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**RELIGION, RELIGIOUS FREEDOM,
AND THE AMERICAN POLITICAL TRADITION**

Millions of believers cannot be indefinitely oppressed,
held in suspicion or divided among themselves,
without this involving negative consequences
not only for the international credibility of those States
but also for the internal life of the societies concerned:
a persecuted believer will always find it difficult to have confidence
in a State which presumes to regulate his conscience.
On the other hand, good relations between Churches
and the State contribute to the harmony of all members of society.
Pope John Paul II, 1996

Religion, Religious Freedom, and the American Political Tradition

Throughout American history, many of our nation's leaders and citizens have believed that the United States is an exceptional nation. The roots of American exceptionalism run deep, as far back as the early 17th century and John Winthrop's "city upon a hill" sermon. "The eyes of all people are upon us," said Winthrop. In one of his earliest political works, *A Dissertation on the Canon and the Feudal Law*, John Adams wrote that he "always consider[ed] the settlement of America with reverence and wonder, as the opening of a grand scene and design in providence, for the illumination of the ignorant and the emancipation of the slavish part of mankind all over the earth." The historical record contains many other statements in this vein.

What makes America exceptional? It is certainly, to some degree, at least, our unique commitment to human dignity, individual liberty, and a meaningful con-

ception of the rule of law, grounded in a deep respect for constitutional structure and the notion that our most basic rights pre-exist government. I am convinced that this climate is attributable in no small measure to the benefits we derive from recognizing a robust freedom of religion, conscience, and belief.

This is by no means a novel observation. Religious freedom has been so vital in informing our national identity that freedom of religion in America is often dubbed “the first freedom,” recognizing that the Founding Fathers consciously sought to preserve it in the first two clauses of what we now know as the First Amendment to the U.S. Constitution. As the historian William Lee Miller put it: “Religious liberty was more central to the nation’s original moral self-definition than is comprehended by a modern generation’s routine inclusion of (for example) ‘freedom to go to the church of your choice’ on the list (rather far down on the list) of basic freedoms ‘enjoyed’ by Americans ... Liberty of ‘conscience,’ meaning freedom of religious belief and conviction and activity, was near the center, or at the center, of the whole revolutionary American project.” Miller’s claim finds considerable support in George Washington’s famous Farewell Address:

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked: Where is the security for property, for reputation, for life, if the sense of religious obligation deserts the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

In short, a society that insists on divorcing morality from the public sphere threatens the very pillars of freedom and self-government. Noted social observer George Weigel has argued that that is precisely what has happened in Europe. In *The Cube and the Cathedral*, Weigel asks why, “in the aftermath of 1989, did Europeans fail to condemn communism as a moral and political monstrosity?” and why “do European statesmen insist on defending certain fictions in world politics: like the fiction that Yasser Arafat was interested in peace with Israel?” Weigel concludes that “European man has convinced himself that in order to be modern and free, he must be radically secular.” But, as Weigel explains, the exact opposite has happened. Europe’s increasingly secular culture has corresponded with a political climate that is increasingly hostile to freedom.

Europe is only the most recent case study that demonstrates a fundamental truth of human society: Guaranteeing freedom of religion is critical to the success of the democratic project. If a nation fails to protect its people’s freedom to practice religion, it will almost assuredly fail to preserve any other of their liberties. Weigel shows us the connection:

A thoroughly secularized culture from which transcendent reference points for human thought and action have disappeared is bad for the cause of human freedom and democracy because democracy, in the final analysis, rests on the conviction that the human person possesses an inalienable dignity and value and that freedom is not mere willfulness.

The Founders recognized these correlations centuries ago, and they wanted future generations to remember that democracy succeeds where personal responsibility and virtue flourish, and that religion is an institution that has a unique capacity to foster those attributes.

The United States and International Religious Freedom

Recognizing the great blessing of its own heritage, America's commitment to religious freedom and belief has not stopped at its own borders. To the contrary, the United States has played a significant role in the development and promulgation of international human rights laws that promote religious freedom for all of humanity. The United Nations Commission on Human Rights, chaired by Eleanor Roosevelt, adopted the Universal Declaration of Human Rights in 1948. Though the document broadly reflected the will of the "people of the United Nations," there is no question that the United States played a central role in its drafting and adoption.

Article 18 of the Universal Declaration states:

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.

It is worth pausing to reflect upon these words, embedded in the U.N.'s foundational documents. The U.N. was a very different institution at the time. It was a convocation of nations that had shed blood and spent treasure to pass through one of the darkest periods in human history and defeat fascism. Member-nations had witnessed how a political system untethered by virtue—a system that fails to bridge natural and human law, or demand goodness—could pave the way for a war whose enormous scale was matched only by the devastating human rights abuses it would end.

Article 18 of the Universal Declaration was a seminal contribution to the global human rights agenda, because it legitimized the place of religious freedom and belief on the world stage. But if freedom and personal responsibility are mankind's natural condition, as the American Founders believed, shouldn't the freedom of religion and belief be legally secured against government intrusion? If this force that places a premium on discerning truth and recognizing the dignity and worth of every human person is found to foster the basic elements of social harmony, political stability, and security, isn't it also in a nation's national interests to protect it?

Drawing on its own rich history, the United States has answered these questions in the affirmative, taking significant steps to foster a legal culture and statutory regime that protect freedom of religion and belief abroad. In 1998, the United States Congress passed the International Religious Freedom Act unanimously in both chambers. Unanimity in the final vote did not, however, mean that the legislation was easy to pass or that it did not contain substantive and far-reaching provisions. To the contrary, passing the legislation required the cooperation and aggressive lobbying of a broad coalition of religious groups, including Catholics, mainline Protestants, Evangelicals, Jews, Buddhists, and others.

As Allen Hertzke writes in *Freeing God's Children: The Unlikely Alliance for Global Human Rights*:

Viewed as something of a miracle by partisans, the legislation was the product of an intense and sometimes bitter lobby campaign ... Many who gathered in front of the Capitol steps on October 10, 1998, to celebrate the passage of the IRFA saw this [final] unanimity as indeed providential because it placed the governments' unalloyed imprimatur on the cause of religious freedom around the world. Under a bright October sky there was a palpable sense of historic moment, as speaker after speaker directed often eloquent remarks to those abroad, to "tyrants who persecute" and "believers who suffer.

IRFA created key offices within the federal government – an ambassador for religious freedom within the State Department and a special advisor on international religious freedom within the National Security Council. The legislation also created an independent, bipartisan United States Commission on International Religious Freedom, which would have the flexibility and freedom to focus on promoting religious freedom with independence from the State Department, as its members believed best. According to Hertzke:

Created as a watchdog and policy advocate, the commission provides an independent assessment of the status of religious freedom, critiques the State Department [annual] report [on religious freedom], and offers detailed policy recommendations. Designed to produce "honest fact-finding" the commission is less constrained by diplomatic considerations than the State Department. It can "speak truth to power," not temporizing on the record of countries of strategic importance. Its reports on such places as Sudan, Saudi Arabia, Vietnam, and North Korea, therefore, often read more cogently than official government documents.

These offices represent the infrastructure that embodies the American people's commitment to religious liberty, enabling the United States to pursue a global religious freedom agenda with "teeth." By focusing diplomatic attention on this vital issue, these offices can promote religious freedom abroad in a spirit of cooperation with other governments, or, when necessary, as a fearless voice for the human rights of oppressed peoples.

Current Challenges

We know through simple observation around the globe that there is a correlation between religious freedom and greater economic prosperity, lower levels of violence, better health, and enhanced educational opportunities. A rational national security policy for the United States must acknowledge that, without religious freedom, societies worldwide are more vulnerable to conflict and radicalism, which, in turn, makes our own country much less safe in an age of globalization and frequent trans-boundary effects. Saudi Arabia, Iran, Iraq, and Afghanistan provide recent case studies.

Thus, it seems elementary that peace and stability around the world, and, in turn, our own national security interests, are inextricably intertwined with a foreign policy that promotes the freedom of religion abroad. That understanding of freedom of religion does not necessarily have to parrot what we have in the United States, but it must be meaningful and tangible rather than merely a pronouncement on parchment. We need to make it known that freedom of religion or belief is a deliverable in our bilateral and multilateral arrangements, both for the betterment of all mankind and for our own stability and protection in the homeland.

For a foreign policy agenda to comprehensively address the international freedom of religion or belief in a way that bolsters our own interests in freedom, peace, security and prosperity here at home, it must direct itself to three objects: (1) States that bolster religious extremism or jihad, (2) States that suppress religious freedom to prop up their totalitarian interests, and (3) States that embrace radical secularization with the end result of attacking religious freedom.

1. States that bolster religious extremism or jihad

States that support religious extremism and jihad are probably the most dangerous of all. They have created a legal and political environment within their borders that snuffs out pluralism, often punishing religious practice, expression or conscience that deviates even slightly from its theocratic prescriptions. This climate leads to intolerance and hate, and experience shows that these theocratic, repressive states are a breeding ground for terrorists who seek, at any cost, to replicate that oppressive environment throughout the globe.

Saudi Arabia and Iran are prime examples. There is no religious freedom in either country, and we can see from what has happened in those nations and others that forcing citizens to profess a certain religious faith against their will fuels violence, intolerance, aggression, and suspicion—not virtue in public life and governance. As James Madison succinctly argued in his “Memorial and Remonstrance Against Religious Assessments,” religion is a beneficial institution when it is embraced freely, and most certainly not when it is compelled or used as a tool to repress minorities or dissenters.

In a nation such as Iran or Saudi Arabia, where there is no freedom of religion or belief, the rule of law is impossible. Instead, arbitrary and unequal treatment under the law is the norm. The people have license to ignore the individual worth and human dignity of some while the state turns a blind eye. And the state itself can use religious repression and tension to bolster its own power.

Severe religious intolerance extends into the Saudi Arabian educational system, teaching children at a young age of the supposed “evil” of all other religions besides Islam. Though the Saudi Arabian government claims to have revised its textbooks in this regard, the “revised” text is little better than the original. School children continue to be taught to hate all those who do not conform to the Sunni Islam faith. The texts go so far as encouraging the killing of “infidels.” As Freedom House concluded in a 2006 report, “Saudi Arabia’s Curriculum of Intolerance”:

These books continue to reflect a curriculum that inculcates religious hatred toward those who do not follow Wahhabi teachings. When the current school year ends, thousands more will graduate from Saudi public schools steeped in the belief that those of differing religious faiths are morally inferior and even evil. Their texts will have taught them that peaceful coexistence with so-called “infidels” is unattainable and that violence to spread Islam is not only permissible, but an obligation.

Jews are particularly singled out, and the textbooks purport to cite evidence “proving” that all of the world’s major wars and conflicts have been caused by the Jews. According to the texts, “You can hardly find an example of sedition in which the Jews have not played a role,” and “[t]he good news for Muslims is that God will help them against the Jews in the end, which is one of the signs of the hour of judgment.”

2. States that suppress religious freedom to prop up their totalitarian interests

United States foreign policy should also be deeply concerned about regimes that suppress or repress religion as a means of maintaining their totalitarian grip. Lately, the eyes of the world have been fixed upon one such example in Sudan. President Bashir took aim at Christianity and other minority religions of the southern region as a means of sparking the 30-year North-South civil war, resulting in 2 million dead and 4 million displaced.

In totalitarian regimes such as North Korea, China, and Vietnam, where the yoke of Communism cannot be borne if the people pledge allegiance to any authority other than the State, religion is suppressed or heavily regulated by the government as a desperate act of self-preservation. In the short run, to Communist party chairmen, this may seem to work. But it is a short-sighted and corrosive approach that induces social instability and stymies lasting and optimal economic growth. A people who cannot believe as they wish, and appeal to their Creator as they see fit, will find it very hard to develop a sense of purpose.

Southeast Asia's destiny, of course, is vital to the global economy, and the safety and success of the United States. China, for example, is home to the world's largest population, one of the fastest growing markets and economies, a large standing army, a growing navy and a cadre of intercontinental nuclear weapons, all being controlled by a Communist government trying to grow its economy while stifling political change.

In order to control the threat it perceives from religious believers, the Chinese government requires all religious groups to comply with the National Regulations on Religious Affairs, which oblige these groups to register with one of the seven government-sanctioned religious organizations. The registration process can include handing over the membership list of the religious organization (including all contact information), running all leadership decisions through the government, and gaining advance permission for all religious positions or activities. Any unregistered religious activity is considered illegal and is punishable by law. These activities are often portrayed as threats to national security, because they upset national solidarity.

3. States that embrace radical secularization with the end result of attacking religious freedom

There is, finally, a problem even closer to home, and that is the effect that radical secularization has had in Western Europe. The preamble of the draft European Constitution—which chronicles the formation of Western European civilization—is illustrative of the radical secularism that has taken hold in Europe, in that it contains no reference to God or Christianity. Out of this foundation of hostile secularism has grown a culture of religious intolerance. There are, for example, instances of hate speech prosecutions against Christian clergy in both England and Norway for speaking about homosexual conduct. And, in Germany, individuals who home-school children for religious reasons have been prosecuted.

The environment that has emerged in Western Europe is demoralizing and dispiriting. It strains the social fabric by creating division and discord. It stands in stark contrast to the axiom that there cannot be capitalism or democracy without morality—a morality that freedom of religion or belief plays a big role in fostering. And, finally, it is a form of intolerance that provides points of leverage for other extremists. It is no coincidence that, as Europe's radical secularization has stifled Western religion in the public sphere, radical forms of Islam have begun to thrive in Europe's capitals, and the leaders of those very capitals lack the credibility to speak out against the agenda of repressive defamation of religions that rears its ugly head in multinational forums.

European leaders and diplomats have defended the state of affairs, saying that, among our fundamental principles, there must be respect and tolerance in a society. But there also must be candor. That is how, in a civilized world, we seek truth. And it is that search for moral truth that is often at the center of the work of

religion, and often religion cannot carry out its goals without candid dialogue—dialogue that sometimes might be disturbing, critical or contentious. We should therefore perhaps be skeptical about rules or regulations that suppress expression by religion. It has become increasingly more popular to argue that much of what is labeled as intolerance and discrimination against Christians is nothing more than the normal friction of a society undergoing change.

When religious leaders or people of faith express certain convictions or express concerns that society is taking a wrong turn culturally, penalizing or seeking to suppress such expression on the part of government is not necessarily a manifestation of the normal friction of a changing society. It could be an indication that the state has decided to abandon the protection of certain religious convictions as society changes.

Conclusion

America's historical exceptionalism is closely related to its commitment to religious freedom and belief. That commitment did not end a few decades after the nation's founding, nor was it limited to our national borders. It continued through World War II and its aftermath, and well into the 1990s with the passage of the IRFA and the creation of the United States Commission on International Religious Freedom. In the years ahead, the Obama Administration must integrate religious freedom issues into our foreign and national security policy. It can do so by establishing policies that will help prevent the exportation of religious extremism by nations in the developing world, discourage state-sponsored hostility to minority religions, and incentivize states to beat back a climate of impunity where sectarian violence and conflict remain unpunished.

We must build on our nation's heritage of promoting religious freedom at home and abroad. The alternative is to adopt a lopsided view of transnationalism – one that imports the trends and international standards of countless other nations without exporting the best of our law and policy—an abiding commitment to the First Freedom.