers? Why treat a zoning request by a church any different from a business? Or see a transcendent duty as distinct from a lifestyle choice? A corollary to secularization is a relativism that questions the validity of ‘exclusivist’ religious truth claims, even the right to make them. Thus the fundamental right to peacefully persuade others of one’s conception of truth becomes illegitimate ‘proselytizing’ if it involves religion but not other commitments.

This tendency seems to flow strongly through Western Europe, where secularism is seen as the tide of historical progress and the counterpoint to ‘superstitious’ religion. In this environment the idea of protecting the freedom of religion to ‘flourish’ seems counter to enlightened evolution. When combined with a tradition of state paternalism that sees the need to protect people from ‘psychological’ pressures of sectarian movements, this leads nations to pass anti-cult laws or impose bureaucratic hurdles to religious institution-building. France and Belgium, for example, list hundreds of religions as ‘dangerous’ or ‘harmful’ sects, including a number of Protestant groups, African Pentecostals, Zen Buddhists, Hasidic Jews, and even the YMCA.⁴⁰ The problem with such laws is two-fold: 1) they directly infringe on the rights of religious minorities, and 2) they undercut international normative standards. Chinese communist officials, for example, can claim that their restrictions on ‘cults’ are no different from those in ‘free’ Europe.

³⁹ W. Cole Durham, Jr., Matthew K. Richards, and Donlu Thayer, ‘The Status and Threats to International Law on Religious Liberty’, in *Constituting the Future*, Allen D. Hertzke, editor, forthcoming.

⁴⁰ Report by the Institute on Religion and Public Policy, June 23, 2008, newsletter@religionandpolicy.org.

A related trend is the emergence of competing rights and equality norms that often trump religious claims, in part because traditional faith is often seen as being in opposition to abortion access, gender equality, and gay rights. Laws against discrimination on the basis of gender or sexual orientation thus provide grounds to limit the autonomy of religious institutions deemed insufficiently enlightened on these matters.

In this new legal regime conscience protection becomes a critical religious struggle, as Gerard Bradley has documented.⁴¹ In the field of health care, for example, religious providers are coming under new pressure to provide services that violate their religious tenets. In the civil society arena, laws on non-discrimination in employment on the basis of sexual orientation and provisions to extend marriage rights to same-sex couples are being applied against religious institutions, schools, charities, and service vendors without provision for conscience exemption. In the United States this has already forced Catholic charities to close adoption agencies because state authorities did not provide an exemption from the requirement that they place children with same-sex couples, in violation of church teachings on sacramental marriage. Not only does this state action diminish religious community engagement, it undercuts the vision of civil society previously embedded in international covenants.

Changing views about the value of religious rights are also leading to vague notions of 'tolerance' as a substitute for robust protection of religious free exercise. The Organization for Security and Cooperation in Europe (OSCE), for example, now officially combats 'intolerance' instead of overt religious discrimination. Not only does such a policy dilute norms embedded in prior international covenants, it feeds into the false perception that anti-defamation efforts – defined as opposition to Islamophobia, xenophobia, intolerance, and the like – equal the protection of religious liberty. This results in predictable confusion, as mere criticism of another religion becomes equated with the actual denial of religious rights while egregious persecution receives short shrift.

Another threat to the norm of religious freedom involves the criminalization of expression under the guise of promoting tolerance. This can involve sanctioning 'defamation' (which restive Muslim communities press) or overbroad interpretations of 'hate speech' (which some gay advocates de-

⁴¹ Gerard V. Bradley, 'Emerging Challenges to Religious Freedom in American and Other English-Speaking Countries', in *Constituting the Future*, Allen Hertzke, editor, forthcoming.

mand). In Western Europe individuals have been prosecuted for merely criticizing certain Islamic practices or interpretations or for preaching about homosexuality.

On the international stage the Organization of Islamic Countries (OIC) has aggressively sought to enshrine anti-defamation as a legal norm and mandate that U.N. agencies police expressions that defame religion. Sold as a defense of faith, it actually represents a grave threat to freedom of speech, inquiry, and belief, as a number of NGO leaders have testified.⁴² The ambiguity of ‘defamation’ empowers the state or dominant religious communities to suppress the religious freedom of individuals. If one believes in another religion that contradicts Islam, one has ‘defamed’ it. If Muslim wishes to discuss the tenets of Islam with another Muslim, but this discussion is not in accordance with the school of Islam which the majority or the state embraces, this too is ‘defamation’. When a Shi’a disagrees with a Sunni, a Sufi with a Salafist, an Ismaili or Ahmadi with a Wahhabi, all can be charged with defamation. One can see how chilling this action is for religious freedom of Muslims and non-Muslims alike, for it invites abuse by the state and vigilante violence.

Globalization is a powerful force that knits together the world in ways that necessitate modalities of peaceful coexistence among people of diverse beliefs. But globalization also introduces a vortex of bewildering economic and cultural change that can spark exclusivist or fundamentalist reactions.⁴³ It produces enormous wealth but can exaggerate disparities between rich and poor, undermine local economies, disrupt village cultures, and subvert transmission of faith-based moral norms. Millions of people are drawn into teeming cities in the developing world, often bereft of barest necessities and community institutions. Under these conditions resurgent religious communities may provide the main source of social integration and identity. Globalization also means a shrinking world in which people of diverse religious backgrounds come into intense contact with one another – ‘cheek to jowl’ – requiring religionists to negotiate their beliefs with seemingly alien or competing faiths. While this contact need not result in what Huntington describes as a ‘clash of civilizations’, it can produce defensiveness, suspicion, and inter-religious strife.

⁴² Sandra Bunn-Livingstone, ‘A Historical Analysis: International Religious Freedom 1998–2008’, p. 35.

⁴³ Martin E. Marty and R. Scott Appleby, editors, *Fundamentalisms Comprehended* (Chicago: University of Chicago Press, 1995). One of several volumes from *The Fundamentalism Project* at the University of Chicago.

One response to the reality of pluralism is religious chauvinism. Hindu nationalists, who claim that only Hindus can be true Indians, would marginalize Muslims, Christians, Sikhs, and even Dalits. In Sri Lanka, similarly, Buddhist nationalists target Hindus with repression and anti-conversion laws. In Nigeria, Christians have sometimes responded to the implementation of Islamic Shari'a by embracing fundamentalist forms of their own faith and meeting violence with reprisals. In Russia and elsewhere the Orthodox Church has sought help from the state in squelching competitors.

While all religious communities spawn chauvinist movements, the most momentous expression of militancy flows from unique circumstances affecting global Islam. It may seem paradoxical, but the Islamic world is experiencing massive resurgence and population growth at the same time it faces crisis and inner turmoil. This produces the combustible mixture from which radical Islamist movements and terror networks have sprung. Today a virtual civil war is occurring within Islam – a struggle for the soul of the faith between militant Islamists who seek to construct repressive theocracies rooted in the medieval past and reformers who seek to reclaim the best of their heritage and join the mainstream of economic and political life on the global stage.⁴⁴

The principal threat to religious liberty thus flows from militants who either capture power, press regimes to enact extreme Shari'a (including death for apostasy and blasphemy), or engage in violence and intimidation against religious minorities or Muslims who don't share their vision. Beginning in 1979 with the Iranian Shi'ite Revolution, which resulted in brutal treatment of Bahá'ís and other minorities, waves of repressive movements have washed over parts of the Islamic world. Militants provoked civil wars in Sudan, imposed Taliban rule in Afghanistan, sparked violent conflict in Nigeria, and slaughtered thousands of civilians from Algeria to Indonesia.

While radicals or theocrats represent a small minority in almost all Muslim nations, they have 'influence disproportionate to their numbers'.⁴⁵ One advantage is money. Vast Saudi oil wealth exported the Wahhabi version of Islam, which calls for the imposition of fundamentalist Shari'a and denounces non-believers in virulent fashion. Whether intended or not, this funding has pro-

⁴⁴ Akbar S. Ahmed, *Islam Under Siege* (Cambridge, UK: Polity Press, 2003); Bassam Tibi, *The Challenge of Fundamentalism: Political Islam and the New World Disorder* (Berkeley: University of California Press, 1998); Bernard Lewis, *The Crisis of Islam: Holy War and Unholy Terror* (New York: Random House, 2003).

⁴⁵ Angel Rabasa, Cheryl Benard, Lowell H. Schwartz, and Peter Sickle, *Building Moderate Muslim Networks* (Santa Monica, CA: Rand Corporation, 2007), pp 1–2.

moted the growth of extremism throughout the Islamic world. A second advantage of radicals was organization, as the atrophy of civil society in authoritarian states left the mosque the only avenue for organized dissent. Finally, radicals have been successful to varying degrees in ‘intimidating, marginalizing, or silencing tolerant or reform-minded Muslims’.⁴⁶

Despite these threats, a strategic opportunity presents itself. Most importantly, the vast majority of the world’s Muslims reject Islamic radicalism, in part because of its fruits. Militant theocrats, for example, not only create strife when they seek political power but cannot govern effectively when they attain it. Thus they are losing allegiance as they fail to deliver economic progress, civil peace, and uncorrupt politics. The Iranian regime has lost its legitimacy, Sudan is dysfunctional, and many Muslims recoil at the slaughter of innocents by Al Qaeda and the Taliban. The late Abdurrahman Wahid, former prime minister of Indonesia, argued that those who seek a peaceful and tolerant understanding of Islam, in fact, enjoy enormous ‘latent’ potential.⁴⁷ The Arab Spring of 2011 may in part represent the flowering of this impulse.

Geopolitical forces and calculations of national interest can exert enormous influence over the fate of religious freedom. Saudi Arabia’s power to manipulate the global oil market, for example, has led the American government to waive sanctions in response to its poor record on religious freedom, while Pakistan’s centrality to the war on terrorism leads officials to soft-pedal the plight of its religious minorities.

Authoritarian regimes, especially, find it convenient to invoke ‘national security’ imperatives to repress independent religious civil society actors. But we see this proclivity in a variety of regimes. Overbroad interpretations of national security in Russia, for example, serve as a pretext to harass minority sects that threaten the monopoly of dominant religious groups but pose no security threat to the state.

The role of geopolitical forces can lead to resignation about the efficacy of human rights initiatives. Why promote religious freedom, the argument goes, when its fate is wrapped up in vast and formidable tides? But the historical record belies fatalism or pinched understandings of realpolitik. During the Cold War the Helsinki accords opened cracks in totalitarian states and planted seeds of transparency and rule of law that ultimately led to the

⁴⁶ Angel Rabasa, Cheryl Benard, Lowell H. Schwartz, & Peter Sickle, *Building Moderate Muslim Networks*, pp 1–2.

⁴⁷ Abdurrahman Wahid, ‘Right Islam vs. Wrong Islam: Muslims and non-Muslims Must Unite to Defeat the Wahhabi Ideology’, *The Wall Street Journal*, December 30, 2005.

downfall of the Soviet Empire and the greatest expansion of religious freedom in the modern era.

Implications and future directions

Because the case for religious freedom is so compelling, both for believers and the good of societies, public and private organizations should support complementary initiatives to generate knowledge, diffuse ideas, and fortify advocacy. Such initiatives of research, diffusion, and advocacy would aim to influence practices, laws, attitudes, and high level intellectual discourse conducive to greater religious liberty and tolerance. The aim, in part, would be to alter the mental architecture of policy makers, academics, and religious leaders so that protecting the ‘freedom of religion and conscience’ becomes the pivotal tool for living with our differences in a global arena of intense religious commitments. The dignity of belief and conscience links the fate of disparate people and societies everywhere.

In a *Guidebook for Donors* produced for the Templeton Foundation, I developed a model of change to illustrate both the profound challenges to, and the potential huge payoff of, advances in religious freedom.

The first diagram, *Theory of Change for Effecting Advances in Religious Freedom*, provides a high-level view of conditions calling for change and the enduring impacts desired. It provides a brief sketch of the linkages between resources for change, strategies, initiatives, and outcomes. The conditions calling for change convey the formidable challenges that confront us, while the ultimate impacts illustrate the manifold benefits of positive change for religion, society, and global governance (see Diagram 1, p. 695).

The second diagram, the *Religious Liberty Model of Transformation*, provides the detail contained in the middle cells of the preceding diagram. The column on the left side depicts the latent resources that can be activated for genuine transformation. These resources are mutually reinforcing, but certain things, such as sacrificial leadership by religious leaders, cannot be predicted, only facilitated. The rest of the model is intended to illustrate the synergistic dynamism of strategies and initiatives as means of achieving enduring outcomes (see Diagram 2, p. 696).

Because religious freedom stands on a precarious knife edge in many parts of the world, a coordinated program of research, diffusion of ideas, and advocacy – at this propitious moment – offers the potential for enduring global progress. It can tilt the balance in favor of greater spiritual freedom and human dignity. It can deepen our knowledge of fundamental human aspirations and re-awaken the norm of religious liberty as a fundamental human right.

Summary

Historic opportunity and unique peril mark our era, and the quest for religious freedom lies at the center of this strategic moment. The idea of religious liberty is one of the great innovations in global history, yet it needs reaffirmation and re-articulation in each age and culture. Today this task could not be more pressing. In a world of resurgent religion, cultivating and protecting freedom of conscience and belief is the best means of enabling societies to live with religious differences civilly instead of violently.

Paradoxically, at the very time that this wisdom is becoming manifest, religious freedom is under siege. It is hostage to secular states and theocratic regimes, to inertial bureaucracies and social repression, to academic indifference and elite hostility. Comfortable religious communities take it for granted; dominant faiths sacrifice it for the corrupting sword of the state.

Without clarity about the universal human aspiration for meaning and belonging at the heart of religion, we will see counter-productive cycles of repression, conflict and violence, and further repression.

Initiatives to defend religious liberty can model a way to break this cycle. Through enhanced thinking and action political leaders, religious authorities, academics, and citizens can discover self-reinforcing positive dynamics of greater autonomy of conscience, mutual respect, and peace.

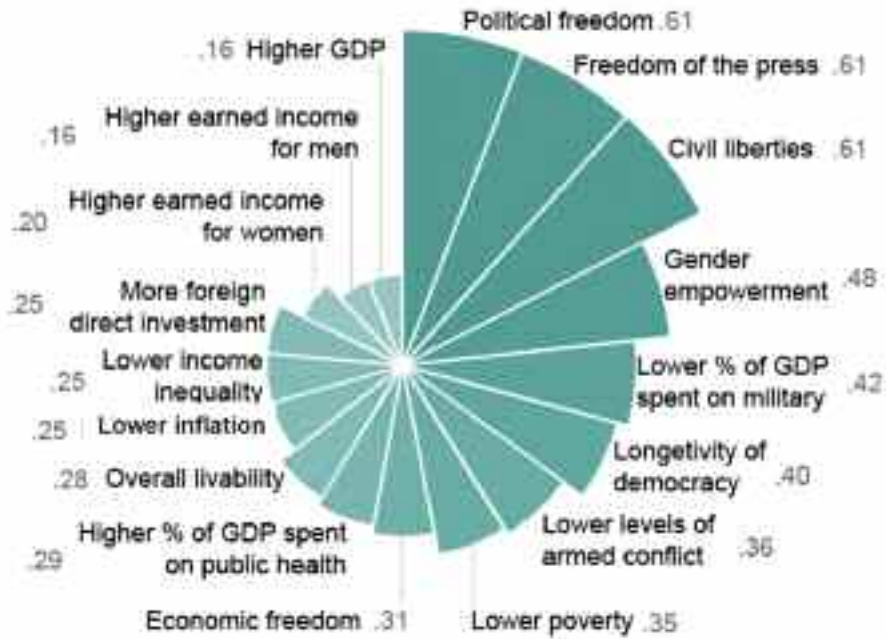


Chart 1. Correlation of religious freedom with other freedoms and well-being within countries. Brian J. Grim and Roger Finke, *The Price of Freedom Denied*, Chapter 7. All correlations are statistically significant, with the larger the area and number, the stronger the direct correlation.

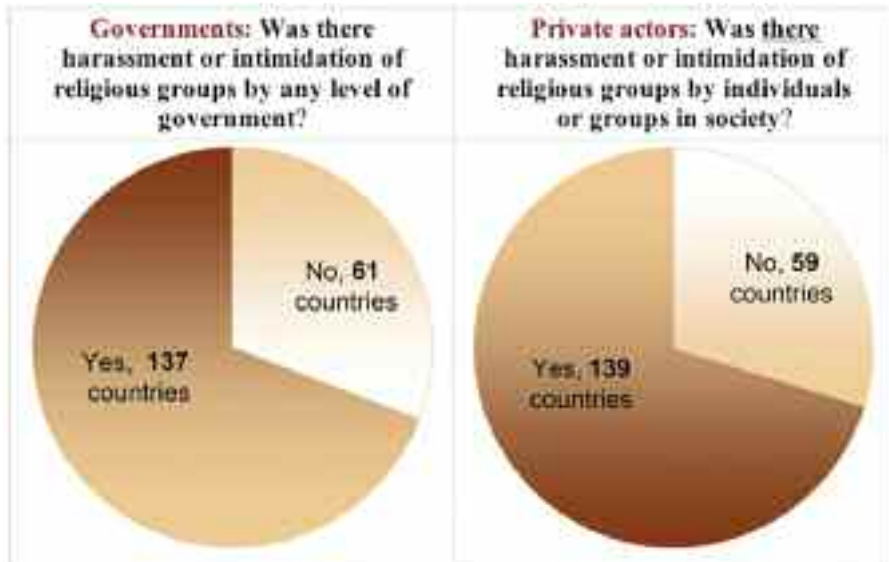


Chart 2. Presence of Harassment or Intimidation of Religious Groups in Countries, by Governments and Private Actors. Governments: Was there harassment or intimidation of religious groups by any level of government? Private actors: Was there harassment or intimidation of religious groups by individuals or groups in society? Source: Pew Forum on Religion and Public Life, *Global Restrictions on Religion*, December 2009.

Government Restrictions	Social Hostilities
Very High <i>Top 5% of scores</i>	Very High <i>Top 5% of scores</i>
SCORES FROM 6.7 TO 8.4	SCORES FROM 6.8 TO 9.4
Saudi Arabia	Iraq
Iran	India
Uzbekistan	Pakistan
China	Afghanistan
Egypt	Indonesia
Burma (Myanmar)	Bangladesh
Maldives	Somalia
Eritrea	Israel
Malaysia	Sri Lanka
Brunei	Sudan
	Saudi Arabia

Chart 3. Ranking of Countries with Top 5% Government Restrictions and Social Hostilities Scores. Source: Pew Forum on Religion and Public Life, *Global Restrictions on Religion*, December 2009.

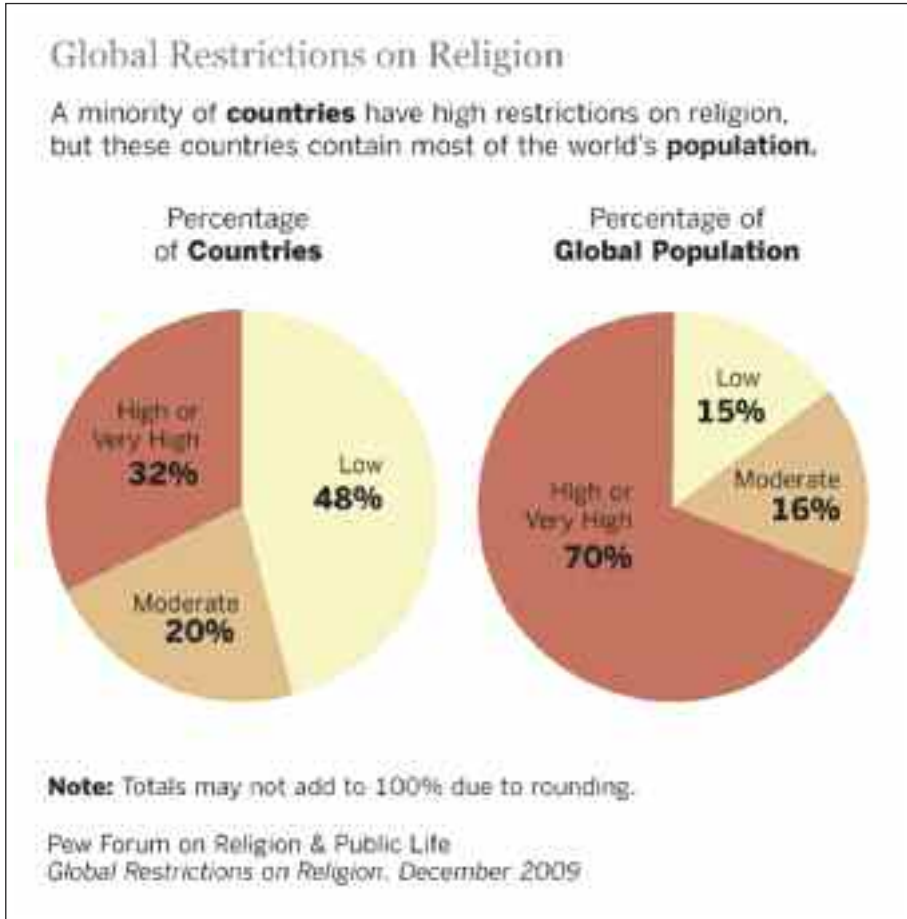


Chart 4. Global Restrictions on Religion.



Chart 5. Government Restrictions on Religion, by Region. Source: Pew Forum on Religion and Public Life, *Global Restrictions on Religion*, December 2009.

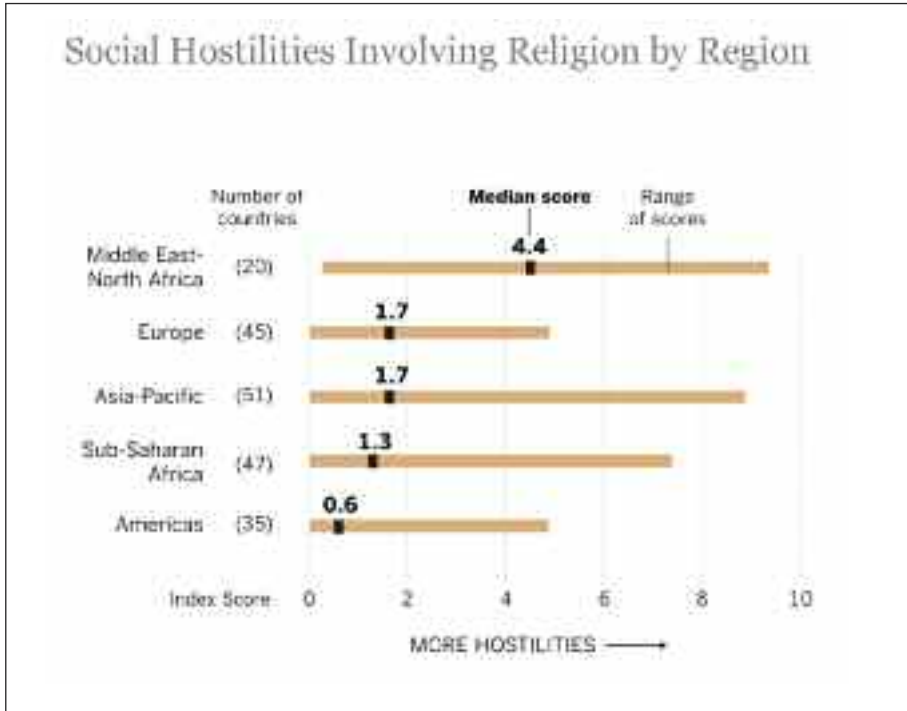
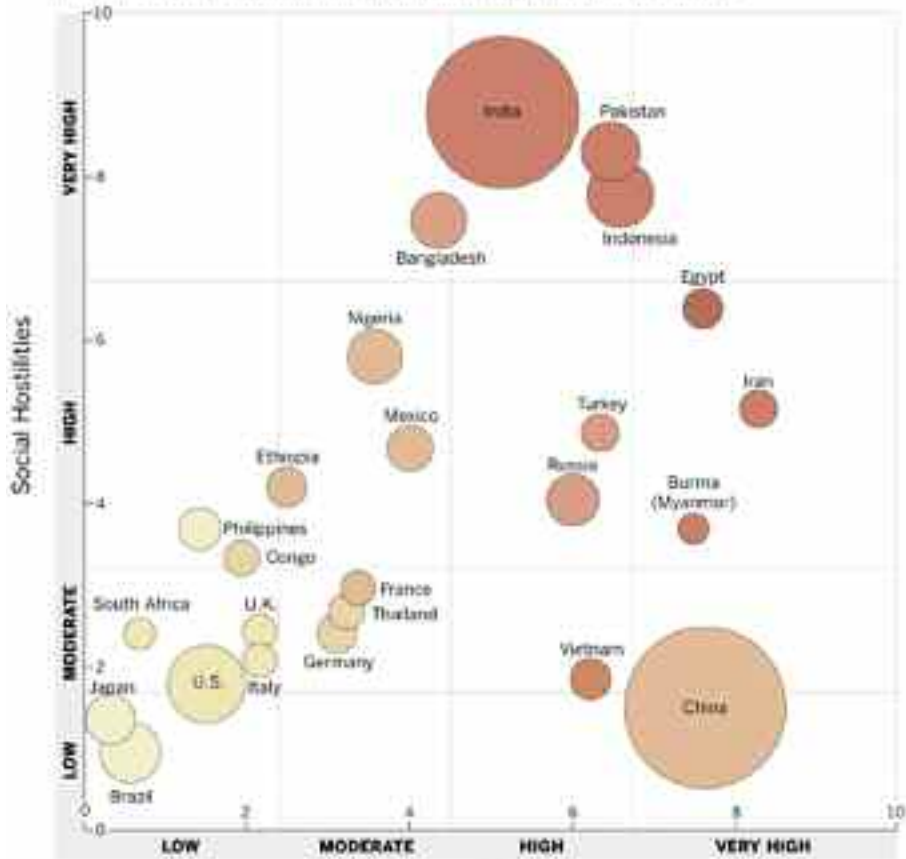


Chart 6. Social Hostilities Involving Religion, by Region. Source: Pew Forum on Religion and Public Life, *Global Restrictions on Religion*, December 2009.

Religious Restrictions in the 25 Most Populous Countries

This chart shows how the world's 25 most populous countries score in terms of both government restrictions on religion and social hostilities involving religion. Countries in the upper right have the most restrictions and hostilities. Countries in the lower left have the least.



Notes: The Pew Forum categorized the levels of government restrictions and social hostilities involving religion by percentiles. Countries with scores in the top 5% on each index were categorized as "very high." The next highest 15% of scores were categorized as "high," and the following 25% were categorized as "moderate." The bottom 50% of scores were categorized as "low."

Circles are sized proportionally to each country's population size:

- 1 billion
- 500 million
- 100 million
- 50 million

Colors are based on each country's position on the chart:

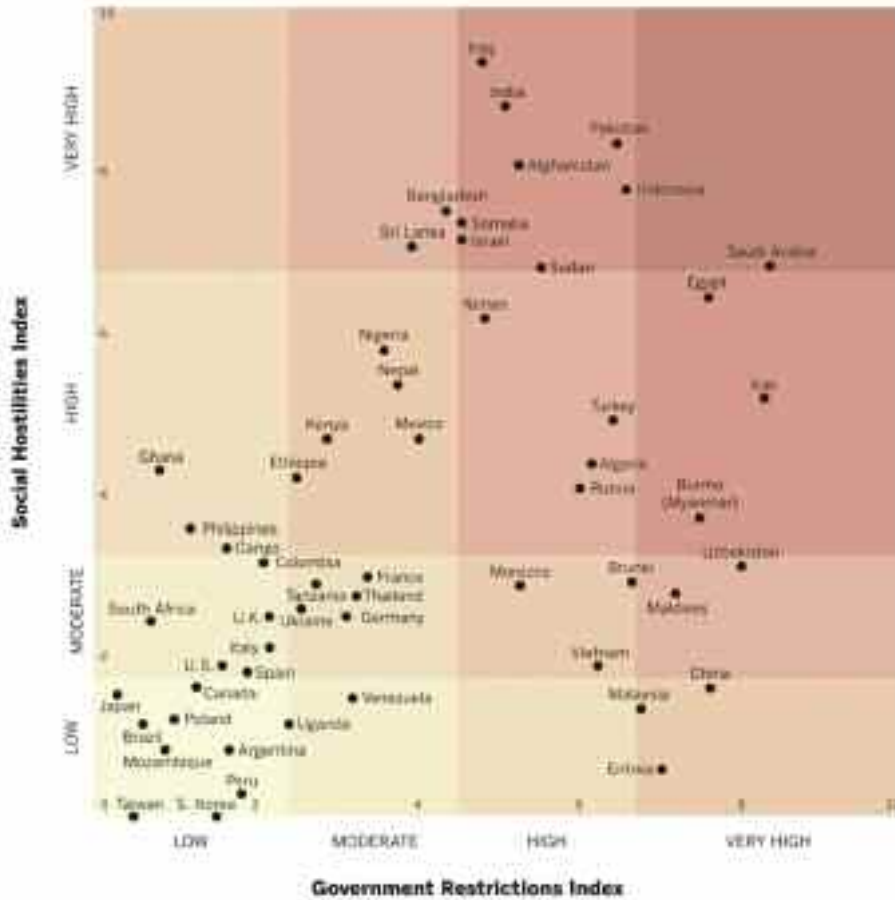
↑ MORE HOSTILITIES
→ MORE RESTRICTIONS

Pew Forum on Religion & Public Life • Global Restrictions on Religion, December 2009

Chart 7. Religious Restrictions in 25 Most Populous Countries.

Religious Restrictions in the 50 Most Populous Countries

This chart shows how the world's 50 most populous countries and selected others score in terms of both government restrictions on religion and social hostilities involving religion. Countries in the upper right have the most restrictions and hostilities. Countries in the lower left have the least.



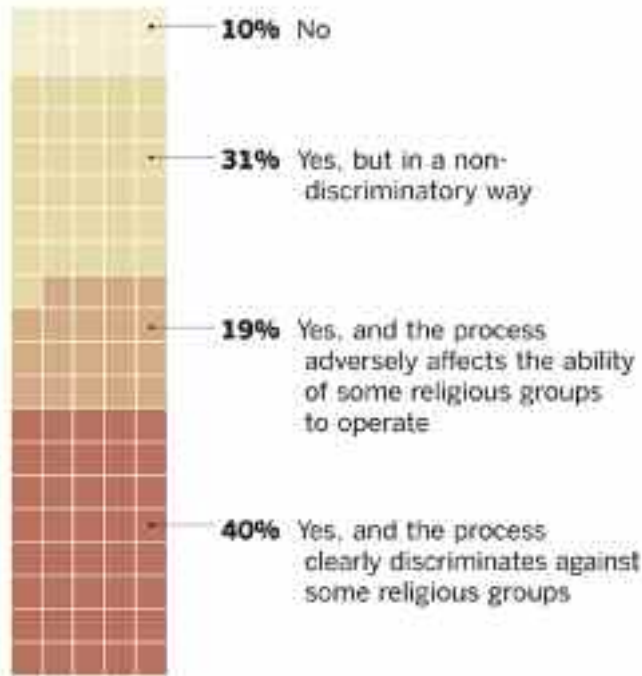
Note: The Pew Forum categorized the levels of government restrictions and social hostilities involving religion by percentages. Countries with scores in the top 5% on each index were categorized as "very high." The next highest 15% of scores were categorized as "high," and the following 20% were categorized as "moderate." The bottom 60% of scores were categorized as "low."

Pew Forum on Religion & Public Life • Global Restrictions on Religion, December 2009

Chart 8. Religious Restrictions in 50 Most Populous Countries.

Registration Requirements

Does any level of government ask religious groups to register for any reason, including to be eligible for benefits such as tax exemption?



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Pew Forum on Religion & Public Life

Global Restrictions on Religion, December 2009

Chart 9. Registration Requirements for Religious Groups.

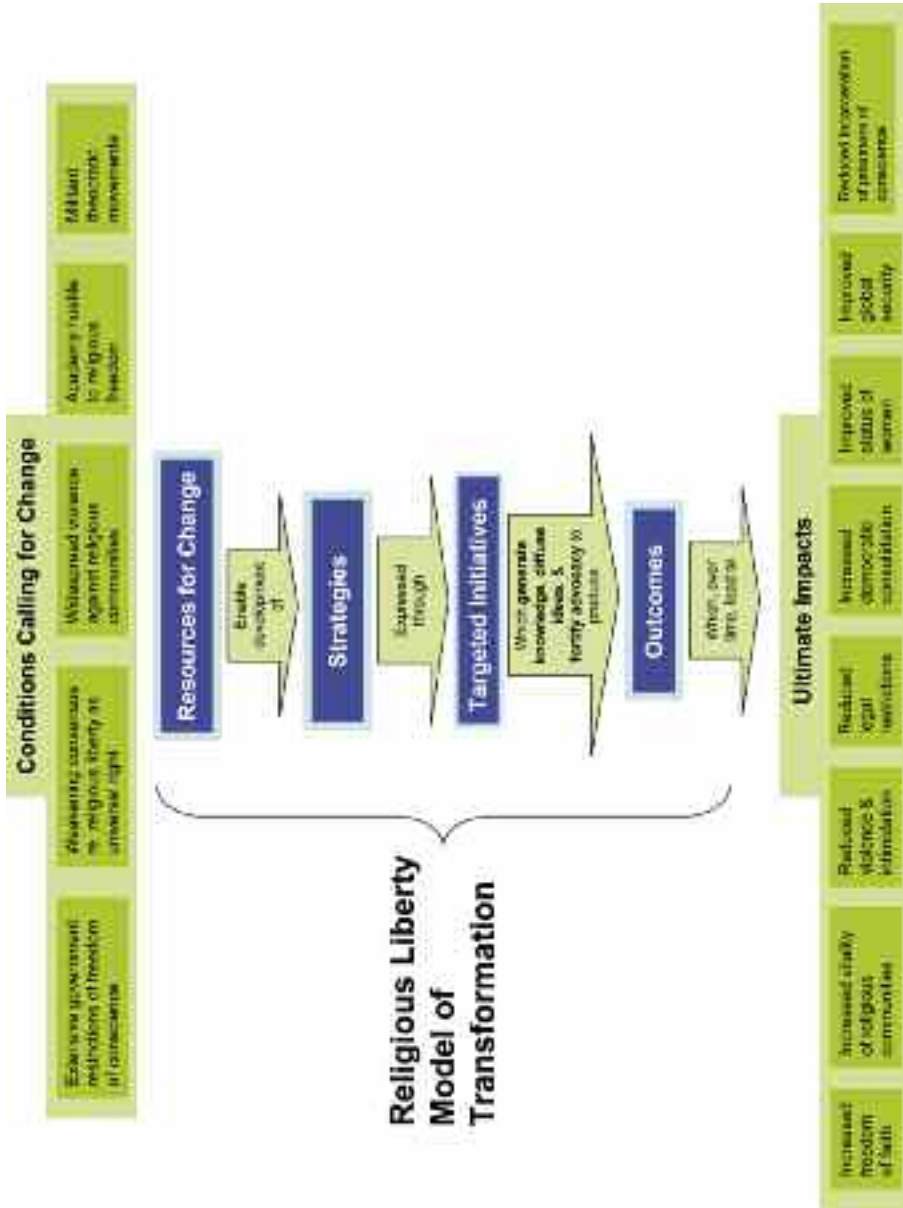


Diagram 1.

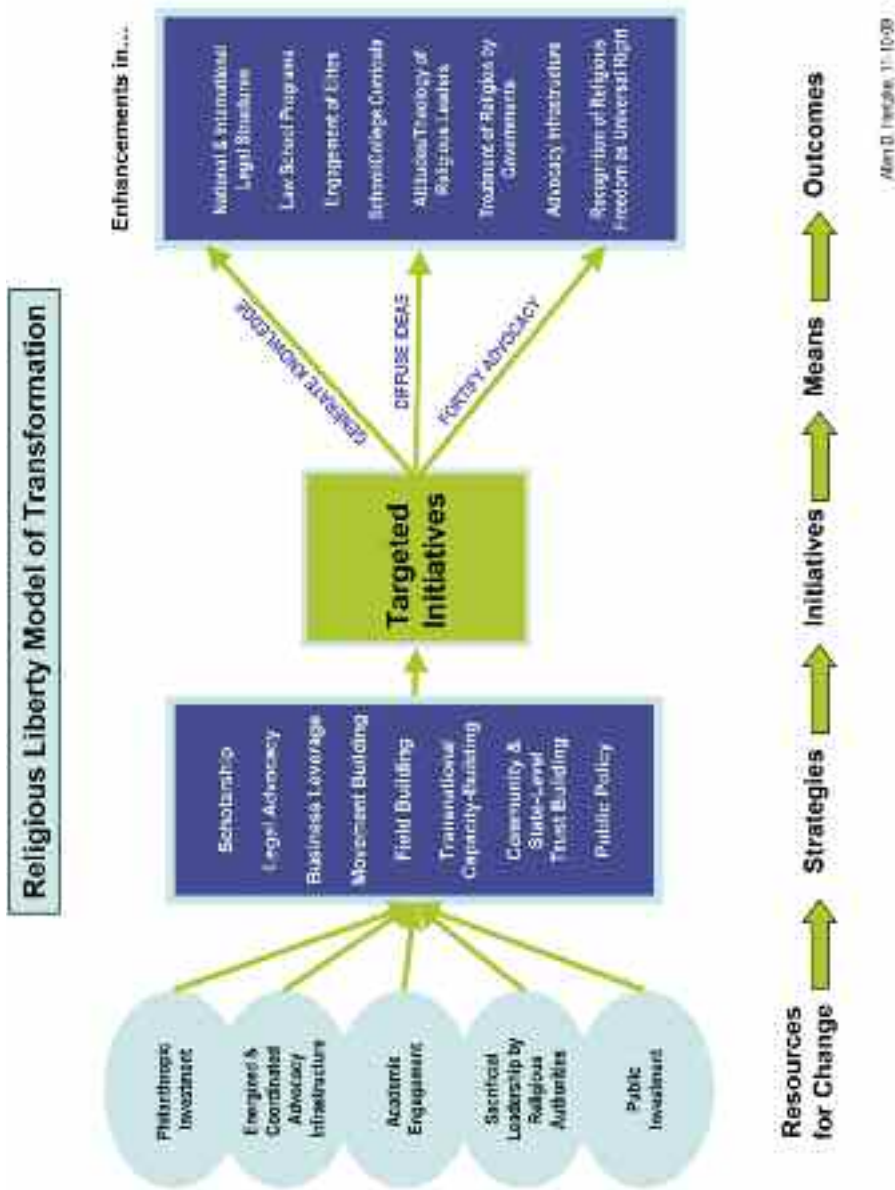


Diagram 2.

Presentation on theme: "Religious Freedom in the World Today: Paradox and Promise" by Allen D. Hertzke The Pontifical Academy of Social Sciences XVII Plenary Session: Universal Rights in a World of Diversity April 29, 2011. 1 Religious Freedom in the World Today: Paradox and Promise by Allen D. Hertzke The Pontifical Academy of Social Sciences XVII Plenary Session: Universal Rights in a World of Diversity April 29, 2011. 2 corroborates ontological roots of religious aspiration, and this reality creates strategic opportunity to navigate crucible of 21 st Century Paradox and Promise. 3 Would Article 18 pass today? 4 Empirical Validation. 5 Correlation of Religious Freedom with Other Freedoms and Well-being within Countries. The Freedom of Conscience and Religious Intolerance in Today's World. prohibited, and in many countries where Sunni Islam dominates Shiite minority is subject to severe discrimination. Citizenship in a number of countries (Saudi Arabia, Kuwait, Iran, United Arab Emirates) is directly related to confession of Islam. 6 There is an interesting paradox. In more than 3/4 of countries in the world religious freedom is declared in their constitutions or basic laws. Other 20% promise to protect religious practices. Whether religious freedom retains a prominent place on the honor roll of superior rights will certainly depend to some extent on those efforts. But even more decisive will be the attitudes and behavior of religious believers and leaders themselves. 7 Freedom in the World Today: Paradox and Promise, in UNIVERSAL HUMAN RIGHTS IN A WORLD OF DIVERSITY, supra note 1, at 108. 7 See Nicos Mouzelis, Modernity: Religious Trends, in UNIVERSAL HUMAN RIGHTS IN A WORLD OF DIVERSITY, supra note 1, at 71. 8 See id. at 75.