



Testimony of
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House Committee on Foreign Affairs, Subcommittee on Africa, Global Health, and Human
Rights
“Prioritizing International Religious Freedom in U.S. Foreign Policy”

Chairman Smith:

Thank you very much for the opportunity to appear before the committee today to discuss such a fundamental and urgent issue. I am grateful that you have taken the leadership and initiative to hold this hearing on a topic that is often either ignored or sidelined as what many policymakers call a “soft issue,” and not given appropriate attention by policymakers despite the importance it plays in so many arenas.

While this hearing focuses on ways to prioritize religious liberty in US foreign policy, the issue of religious liberty is not a new one. The very first act of violence recorded in Western religious history is one of religious persecution: Cain’s killing of Abel demonstrates that even at the very beginning of human history, Man found ways in which to demonize and ultimately persecute and kill one another based on religious practice.

Since the days of Cain and Abel, conditions have not improved. In the 20th century alone, more people died for their faith than in all previous 19 centuries combined. Nearly 1 billion people face significant discrimination and persecution because of their religious beliefs and identity. In relational terms, on any given day, more than three times the population of the United States is potentially threatened or even killed because of the way they choose to pray, or not to pray. According to a Pew Forum on Religion and Public Life study, "Global Restrictions on Religion," "nearly 70 percent of the world's 6.8 billion people live in countries with high restrictions on religion, the brunt of which often falls on religious minorities."

While the International Religious Freedom Act was meant to help alleviate the potential and actual suffering of millions of people around the globe based on their religious and belief choices, the situation of religious freedom has in fact deteriorated since Congress’ unanimous passage of the bill in 1998.

Sadly, the great Spirit of IRFA never fully became incorporated into the Letter of policy. While each president since the passage of IRFA has acknowledged the importance of religious freedom, none has been a champion of the cause. Despite the importance of religious liberty issues to American security – particularly in a post-9/11 world – economics and finance, general human rights, and other vital interests, presidents have instead fulfilled only the most basic requirements of IRFA.

Thankfully the lack of presidential leadership on this issue was matched equally with ardent and dedicated and unwavering passion for the issue from Members of Congress. Mr. Chairman, you, Mr. Wolf, Mr. Franks, Ms. Ros-Lehtinen, Mr. Cleaver, Mr. Sherman, and a few others have taken immeasurable responsibility in guaranteeing this most basic and fundamental right is protected globally. However, if religious liberty is ever to be a significant priority in US foreign policy, it is imperative that both the Executive and Legislative branches uphold both the spirit and the letter of the International Religious Freedom Act.

IRFA was passed in 1998 because of a growing concern for the rising tide of religious discrimination and persecution taking place around the globe, regardless of religious identity or lack thereof.

Unfortunately, the Executive Branch never grasped the significance of the issue and especially the role it can play in the world following 9/11.

Instead of being fully implemented into overall US policy, religious freedom was seen as yet another issue item heaved upon the State Department by Congress. Thankfully, the Clinton Administration had the foresight of naming Bob Seiple as the first Ambassador at Large and the State Department of appointing Tom Farr as the first Office Director. Their early leadership of the office is in large part why the office survives and could potentially thrive despite overwhelming odds.

Unfortunately, during the early days of implementation of IRFA, the spirit of the law was lost to the letter of politics and bureaucracy. Religious liberty became the responsibility of the State Department rather than being fully integrated into overall US foreign policy, and the US Commission on International Religious Freedom became State's watchdog.

Other departments and agencies with direct and indirect foreign policy capacity were never engaged on the issue. Commerce, Justice, USAID, the Office of the US Trade Representative, Defense, Homeland Security, Central Intelligence Agency, and the other agencies and departments involved in the overall making of US foreign policy were not a part of the discussion. Similar to the faith-based initiatives appointment of liaison offices in appropriate agencies and departments, personnel could have been named to be religious liberty liaisons to assist in the integration of the issue within the other agencies. Furthermore, USCIRF could have taken the lead and become the focal point of integrating religious liberty in overall policy, but chose instead to be a watchdog agency.

Again, a lack of presidential leadership on the issue perpetuated the perception that religious liberty was not significantly important. Title III, Sec. 301 of IRFA offers a sense of Congress that “there should be within the staff of the National Security Council a Special Adviser to the President on International Religious Freedom, whose position should be comparable to that of a Director within the Executive Office of the President. The Special Adviser should serve as a resource for executive branch officials, compiling and maintaining information on the facts and circumstances of violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998), and making policy recommendations. The Special Adviser should serve as liaison with the Ambassador at Large for International Religious Freedom, the United States Commission on International Religious Freedom, Congress and, as advisable, religious nongovernmental organizations.”

Neither the Clinton Administration, the Bush Administration, nor the Obama Administration fully implemented the suggestion of Congress that a Special Adviser be appointed. Instead, the role was always double-hatted with other NSC staff handling other issues. Such a point person on the NSC staff responsible for global review and interaction on religious liberty would serve not only to advance both the issue of religious liberty itself, but also provide the necessary support when such matters impact other security concerns and vital interests.

As the principal advisor to the President and the Secretary of State, and as the coordinator of overall U.S. international religious freedom policy, the Ambassador at Large for International Religious Freedom was never be permitted access to even one Cabinet meeting to brief the Cabinet on their efforts and ways in which each appropriate Cabinet department/agency can work with the Ambassador’s office to enhance the issue. As a matter of fact, it is my understanding that religious liberty has never even been on the agenda of a Cabinet meeting since the passage of IRFA. It would seem that a discussion on that topic would have been vital to entrench religious liberty in overall US foreign policy as envisioned by the authors of IRFA.

Mr. Chairman, religious liberty is too significant and impactful an issue to be handled half-heartedly.

Freedom of religion is arguably the right most intimately connected to human dignity. Human beings are characterized by the capacity to reason, by a conscience formed through intellect and experience, and by the power to act on reason and conscience. As such, every person is “hard wired” with a thirst to know the truth about the origin, nature, purpose and destiny of mankind.

Accordingly, to protect religious freedom is to protect the right to seek that truth, and the right peacefully to live and worship in accord with it, both individually and in community with others. (Religious freedom also protects those who believe the search for truth, and the moral imperatives that ensue, involves not only rights but also binding obligations.) Religious freedom goes to the core of what it means to be human and what it means to say

(as does, for example, the Universal Declaration of Human Rights) that human beings possess an intrinsic and inviolable dignity.

A guarantee of religious freedom also supports the other fundamental rights necessary to all human persons; because it is grounded in the universal dignity of the human person, religious freedom encourages other related rights. A government that denies the right to freedom of religion and belief is far more likely to deny other rights central to human dignity, such as freedom from torture or murder. The reverse is also true. Freedom of religion and belief is also closely connected to other civil and political rights necessary to democracy.

Without freedom of conscience, there is no freedom of speech, as believers cannot communicate among themselves about their most fundamental beliefs; there is no freedom of assembly, as like-minded believers cannot meet to share their beliefs and worship their Creator; and there is no freedom of the press, as believers cannot print and share their beliefs with others. Religious individuals and groups need and deserve freedom of speech, freedom of assembly, and the right to be secure in their homes from unwarranted government intrusion.

In many countries with religious minorities, the most that is thought to be achievable is a commitment to religious tolerance. True religious freedom, however, is more than mere tolerance. It constitutes an embracing of universal human dignity because of – rather than in spite of – one's religious convictions.

Promoting freedom of religion and belief globally is vital to the national security of each and every state in the world, as well as to international security, in two ways. First, it promotes democracy and therefore strengthens internal and regional stability, and encourages economic prosperity. Second, it helps fight the war on religion-based terrorism. I am not aware of a single regime in the world that both respects religious freedom **and** poses a security threat to the U.S. or any other state.

It is indeed a fine and fragile balance that needs to be maintained between a state's secular nature and the positive role of believers in public life. To avoid such a twist is as necessary as it is to prevent the misuse of the concept of freedom. This corresponds, among other things, to the demands of a healthy pluralism and contributes to the building up of authentic democracy.

As Pope John Paul II stated, “When States are disciplined and balanced in the expression of their secular nature, dialogue between the different social sectors is fostered and, consequently, transparent and frequent cooperation between civil and religious society is promoted, which benefits the common good.”

A systematic and systemic discrimination and persecution of any minority, particularly a religious minority, create security, economic, and social consequences for itself, its neighbors, and the international community. The estrangement of one sector of a state's population by the government or by another segment of the population with the

government's active or passive support establishes resentment and alienation among those groups.

Religion-based discrimination and persecution by a government, actively or passively, serve to create a security dilemma for said state among its neighbors, and may escalate to raise the attention of other interested states and international organizations.

Social and political tensions and conflicts created by feelings of inadequacy potentially lead to coercive measures and imposition of tougher laws. There could be no real power in laws that so many religious believers will resent or will try to circumvent. Alienating people and making them feel unwelcome is not the solution. The government has a responsibility for the common good, social peace and coexistence within the state. Consequently, it has the duty and responsibility to guarantee these rights and benefits by respecting pluralism.

Such feelings of isolation, separation, and inadequacy – created by inequitable social, economic, educational and other standards based solely on differences in religion – in addition to actual incidents of state-sponsored or supported persecution, are cause for entire migrations of targeted peoples. Such migrations create internal displacement and potential refugee issues for neighboring states.

Mass movements of populations across borders potentially become a security threat to states neighboring a religiously repressive state. This can grow to be a true security dilemma if the religiously repressive regime chooses to use force against religious minorities. While the situation in North Korea is horrific all the way around, the treatment of North Korean refugees by Chinese authorities provides an adequate example of concern for such an issue.

The security dilemma caused by a lack of religious freedom is amplified when religious repression and lack of religious freedom serve as an impetus for acts of violence and even terrorism by targeted religious minorities. These acts against the government are not and can never be justified, but may seem to the perpetrators as the only recourse to a regime that represses their fundamental rights. Denial of the fundamental right of religious freedom can indeed directly impact the state's own security. The respect of every expression of religious freedom is, therefore, an effective means for guaranteeing security and stability within a state.

Rejection of religious freedom also places a prodigious – and perhaps even fatal – obstacle in the way of successful democratic governance, a point closely related to the internal stability and sustainability of a given nation. The danger is greatest with new and aspiring democracies, but cannot be ignored in established polities. For example, the continued political success of India – the world's largest democracy – is contingent in part on overcoming the threat posed by Hindu extremists to that country's tradition (if 50 years can make a tradition) of religious tolerance. Nor can the problem of Kashmir be treated exclusively (by India, Pakistan, or the United States) as a politico-strategic issue, without taking into account the need to address the crucial matter of Hindu-Muslim intolerance.

In new and aspiring democracies, the stakes are even higher. We are witnessing a struggle over the value of religious freedom today in Afghanistan, the Middle East and North Africa, and still in many of the post-Soviet nations of Central Asia. Each is lurching at one speed or another in the general direction of democracy, but all are in danger of assuming that democracy amounts to little more than a sterile proceduralism of party organization and secret ballots. In fact, as long experience in the West has shown (and, indeed, may need to be relearned in Western Europe), democracy requires a moral framework of universal principles in which it can operate. If that framework is an intolerant interpretation of Islam, democracy will come aborted just as surely as it will flounder from a framework of secular intolerance.

It is very important to emphasize that freedom of religion must not be confused with freedom from religion. A policy of secularism should not be promoted in any way as a cover for unintentional intolerance and atheism as a state policy.

Moreover, protecting religious freedom presents a foundational challenge to governments that, for whatever reason, seek to ally with a particular religious tradition in order to suppress others.

Overcoming this problem, as much as any economic, ethnic or political factor, will determine the success or failure of Russian democracy, as Russian leaders struggle with the temptation to suppress non-Orthodox religious minorities in seeking the political support of the Russian Orthodox Church. The same dilemma assails leaders in Ukraine, Belarus, Georgia and most other European countries that languished under the Communist thumb during the Soviet period.

Other “lingering-Communist” countries, such as China and Vietnam, in which no particular religious tradition underpins culture, view with alarm the growth of religious observance that appears to attend and hasten the demise of Communist institutions. The result is often harsh repression as such governments try to manage and control religious fervor and even alter faith traditions perceived as “foreign” and therefore threatening, such as Roman Catholicism in China. Both China and Vietnam have used the heightened international (and especially American) concern over terrorism to justify attacks on “splittists” and other erstwhile security threats such as Protestants in the Vietnamese Central Highlands, the Buddhists of Tibet, and Uighur Muslims in Northwest China.

In today’s world, where terrorism is the new evil empire and religious extremism *the* threatening political ideology, these words of President Ronald Reagan hold as true as they did when he spoke them in his March 8, 1983 speech to the National Association of Evangelicals: “The real crisis we face today is a spiritual one; at root, it is a test of moral will and faith...the source of our strength in the quest for human freedom is not material but spiritual, and because it knows no limitation, it must terrify and ultimately triumph over those who would enslave their fellow man.”

And yet religious liberty remains the one unused arrow in the quiver of counter-terrorism.

We must also be vigilantly aware that freedom of religion and belief does not equate to religious relativism nor does it equate to religious protectionism.

Religious liberty cannot be confused with the interpretation that all faiths are the same and equal in their theological or spiritual substance. In fact, it means nothing of the sort. Religious liberty grants legal equality to all faiths, not spiritual equality, and in so doing not only permits but also encourages faiths to exercise freely, grow ardently, and demonstrate publicly the Truth of their teachings.

At the same time, we must be aware and vigilant that freedom of religion not be used as a tool of religious or ideological protectionism. Religious liberty is not a means by which to advance a particular ideological worldview. It is a basic and fundamental human right that transcends right or left; that transcends liberal or conservative; that transcends political boundaries. Religious liberty is the most basic right of all peoples and cannot be linked in one way or another with a particular political or religious ideology for fear of undermining that right.

Further, religious liberty does not belong to a particular faith. After the unanimous passage by the United States Congress of the International Religious Freedom Act in 1998, the law was interpreted both at home and abroad as a tool of Evangelical proselytization put in place to protect American Evangelical missionaries around the globe. While that was not the intent of the authors of the bill, neither the Clinton, Bush, nor Obama Administrations have done much to counter that worldview. Unfortunately, neither have many Members of Congress.

The status of Hare Krishnas in Kazakhstan, Ahmadis in Pakistan and Zoroastrians in Iran are just as important as the status of Evangelicals in each of those countries. Elected officials must address religious discrimination and persecution of all faith communities equally and not be seen as a promoter or supporter of one religious or faith community over another. Furthermore, religious and faith minorities include non-traditional religious communities such as the Unification Church, Jehovah's Witnesses, Scientologists, Seventh-Day Adventists, Sikhs, and many others who are often left out of the usual religious liberty protection mechanisms because their theologies are different or unusual to the average onlooker. However, it is still our duty to promote their rights, while not promoting their beliefs.

If religious liberty is even perceived to be the bastion of one faith or another, then the rights of all faiths are undermined. Members of Congress have at their disposals tremendous capacity to advance this fundamental right both at home and abroad. However, Members of Congress must be broad, open, and inclusive in their support of religious liberty and not target states or foreign actors for perceived violations against particular groups. To do so destroys the credibility of religious liberty as an international legal issue, undermines the Member's credibility as an advocate for religious freedom, and twists religious liberty into a system of religious protectionism not dissimilar from the approach of the Saudis.

Mr. Chairman, as I mentioned in my introduction, prioritizing religious liberty requires a commitment of both the Executive and Legislative Branches to fulfill the spirit and letter of IRFA as an Act and religious liberty as an issue.

HR 1856, a bill to amend the International Religious Freedom Act of 1998 (IRFA) to strengthen the promotion of religious freedom in United States foreign policy and to reauthorize the United States Commission on International Religious Freedom (USCIRF) recently introduced by Mr. Wolf, provides us with an historic opportunity to review the successes – and more importantly the failures – of the past 13 years and improve how religious liberty is prioritized and exercised in overall US policy.

With your indulgence, Mr. Chairman, I would like to start with general recommendations to improve the promotion and protection of religious liberty then move to more specific recommendation as related to HR 1856.

The U.S. too often deals with human rights and religious liberty issues only in bilateral discussions, or in specific multilateral fora like the OSCE or the UN Human Rights Council. The United States must begin multilateral partnership and engagement on human rights and religious freedom issues. Alone, the US will be far less likely to advance such vital interests than it would in concert with other stakeholders.

Intelligence agencies must increase their monitoring and analysis of social conditions such as religious liberty as indicators of rising extremism and potential security threats. Had U.S. intelligence agencies been monitoring the rise of extremism in Afghanistan under the Taliban prior to 2001, the United States could have better understood the worldview and potential threat to the United States posed by the Taliban and their protection and support of Al Qaeda.

Our military chaplains are models of religious liberty on the ground in countries where US forces are present. It is imperative that the chaplains be supported and provided resources to perform outreach to local communities in order to begin engagement on interreligious dialogue and religious respect. Their model can set the framework and build the foundation for assisting nations in creating social understanding of religious freedom in parallel with legislative instruments in countries to protect this right.

Non-governmental organizations carry out the lion's share of the work on advancing human rights, religious liberty, and development around the globe. It is important for the Obama Administration to cooperate closely with NGOs in the advancement of these important issues. Regular briefings and other meetings with NGOs as well as their participation as members of the delegation to multilateral human rights/religious freedom meetings (such as the OSCE) would only support and improve the work of the Obama Administration on these and other issues.

The US Government's approach to freedom of religion has not been a balanced one. There is no stick and carrot, just a stick approach. Currently, there is no incentive for non-CPC states to improve their conditions. In order to advance religious liberty in states whose

conditions do not meet the CPC levels but nonetheless are problematic, the IRF report can serve as the functional mechanism. Taking a lesson from the Trafficking in Persons Report, the IRF report should establish categories based on the ones already outlined in the Executive Summary to categorize all countries in the world. Discrimination cannot go unreported, as incidents of discrimination directly lead to persecution.

I thank Mr. Wolf for once again his unbending leadership on and passion for religious liberty issues. His prophetic vision for the protection of all religious minorities and his legislative mastery in HR 1856 and the original Wolf/Specter bill which led to IRFA have provided us with a strong set of tools to advance this issue and to guarantee that religious liberty is a priority in US foreign policy. In order to make 1856 an even stronger tool for religious liberty, I would like to make the following recommendations about the bill:

The bill established a significant amount of new responsibilities for the IRF office, all of which are necessary for the advancement of the issue. Unfortunately, the bill does not provide for the corresponding resources to follow through on those responsibilities. While the bill does provide for 15 FTEs, in a bureaucratic structure like the State Department, a floor of 15 becomes a ceiling of 15. As a result, I would recommend that the bill establish a line item in the budget for the Office of International Religious Freedom which would allow the Office to manage its own personnel and program funds, allowing it to appropriately and functionally promote religious liberty globally without the hassle of internal budget concerns.

In addition to the new responsibilities added to the Office in the bill, the IRF Office is currently being asked to do things that are outside the scope of the IRF Office, some of which probably should be included in the IRF Act (programming, interfaith engagement, and intragovernmental coordination) and some of which probably should be affirmatively excluded from the IRF Act's mandate for the IRF Office (support for the Special Envoy for Monitoring and Combating anti-Semitism, who should be given her own office staff, and anti-Semitism should be covered primarily in the Human Rights Report). The IRF Office is overwhelmed already, and will be given significantly more work under HR 1856.

Current law requires all incidents of anti-Semitism to be included in the IRF Report, even though not all anti-Semitism is religion-related, let alone a violation of religious freedom. The blurring of this line provides fodder for Muslim extremists to argue that the IRF Office's real mission is to promote "Zionism." Congress might consider requiring incidents of anti-Semitism be included in the annual Human Rights Report, and only where an incident of anti-Semitism is based on the Jewish religion would they be included in the annual Religious Freedom Report.

The bill does much to strengthen the active work of an Administration to take religious liberty seriously. However, certain provisions of the bill blur the line between the separation of powers. For example, the bill's requirement that the President explain why he not follow the recommendation of USCIRF on the naming of a CPC places both the President and the State Department under the authorization of USCIRF, a position I am sure the President and Secretary may not be thrilled to find themselves.

The bill establishes a provision to eliminate the possibility of waiving sanctions, even for national security reasons. This would make it less likely that religious freedom violators would be designated as “Countries of Particular Concern” if they are states with whom the United States have significant and overarching security interests.

There needs to be much more interaction and integration (which the legislation begins to foster) between State and other federal agencies on religious freedom. One thing that is not in the bill but might be considered would be requiring personnel from other agencies that operate overseas and whose work is affected by foreign government’s religious considerations also get training on religious beliefs prevalent where they are operating and religious freedom values that we are trying to promote there.

International broadcasting is one platform that could be used far more effectively to promote religious freedom. The same is true for international exchanges. The bill should take up such measures.

Refugee and asylum reforms are needed, especially in places like Iraq, where religious minorities are persecuted, but the process of getting refugee status or asylum takes far too long. As a result, they sometimes are killed before they can get out.

Sanctions are often dual-hatted, meaning that rather than imposing new sanctions for religious freedom violations, the State Department designates sanctions that are already in place as also being for the religious freedom violations. The Department is also extremely reluctant to use visa denials for those responsible for religious freedom violations as a sanction.

The recommended change in Sec. 102(b)(1)(B), which adds the line “whether in matters of private belief and practice or the peaceful involvement of such groups in the political life of a nation” raises serious and significant concerns for me. The addition of political rights violations into the mandate of the IRF Office dangerous blurs the mission of the Office and raises the spectre that religious freedom is being used as a tool of regime change.

While my reputation precedes me regarding my opinion of USCIRF, I do not and will not oppose the reauthorization of USCIRF. In fact, I will become its new champion if USCIRF takes on a more significant and immediate and necessary role as the mediator and integrator of religious liberty into overall US foreign policy rather than serving as a watchdog to State. To be blunt, a watchdog agency should not have an equal or greater number of staff than the office it oversees. As such, it makes little sense to reauthorize USCIRF and increase its funding if that is its only role. However, USCIRF can serve an impactful and authoritative role as the integrating body of religious liberty to other departments and agencies. And that can and must be encouraged in the bill itself.

In reference to HR 1856 and USCIRF, however, I must state my concern that the bill strikes all language referring to term limits of Commissioners. If USCIRF is to remain a relevant

and active institution, its members must periodically change to insert new ideas, new worldviews, new perspective, and new experiences.

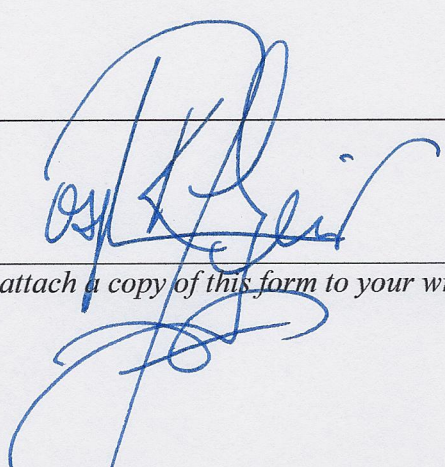
Finally, the status of the Office of International Religious Freedom within the State Department makes a significant difference. Congressional intent in IRFA was clear and direct that the Office of International Religious Freedom within the State Department was meant to be located within the Office of the Secretary of State (S/) and not under another bureau. In order to demonstrate that the office and the Ambassador are not Potemkin villages, the Office should be firmly placed within the Office of the Secretary, the Ambassador at Large invited to the Secretary's daily briefings, and as "principal adviser to the President and the Secretary of State regarding matters affecting religious freedom abroad," be consulted on overall US policy where religion may be a factor. This is not simply a symbolic move, but a functional one that guarantees that the Office receives its appropriate resources and access to push such a significant issue and guarantees that the IRF Office need not compete with other bureau priorities to advance its issues. As Secretary Clinton said just yesterday at the swearing in of Ambassador at Large Suzan Johnson Cook, "we will work hand in hand." Congress should guarantee that.

Mr. Chairman, I appreciate the time and consideration of the committee and am happy to take any questions.

United States House of Representatives
Committee on Foreign Affairs

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1. Name:	2. Organization or organizations you are representing:
JOSEPH K. GRIEBOSKI	THE INSTITUTE on Religion and Public Policy
3. Date of Committee hearing: June 3, 2011	
4. Have you received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?	5. Have any of the organizations you are representing received any Federal grants or contracts (including any subgrants and subcontracts) since October 1, 2008 related to the subject on which you have been invited to testify?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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