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For much of the world, there is no greater human right than the freedom to practice one's religion or belief system according to the dictates of conscience, without fear of coercion or retaliation.

Yet, across much of the globe, religious freedom and related human rights are egregiously and routinely violated. The United States Commission on International Religious Freedom (USCIRF) reports on countries that it deems serious or severe violators -- based on criteria laid down by the 1998 International Religious Freedom Act (IRFA) which created the Commission -- and provides independent policy recommendations for US government action.

When most people picture violations of religious freedom, they imagine governments either preventing people from worshipping or otherwise abusing them for their beliefs. They may think of China, the world's most populous country, where disfavored religious groups, from Tibetan Buddhists to Uighur Muslims, and from the Protestant house church movement to the Falun Gong, are ruthlessly suppressed. They may picture Iran, where a theocratic regime still

provides for the execution of all individuals, regardless of faith or confession, who are convicted of the charge of “waging war against God”-- thus targeting reformers among the Shi’a majority, as well as members of religious minorities, including Sunni and Sufi Muslims, Baha’is, and Christians, while stirring up anti-Semitism by promoting Holocaust denial.

An Overlooked Threat to Religious Freedom

The above examples are classic cases of state oppression of religious freedom, where governments take specific measures to persecute free beliefs and practices.

There is, however, a second and equally egregious threat to religious freedom, which commonly occurs around the world, yet receives far less attention from policymakers, human rights activists, and scholars. The world caught a glimpse of this type of threat on March 3 of this year, when Shahbaz Bhatti, Pakistan’s Minister for Minority Affairs, who was a Christian and a longtime champion of freedom of religion, was assassinated in Islamabad for opposing his country’s blasphemy law. Bhatti’s murder followed the assassination in January 2011, also in Islamabad, of another Pakistani government official, Punjab Governor Salmaan Taseer, a Muslim, for engaging in similar opposition.

The murders of Bhatti and Taseer signal how in many nations, significant religious freedom violations can be perpetrated just as easily by private actors as by governments. In such countries, the government fosters a climate conducive to these acts of violence. This

environment -- ripe for violations of religious freedom -- is known as impunity.

How States Create the Impunity Problem

How do states create an atmosphere of impunity, thereby emboldening private actors to commit violence against religious groups and individuals that they oppose? States are implicated in impunity in two related ways: first, through acts of commission and, second, by the failure to act, or omission.

Blasphemy laws such as those enacted by Pakistan offer a compelling example of state commission as an aid to impunity. Other countries have their own versions of blasphemy laws, as well as religious registration laws, which operate according to a similar logic. In such instances, unpopular religious groups and individuals become the hapless recipients of further negative national attention, exposing them to the wrath of intolerant individuals, as well as to violent religious extremist organizations. In the case of blasphemy laws, which are often vaguely worded and broadly construed, such individuals will aggressively monitor members of disfavored religious groups for signs of trespass, and then, will take violent action against perceived transgressors. In the case of registration laws, small and vulnerable religious groups are often the least likely to register. Deprived of the legal protections conferred by registration, unregistered individuals and groups become legally vulnerable and constant targets for the forces of hatred and bigotry.

Having created a climate for religious persecution by private actors by enacting such legislation, many states compound the impunity problem through acts of omission. Specifically, state actors often prove either unwilling or unable to redress either the systemic discrimination or the violent activities that they helped encourage. Governments fail to bring perpetrators to justice through arrests, investigations, prosecutions, and convictions, thereby helping fuel further acts of vigilantism, from property seizure and destruction to rape and mass murder. Weak judicial systems, improper police practices, and biased property regimes are crucial state contributors to religious freedom violations through impunity.

In short, by doing what is wrong through the enactment of harmful laws, and by failing to do what is right through the pursuit of legal justice, states have helped create the impunity problem.

Impunity across the Globe

Over the past year, in many places, the problem of impunity has shown no signs of subsiding, while religious freedom and broader human rights violations linked to impunity cut across geographic, religious, and regime lines.

Among these places is Egypt. Prior to the ongoing political transition in that nation since the events of Tahrir Square, a number of world leaders, including President Obama and Pope Benedict XVI, expressed serious concern about the attacks against Egypt's largest religious minority, the Coptic Orthodox Christian community. Since 2008, the Copts have endured

dozens of assaults, including the 2011 New Year's Day church bombing in Alexandria, the worst sectarian strike against Egypt's Christians in a decade, which left at least 23 dead and scores wounded.

For years, President Hosni Mubarak's government tolerated widespread discrimination against religious minorities and disfavored religious groups, from dissident Sunni and Shi'a Muslims to Coptic Orthodox and other Christians to Baha'is, while allowing state-controlled media and state-funded mosques to deliver incendiary messages against them. Likewise, the Mubarak regime failed to respond adequately to widespread and virulent anti-Semitism in the state-controlled and semi-official media, where materials vilifying Jews appeared regularly. Egypt's government not only neglected to protect religious minorities against violence, but also failed to bring to justice and to punish those responsible for violence. In late February 2011, an emergency court acquitted two of three individuals indicted in last year's drive-by shooting of six Christians and a Muslim guard in Naga Hammadi on Coptic Christmas Eve. Even since Mubarak's departure, religious freedom conditions in Egypt have continued to deteriorate. Indeed, given the worsening of religious freedom conditions before and after President Mubarak's departure, USCIRF in 2011 recommended for the first time that the U.S. State Department designate Egypt a "Country of Particular Concern (CPC)," indicating that the country is among the world's worst religious freedom violators.

Another instructive case where the impunity problem has led to severe religious freedom violations and to an unstable security environment is Nigeria. For more than a decade, Muslims and Christians in Nigeria have been engaged in cycles of violence and retribution. On Christmas Eve of 2010, Muslim militants allegedly attacked churches, killing a pastor and others. This attack was accompanied by bombings in Jos, which killed 32 people and injured at least 70. Bouts of retributive violence followed, raising Jos' toll of the dead and injured higher.

The Nigerian government and judicial system have exhibited weakness in both will and

capacity through failure to stem the violence by bringing the perpetrators of these atrocities to justice. Since 1999, years of inaction by Nigeria's federal and state governments have consolidated a climate of impunity in which an estimated 13,000 Muslim and Christian citizens have perished.

In Iraq, Mandaean, Yazidi, Christian, and other vulnerable religious minorities face similar problems to those in Egypt, and the Iraqi government's failure, either to protect its citizens against attacks or to bring the guilty to justice, has created a climate of impunity which endangers these minorities and clouds Iraq's future as a diverse, pluralistic, and free society.

Since 2004, members of Iraq's diverse minority communities have been kidnapped, raped, tortured, beheaded, and evicted from their homes. The experience of Christians is instructive. They have seen their churches repeatedly bombed. The worst single attack against Christians was launched on October 31, 2010, when an al Qaeda affiliate assaulted the Roman Catholic Church of Our Lady of Perpetual Help in Baghdad, killing or wounding nearly all of the more than 100 worshippers at Sunday mass. Wijdan Michael, then Iraq's human rights minister and a Christian, said that the goal of the perpetrators was "to empty Iraq of Christians." Since 2004, there has been a mass exodus of Christians from Iraq, reducing its Christian community by more than half. Significant declines also have occurred among smaller religious minorities such as the Yazidis and Mandaean, who have seen their numbers dwindle, mostly through emigration, from an estimated 50,000 to 60,000 in 2003 to only a few thousand today.

In Pakistan, the assassinations of Bhatti and Taseer underscore how the government has similarly failed to protect religious minorities--from Shi'a Muslims to Ahmadis (Ahmaddiyas) and Christians--from religiously-motivated violence, as well as to bring the perpetrators to justice. An atmosphere of impunity is fostered by laws, such as the anti-Ahmadi and blasphemy laws, that violate religious freedom directly and indirectly by energizing violent extremists who ultimately threaten the freedoms of all Pakistanis.

Scores of Ahmadis were slain in May 2010 by gunmen in Lahore during Friday prayers. In July, 40 Sufis were slaughtered, and hundreds were wounded, in a bombing of a shrine, also in Lahore. On September 1, 2010, bombers attacked a Shi'a religious procession in Lahore, murdering at least 40 worshippers and wounding as many as 200 others. Two days later, bombers attacked a similar procession in Quetta, killing at least 70 and wounding 160 worshippers.

In Indonesia, despite its developing democracy and civil society and the fact that most of its citizens have rejected violent extremism at the polls, most recently by defeating allies of extremists in the 2009 presidential and parliamentary elections, there is also a problem with impunity. The country has seen numerous instances of religiously-related violence against Ahmadis and Christians, including the burning of houses of worship. As in Pakistan, Indonesia has utilized its blasphemy law against Ahmadis. Coupled with a decree that permits discrimination against the Ahmadis, the law has fueled interreligious strife and unwittingly emboldened radical Islamist groups to engage in violence.

Impunity as a Human Rights Problem

Such religious freedom abuses driven by impunity, together with those caused by state repression, must not go unanswered. In 1948, the international community, led by the United States, created the landmark Universal Declaration of Human Rights, including Article 18, which states that:

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

In 1966, the governments of 156 countries signed the International Covenant on Civil and Political Rights (ICCPR), a binding treaty which includes language similar to Article 18 of the 1948 Declaration, and which the U.S. ratified in 1992.

Given its longstanding role as a critical defender of the Universal Declaration of Human Rights, the ICCPR, and other international instruments that protect freedom of religion and belief, the United States needs to recognize and respond effectively to the threat that impunity poses to religious freedom. Indeed, the United States needs to lead the world community in addressing the impunity problem. Likewise, the United States should lead the international community’s efficacious response to threats to religious freedom caused by state religious persecution of their own citizens, as in countries like China and Iran, and by state exportation of extremist ideology, as in nations like Saudi Arabia.

Impunity as a Threat to Global Security

Moreover, the United States needs to recognize that many of the countries where there are serious challenges to freedom of religion or belief through impunity are vital to regional harmony, US strategic interests, and global stability and peace. In short, the US must realize that religious freedom is, unmistakably, a security issue. Egypt has long been crucial to the quest for peace in the Middle East. Nigeria, Africa's most populous country, remains a linchpin in western Africa. Iraq is critical to democracy's future in the Middle East. Pakistan is a nuclear power and longtime, if increasingly ambiguous, U.S. partner that borders Afghanistan, where the United States has a security stake. Indonesia is the largest country in Southeast Asia, and the US-Indonesia Comprehensive Partnership Agreement reflects the strategic importance of Indonesia to the United States. It is incumbent upon the United States to recognize that violations of religious freedom in these countries can and will have adverse effects on both national and international security.

Recognition of the linkages between religious freedom and security necessarily leads to the imperative of addressing the impunity problem as an indicator of serious deficits in the institutional structures of governance and, therefore, as a threat to overall political and regional stability. From their security apparatus to their judiciary, each has weaknesses that must be acknowledged and addressed. In Pakistan, for example, impunity is fueled by the partial infiltration of security and police forces by the ideology and practitioners of radicalized religion. In Nigeria, impunity is more a case of private actors from two competing and equally powerful religious communities helping prevent the machinery of government from grinding toward justice. Not only do these weaknesses lead to egregious violations of religious freedom, they also are capable of creating real crises of legitimacy for the affected governments. Simply put, states that either cause or fail to remedy impunity eventually lose the trust and confidence of a critical mass of their citizens. Depending on the country in question, this could well lead to a downward slide toward anarchy or tyranny. This grim prospect should concern not only their immediate neighbors, but also the United States and the world community.

Combating Impunity

How can the United States government combat impunity and, in so doing, strengthen religious freedom internationally and enhance global stability and security? First, the United States must call upon governments around the world to redouble efforts to protect their citizens, including religious minorities. Second, when attacks happen, the United States must urge these governments to hold the culprits accountable and be willing to sanction those governments that do not. This approach is worth taking, to the extent that the problem of impunity is one of will. To the extent that impunity problems reflect weaknesses of capacity, the United States should be willing to assist in capacity-building that will support good governance and will enhance the protection of religious freedom.

Equally important, the United States should urge governments to eliminate laws that provide a pretext for religiously-motivated violence. This includes laws targeting certain religious groups, either directly by restricting or banning their activities, or indirectly, through prohibitions on blasphemy and apostasy.

Efforts have been undertaken for years by the USCIRF, as well as by members of the U.S. Congress and executive branch, and by non-governmental human rights organizations, against the drive for a global blasphemy law. These efforts produced a significant victory on March 24th of this year, when the UNHRC adopted a resolution against religious intolerance that excluded the infamous “defamation-of-religions” language adopted in resolutions of prior years and, instead, used language that protects individuals from discrimination rather than religions from any criticism.

There is no better way to spotlight the global challenge of impunity than to recall the courage, convictions, and sacrifice of Minister Bhatti. His tragic murder, coupled by the UNHRC's recent action, should spur Pakistan and other countries to abolish their blasphemy laws, confront their impunity problems, and uphold freedom of religion or belief, both as a universal human right and a pivotal security concern. It should also serve as a sober reminder for the United States of the need to weave religious freedom tightly into the fabric of its own foreign policy, national security, and economic development initiatives.

A Time for Action

The resolution of impunity as a threat to religious freedom calls for thoughtful, sustained action by the affected states and crucial assistance from the United States and other committed actors. Absent such efforts, the problem of impunity will likely worsen with time, posing greater obstacles to religious freedom and global security. Of course, impunity is not the only challenge to freedom of religion or belief; state repression of human rights and state exportation of religious extremism also threaten religious freedom. However, impunity is an especially complex and insidious problem for religious freedom, since its symptoms and consequences are so intrinsically related to institutional weaknesses that inhibit the development of robust democracy and stable security environments.

For the United States and other nations that value the right to freedom of religion and belief, it is time to speak out and take action on the impunity problem.

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