

**MOHD AFANDI Salleh**  
Faculty of Law and International Relations  
Universiti Sultan Zainal Abidin

## **THE INTERNATIONAL RELIGIOUS FREEDOM ACT 1998 AND THE ROLE OF RELIGIOUS MOVEMENT**

*The introduction of the International Religious Freedom Act (IRFA) in October 1998 creates a new landscape of international law where religion became a central issue. In addition, the Act establishes a new dimension in the U.S. foreign relations when it considers global religious freedom as an important concern of its foreign affairs. The objective of this article is to study the role of American Evangelicals in U.S. foreign policy making with regards to the IRFA. It thus examine three major issues, firstly the constellation of interests of American evangelicals on the issue of global religious freedom and their contributions to the passage of the International Religious Freedom Act. Secondly, it highlights briefly the contents of the IRFA and its impact to the US foreign relations with other countries particularly Muslim countries. Finally it critically examines the execution of that Act during George W. Bush administration. The article found that, though American evangelicals were significantly contributed to the passage of the Act, they had no control or influence over the implementation of IRFA in U.S. foreign policy.*

**Keywords:** *Religious Movement, American Evangelicals, International Religious Freedom Act (IRFA), U.S. Foreign Policy, Religion and International Relations*

### **Introduction**

Historically, the traditional goal of American evangelicals was to transform the American public policy to become more socially and culturally conservative, based on Judeo-Christian traditional values. Thus, the movements were mostly centered their activism on social conservative issues such as pro-family, abortion, gay marriage, feminism, prayer at school and home schooling. Therefore, the active role of evangelical movements, in contributing, influencing and shaping number of social issues policies in the US, is highly recognized since the 1980s. However, in the early 21<sup>st</sup> century we have witnessed American evangelicals are widening their focus of activism from domestic social conservative issues to some international issues. In addition, recent developments, particularly during the two terms of the George W. Bush

administration, showed that the evangelicals have given considerable attention to some pertinent international issues notably international religious freedom. In fact, their concern with global religious freedom is one of the main factors contributing to a development of the movements' interest in international affairs in general and American foreign policy in particular. This phenomenon needs to be studied academically in order to understand the dynamism of the movements as well as the possibility of any impact caused by them to international relations in general or to American foreign policy in particular. There are arguments contending that evangelicals in the U.S. played an important role in the international religious freedom movement and contributed significantly to the existence of the International Religious Freedom Act (IRFA) in 1998. As a matter of fact, the introduction of the International Religious Freedom Act (IRFA) has become a new landmark in foreign policy making and diplomatic practice of the U.S. government in particular and to international law studies in general when religion became a central issue. The paper attempts to highlight two important issues. Firstly, the role of American evangelicals before and after IRFA was passed by Congress in October 1998. In this regard, the paper examines the efforts and contribution of evangelical groups in highlighting international religious persecution issues to U.S. administration. Secondly, it discusses the role and to what extent the State Department, as the establishment that is mandated to promote and implement IRFA as a new set of international law through US foreign policy.

### **American Evangelicals and the IRFA**

Allen Hertzke argues that the successful involvement of American evangelicals in human rights issue, particularly global religious freedom, has caused the movement to be perceived as a champion not only for highlighting the issue, but also for forcing the government to enact a new bill the International Religious Freedom Act. As such, they are considered a "a new architecture for human rights in American Foreign Policy."<sup>1</sup> The movements' agenda and sought, which seek for a comprehensive congressional legislation, attracted a wide coalition of allies backing the move, ranging from influential politicians, neo-conservative organizations and other non-Christian organizations such as those of Judaism and the Bahá'í faith.<sup>2</sup> In fact, the coalition was

1 Susan Page, "Christian Right's Alliances Bend Political Spectrum". *USA TODAY* (14 June 2005).

2 The allies consist of influential politicians such as Richard Lugar, Don Nickles, Frank Wolf, Arlen Specter, Chris Smith, Tony Hall, Tom Lantos and Tom DeLay; religious organizations such as the World Evangelical Fellowship, the Episcopal Church (Jere Skipper and Tom Hart), the US Bishops' Conference of the Catholic Church and the National Association of Evangelicals; and NGOs such as the Puebla Institute (led by Nina Shea), the Institute for Religion and Democracy (led by Kent Hill and Diane Knipper), International Christian Concern (led by Steve Snyder), Jubilee Campaign and Just Law International (led by Ann Buwalda), Advocates International (led Sam Ericson), Institute for Religion and Public Policy (led by Joseph Grieboski) and the Hudson Institute (led by Michael Horowitz). See details in Laura Bryant Hanford, "The International Re-

arguably one of the most important efforts of evangelicals that contributed to the introduction of the IRFA. Their ability to establish contacts and alliances with other conservative movements or organizations such as the neo-conservatives, Jews, Catholics, Muslims and other religions made the international religious freedom issue become a hot topic at US official level.<sup>3</sup> In addition, the historical facts behind the introduction of the IRFA reveal that the coalition of the international religious freedom movementS was led by some key Christian Right leaders. They were Charles Colson of the Prison Fellowship, Richard Land of the Southern Baptist Convention, Gary Bauer of the Family Research Council, James Dobson of Focus on the Family, Donald Hodel and Ralph Reed of the Christian Coalition, and many others.<sup>4</sup>

The fact that Congress passed the Act mainly because of evangelical lobbyING has been acknowledged in most studies of the history of the IRFA. For instance, J. Bryan Hehir claims in his article that “the impetus behind congressional activism on religious freedom (or responses to religious persecution) has been rooted in Conservative Christian Churches [conservative evangelical Protestants], aided by some powerful voices outside those churches”.<sup>5</sup> Nevertheless, there was a claim that the sources of support for the pledge of international religious freedom came from various religious leaders ranging from evangelical Protestants, Jews, Tibetan Buddhists, Bahá’is and US Catholics.<sup>6</sup> However, Nina Shea claims that the leadership of the movement came from evangelical leaders. She asserts: “The backbone of this movement was foremost defined by those represented by the Summit participations – 100 key evangelical leaders, including Chuck Colson, Richard Cizik, Richard Land, Don Argue, Janet Marshall, Gary Bauer, Ravi Zacharias, and many others”.<sup>7</sup> As such, it is not surprising that Thomas W. Smith called IRFA a “pet project” of American Christian conservatives.<sup>8</sup> This claim is also supported by Lee Marsden who he argues that:

“The increased focus on religious persecution and a commitment

ligious Freedom Act: Sources, Policy, Influence”: *The Review of Faith and International Affairs*, 6:2 (2008),

3 Christy McCormick, “Exporting the First Amendment: America’s Response to Religious Persecution Abroad”: *International Legal Studies*, 4 (1998), pp. 285

4 See details in Allen D. Hertzke. “The Political Sociology of the Crusade against Religious Persecution”. In *The Influence of Faith : Religious Groups and U.S. Foreign Policy*, edited by E. Abrams. (Lanham, Maryland: Rowman & Littlefield Publishers, 2001).

5 J. Bryan Hehir. “Religious Freedom and U.S. Foreign Policy: Categories and Choices”. In *The Influence of Faith: Religious Groups and U.S. Foreign Policy*, edited by E Abrams. (Lanham, Maryland: Rowman & Littlefield Publishers, 2001). p. 49

6 See also Martin Durham, “Evangelical Protestantism and Foreign Policy in the United States after September 11”: *Patterns of Prejudice*, 38:2 (2004), p. 146

7 Nina Shea, “The Origins and Legacy of the Movement to Fight Religious Persecution”: *The Review of Faith and International Affairs*, 6:2 (2008), pp. 25–26

8 Thomas W. Smith, “Religious Freedom as Foreign Policy Priority”: *International Studies Review*, 3:3 (2000), pp. 152-156

to taking religious freedom as seriously as other aspects of freedom and democracy by US government was largely achieved by pressure from the Christian Right. The International Religious Freedom Act and the mandate to record progress on religious freedom throughout the world are notable advances that would not have been achieved without them.”<sup>9</sup>

Similarly, the US Department of State has also recognized the role of faith-based organizations, particularly evangelical groups. For instance, it acknowledged that the establishment of the Advisory Committee on Religious Freedom Abroad in 1996, which subsequently became a stepping stone for the passage of IRFA, has close connections with the faith-based organizations, particularly evangelical groups. It states:

“The Committee was influenced by the many faith-based organizations that began lobbying the U.S. Congress to pay greater attention to human rights during the 1980’s and 1990’s. The Committee, consisting of 20 American religious leaders and scholars, produced an interim report in 1998 and a final draft in 1999 that recommended a foreign policy agenda geared toward the promotion of religious freedom worldwide. At the same time, the U.S. Congress, faith-based nongovernmental organizations, and the Department of State began discussing ways to integrate religious freedom initiatives into U.S. foreign policy. The product of these debates was the International Religious Freedom Act of 1998.”<sup>10</sup>

The aggressive involvement of evangelical leaders in advancing the international religion freedom agenda in US foreign policy was also partly related to the political scenario during that time. In the 1994 elections, the Christian Right had more prospects of involvement in American politics when the Republican Party gained majority seats in both houses of Congress. In addition, the presence of important conservative leaders in the US administration meant the religious freedom agenda was discussed widely inside Congress. The appointment of Senator Jesse Helms as the Chairman of the Senate Foreign Relations Committee and Senator Sam Brownback as a subcommittee chair for Near Eastern and South Asia Affairs, the two most influential posts in foreign policy decision making, provided a new avenue for the Christian Right to advance the issue more effectively at congressional level.<sup>11</sup> Moreover, the

9 Lee Marsden, “For God’s Sake: The Christian Right and U.S. Foreign Policy” (London Zed Books, 2008), p. 146

10 “History of the Office of International Religious Freedom”, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, (2008). [cited 14 August 2008]. Available from <http://www.state.gov/g/drl/ifr/fs/2298>

11 Lee Marsden, “For God’s Sake: The Christian Right and U.S. Foreign Policy” (Lon-

role of the media that sensationalized the news on global religious persecution heightened the awareness and support from the American public.

The success of evangelicals in advancing international religious freedom was also partly because of the involvement of some individuals who played a significant role in contributing towards the enactment of the IRFA. Michael Horowitz, a neo-conservative American, was among the key persons who helped to fuel the awareness of international religious freedom in the US. For example, in 1995, Horowitz wrote an article, 'New Intolerance between the Crescent and the Cross' that highlighted the story of Christian persecution in Muslim countries, particularly in Africa and the Middle East. The central argument of this article published in the Wall Street Journal was that Christians had for too long stood by while "in growing number of other countries, the rise of Islamic fundamentalism has effectively criminalized the practice of Christianity."<sup>12</sup> Horowitz suggested to the American administration to respond to this issue by intervening through U.S. foreign policy.<sup>13</sup> Horowitz later on effectively influenced various evangelical missionary groups to emphasize the issue of Christian persecution as part of their main agenda in their lobbying activities and general religious activism.

Another strong advocate who successfully brought the issue of Christian persecution to the public was Nina Shea. According to Thomas F. Farr, Nina Shea was a major intellectual contributor during the early stages of the IRFA legislative campaign. Although not a member of any religious right organization, her ideas and writings to advance the issue more effectively were very much influenced by the conservative evangelical movement.<sup>14</sup> In 1995, Shea, a director of the Puebla Program at Freedom House, wrote *In the Lion's Den: Persecuted Christians and What the Western Church Can Do about It*. In this book, Shea argued that there are two zones of religious persecution of global concern: Muslim dominant countries and former communist countries.

During the early period of the movement, Horowitz and Shea worked together to draw attention to religious persecution, especially to American leaders. One of the most successful events organized by them for this purpose was the Summit on Worldwide Religious Persecution for American religious leaders in January 1996. Around 5,000 churches participated and the conference was attended by the majority of key American evangelical leaders. At this

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don Zed Books, 2008), p.116

<sup>12</sup> Michael Horowitz, "New Intolerance Between Crescent and Cross". *Wall Street Journal* (5 July 1995).

<sup>13</sup> There was another article that projected a similar issue to American public. In December 1997, Jeffrey Goldberg published his article entitled 'Washington Discovers Christian Persecution' in the *New York Times Magazine*. This article was considered to be 'creative provocative' by J. Bryan Hehir, and a debate on standards of human rights and normal US foreign policy. See details in J. Bryan Hehir, 2001. "Religious Freedom and U.S. Foreign Policy: Categories and Choices". In *The Influence of Faith: Religious Groups and U.S. Foreign Policy*, edited by E. Abrams. (Lanham, Maryland: Rowman & Littlefield Publishers, 2001).

<sup>14</sup> Thomas F. Farr, *interview with author*, (Washington D.C., May 2009).

summit, Shea played a crucial role and became a testifying witness to the issue of religious persecution around the world. Finally, at the summit, the National Association of Evangelicals released a *Statement of Conscience* that declared they would “do what is within our power to the end that the government of the United States will take appropriate action to combat the intolerable religious persecution now victimizing fellow believers and those of other faiths.”<sup>15</sup> That statement, as Shea argues, became a key factor which mobilized most of the faith-based organizations in the U.S. to view the issue of religious freedom as an important subject and triggered the evangelical leaders to initiate lobbying of Congress. In addition, the movement’s agenda and campaign, which sought comprehensive congressional legislation, attracted a wide coalition of allies.<sup>16</sup> The ability of evangelical leaders to establish contacts and alliances with other conservative movements and organizations, such as those of neo-conservatives, Jews, Catholics, and other religions, was one of the most important ways it contributed to the introduction of the IRFA in 1998.<sup>17</sup>

Meanwhile, the efforts of Horowitz and Shea successfully created a bridge between the evangelical groups, who are dominantly Protestant, and Catholic, Jewish, Tibetan Buddhist and Iranian Bahá’í to form a strong coalition to project the issue into the political arena; Consequently, this ‘unlikely alliance’, consisting of religious organizations and secular individuals, concentrated their efforts to lobby the issue in Congress.<sup>18</sup> Throughout the process, Horowitz, Shea and some evangelical leaders became key advocates to lobby individuals in Congress.

However, Allen Hertzke argues that whilst the evangelicals did provide strong grassroots support for the religious freedom legislation, over time as the legislation moved to congressional level, other groups came on board to form an alliance. Eventually, the focus of the legislation moved toward universal human rights and was no longer on religious per se.<sup>19</sup>

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15 Quoted in Nina Shea, “The Origins and Legacy of the Movement to Fight Religious Persecution”: *The Review of Faith and International Affairs*, 6:2 (2008), p.25

16 The allies consist of influential politicians such as Richard Lugar, Don Nickles, Frank Wolf, Arlen Specter, Chris Smith, Tony Hall, Tom Lantos and Tom DeLay, religious organizations such as World Evangelical Fellowship, Episcopal Church ( Jere Skipper and Tom Hart), The U.S. Bishops Conference of the Catholic Church and National Association of Evangelicals, and NGOs such as Puebla Institute ( led by Nina Shea), Institute for Religion and Democracy (led by Kent Hill and Diane Knipper), International Christian Concern (led by Steve Snyder), Jubilee Campaign and Just Law International (led by Ann Buwalda), Advocates International (led Sam Ericson), Institute for Religion and Public Policy ( led by Joseph Grieboski) and Hudson Institute (led by Michael Horowitz). See details Laura Bryant Hanford, “The International Religious Freedom Act: Sources, Policy, Influence”: *The Review of Faith and International Affairs*, 6:2 (2008).

17 Nina Shea, *interview with author*, (Washington D.C., May 2009).

18 The term ‘unlikely alliance’ was first introduced by Allen D. Hertzke. See Allen D. Hertzke, “Freeing God’s Children: The Unlikely Alliance for Global Human Rights” (Lanham, MD:Rowman and Littlefield, 2004).

19 Allen D. Hertzke, *interview with author*, (Washington D.C., May 2009)

## **U.S. Foreign Policy, Religious Freedom and the Provisions of IRFA**

Historically, the U.S. avoided viewing international relations, or specifically, its foreign policy from a religious point of view. However, the introduction of IRFA in October 1998 has altered this perspective dramatically. By virtue of IRFA, the U.S. has recognized four principles in promoting and monitoring international religious freedom. Firstly, freedom of religion is a fundamental human right and is a source of stability for all nations. Secondly, the U.S. government and its agencies will assist any newly democratic country to implement freedom of religion. Thirdly, it will support any religious groups as well as human rights NGOs in their mission to promote religious freedom. Fourthly, the U.S. government and its agencies will identify and take specific measures to punish any regime or country that severely violates freedom of religion and persecutes citizens or others because of their religious belief.<sup>20</sup>

The introduction of the Act with overwhelming majority votes by Congress in the House and Senate became a new landmark in the foreign policy making and diplomatic practice of the American government. The Act created a new dimension in U.S. foreign relations and its engagement with other nations when it provided an obligation for the President's office and Department of State to consider seriously any claims based on abuse of religious freedom. Moreover, it also created a set of requirements to which the U.S. government can be held accountable by public interest groups with concerns related to the religious rights of specific groups, or in specific countries. In addition, by virtue of the Act, the U.S. started to consider any issue related to international religious freedom as an important concern for its foreign affairs.

Since the introduction of the IRFA, the importance of religious freedom to the U.S. national interest has consistently been highlighted in various State Department official statements. Among others, it states that the American government seeks to promote religious freedom as a basic human right and sees this endeavor as a source of stability for all countries. In addition, it believes that religious freedom is an important part of any democratic system and will assist countries in implementing freedom of religion and conscience. As Allen Hertzke contends, the U.S. administration believes that religious repression and persecution result in instability, violence and conflict.<sup>21</sup> In November 2006, the State Department announced that the U.S. government was committed to implementing the IRFA worldwide and declared that it addresses three main issues: to oppose religious persecution, to release religious prisoners and to promote religious freedom as a priority in its action.<sup>22</sup> In September 2007,

20 "Religious Freedom", Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, (2008). [cited 14 August 2008]. Available from <http://www.state.gov/drl/irf>

21 Allan Herzke, *interview with author*, (Washington D.C., May 2009).

22 Allen D. Hertzke, Thomas F. Farr, Elizabeth H. Prodromou and Winnifred Fallers Sullivan, 20 November 2006. "Legislating International Religious Freedom". Available at <http://pewforum.org/events/index.php?EventID=133>. According to Thomas Farr, the US administration

former Secretary of State, Condoleezza Rice remarked in the U.S. Department of State's 9th Annual Report on International Religious Freedom. She said:

“Religious liberty is deeply rooted in our principles and history, and it is our belief in this universal human right that leads us into the world support all who want to secure this right in this lives and in their countries. Freedom of religion is also integral to our efforts to combat the ideology of hatred and religious intolerance that fuels global terrorism ... With this year's Report on International Religious Freedom, the State Department is helping to advance President Bush's vision of a world that is growing in freedom and peace ... the United States will continue working to promote religious freedom, to nurture tolerance and to build a more peaceful world for people of all faiths.”<sup>23</sup>

### **IRFA- A Brief Contents**

Generally, the purpose of the Act is “[t]o condemn violations of religious freedom, and to promote, and to assist other governments in the promotion of, the fundamental right to freedom of religion”<sup>24</sup>. The Act which specifically mentioned its linkage with U.S. foreign policy has justified its existence as a part of U.S concern and responsibility in promoting international human rights agenda. It has created the Office of International Religious Freedom, a department under the auspices of State Department that carries American mission of promoting religious freedom globally. In addition, the office is responsible in monitoring global religious persecution and discrimination and would recommend and implement policies that are in line with the objectives of the Act. According to U.S. Department of State, the U.S. government is committed to global religious freedom agenda. It states that, the American government seeks to promote religious freedom as a basic human right and sees this endeavor as a source of stability of all countries. As argue by Allen Herzke, the U.S. administration believes that religious repression and persecution result instability, violence and conflict.<sup>25</sup> Thus, the U.S. believes religious freedom is an important part of democratic system and would assist countries in implementing freedom of religion and conscience. In that process, American government would help and cooperate with religious and human rights NGOs. However, the U.S. government warns that it would identify and take action has shown its strong commitment to advancing religious freedom globally and the term ‘religious freedom’ persistently appears in official US documents. In 2006 alone, there are 19 mentions of religion or religious freedom in the US National Security Strategy. See Thomas F. Farr and Dennis R. Hoover, “The Future of U.S. International Religious Freedom Policy: Recommendations for the Obama Administration” (Washington D.C.:John Templeton Foundation, 2009), p.27

23 Condoleezza Rice. “Remarks on the U.S. Department of State's Annual Report on International Religious Freedom”, U.S. Department of State, (2007). [cited 9 March 2008]. Available from <http://www.state.gov/secretary/rm/2007/09/92113.htm>

24 (22 U.S.C. §6401(b)(1).

25 Allan Herzke, *interview with author*, (Washington D.C., May 2009).



against any regime or country that persecutes their citizens or others on the basis of religious beliefs.<sup>26</sup>

Hence, the IRFA empowers a legal framework for the U.S. government through the institution of the U.S State Department and the Commission on International Religious Freedom to examine the status of religious persecution of other countries. In addition, it will suggest proper punishment such as economic sanctions on countries that repress religious freedom. The law also gives the State Department the authority to publish an annual report on the current status and development of religious freedom around the world which has been recognized as “the most comprehensive account of religions ever compiled”<sup>27</sup>. In addition, the report is one of the most widely read documents of American diplomacy and has become the gold standard on international religious freedom.<sup>28</sup> However, there are some criticisms leveled against the U.S government over the IRFA, including disagreements on the question of the promotion of religious freedom internationally. The next section highlights some issues and criticism leveled against the IRFA.

### Issues and Critics of IRFA

Some question why the United States enacted the IRFA as if it is the most important aspect of human rights but, at the same time hesitates and fails to support existing international human rights frameworks.<sup>29</sup> In addition, criticism has also been focused on the appointment of a Special Ambassador for International Religious Freedom and the creation of the Office of International Religious Freedom which reflects a hierarchy of human rights, with religious freedom ranked at the top of the hierarchy.<sup>30</sup> Assistant Secretary to the State Department, Shattuck was one of critics of IRFA on that basis. He argued that the bill would “harm the very people it seeks to help” because the bill creates “a hierarchy of human rights into our laws” that could “severely damage our efforts to ensure that all aspects of basic civil and political rights...are protected.”<sup>31</sup>

26 “Religious Freedom”, Office of International Religious Freedom, Bureau of Democracy, Human Rights, and Labor, U.S. Department of State, (2008). [cited 14 August 2008]. Available from <http://www.state.gov/g/drl/irf>

27 Thomas W. Smith, “Religious Freedom as Foreign Policy Priority”: *International Studies Review*, 3:3 (2000), 152-156.

28 Allen D. Hertzke, “International Religious Policy: Taking Stock”: *The Review of Faith and International Affairs*, 6:2 (2008), p.21

29 Matthew L. Fore, “Shall Weigh Your God and You: Assessing the Imperialistic Implications of the International Religious Freedom Act in Muslim Countries”: *Duke Law Journal*, 52:(2001), p.426

30 Jeremy Gunn, “Religious Persecution and US. Foreign Policy”, *Religious Persecution as U.S. Policy Issue*. Center for the Study of Religion in Public Life (Trinity College: Hartford, 2000), pp. 49-50

31 Hon. Christopher H. Smith, “Human Rights Practices and the Promotion of Human Rights in the U.S. Foreign Policy”. In *The 2006 Country Reports*, (U.S. State Department: Washington D.C., 2006).

Secondly, the U.S. has been severely criticized because of its unilateral approach that interferes in other countries' affairs sovereignty. Moreover, the U.S. is regarded as acting unilaterally as a moral crusader and trying to impose its western standard on the world. For instance, China condemned the Act and claimed the U.S has attacked their religious policy and freedom<sup>32</sup>.

Thirdly, the U.S has been criticized for its hypocrisy and double standards in exercising the IRFA. Sudan, for example, has been severely attacked by the U.S because of its mistreatment of religions other than Islam, especially Christianity, but it did not criticize other countries such as Saudi Arabia and North Korea that have a poor record on religious freedom.<sup>33</sup>

Finally, there is perception that the U.S. focuses on Christianity and attempts to impose its religious values globally. Through IRFA, the U.S has been seen as trying to promote its Christian-centric cultural values and tradition into the international sphere. As a result, the Act has been seen as a manifestation of cultural imperialism and an attempt by the US to export its Christian values on religious freedom globally<sup>34</sup>. This is evident as the annual reports on religious freedom mostly emphasize the persecution of Christians around the world as compared to the persecution of other religions. As some Muslim countries have alleged, the Act reflects of a pattern of American neo-imperialism that will suppress Islamic beliefs. Likewise, they also regard the Act as 'Christian centric'<sup>35</sup> which carry a mission of "a new invasion of American foreign policy . . . [of] evangelical groups who want to convert Muslims."<sup>36</sup>

### **IRFA and Islam**

At the early stage, the IRFA was opposed by some Muslim leaders and organizations. James J. Zog argues that this was due to "...the concern that the bills were not part of a serious effort to provide balanced protection to the rights of religious minorities. Rather, they [Muslims] saw clear signs of ideological bias in the rhetoric of the legislation's advocate [the conservative Christians]."<sup>37</sup> Laila al-Marayati, the sole Muslim commissioner of the nine-member US Commission on International Religious Freedom (USCIRF)

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32 *Times Union*, "Chinese Officials Attack Report" (Washington D.C.,10 September 2000) .

33 Jeremy Gunn, "Religious Persecution and US. Foreign Policy ". Religious Persecution as U.S. Policy Issue. Center for the Study of Religion in Public Life ( Trinity College: Hertford, 2000), p.50

34 Jane Lapman. 1999. "In the Diplomatic Hot-Seat: Religion". *Christian Science Monitor* .

35 Matthew L. Fore, "Shall Weigh Your God and You: Assessing the Imperialistic Implications of the International Religious Freedom Act in Muslim Countries": *Duke Law Journal*, 52:(2001), p. 422

36 William Martin, "The Christian Right and American Foreign Policy": *Foreign Policy*, Spring:114 (1999), p.66

37 James J. Zog, "A Partial View of Religious Rights and Wrongs", *Gulf News* (7 May 2000).

also criticized the IRFA and claimed the legislation is biased against Islam. In 2002, she issued her dissenting view to the 2001 USCIF report that did not highlight the situation in Israel and the Occupied Territories in Palestine in the light of IRFA provision. She claims that Israel's denial of Jerusalem holy sites to Palestinian Muslims and Christian was against the provision of IRFA. She furthermore argues that Israeli claims that its action was taken under 'security concerns' judgment does not justify restriction of religious worship for Palestinians.<sup>38</sup> She lodged a complaint against Elliot Abrams, the chairman of the Commission who refused to go to Jerusalem as he was of the opinion that there are no problems with religious freedom in Israel that would warrant the attention of the Commission. Due to this, Laila al-Marayati an American Palestinian argues that Abrams "did not apply a uniform standard by which to judge religious freedom violations of any given country, relying instead on personal perceptions and preferences."<sup>39</sup>

On the other hand, Elliot Abrams in his testimony before the House International Relations Committee, acknowledged the dissenting view expressed by Laila al-Marayati. However, the Commission reported that the situation in the Occupied Territories as "... a complex matter requiring additional work. The Commissioner did not feel they were ready to make a formal report or recommendations [before the House]"<sup>40</sup> Meanwhile, Lawrence J. Goodrich, UCIRF Director of Communication, when asked by Washington Report responded to the issue and said "The Commission is well aware that Israel has restricted access to religious sites off and on for many years. Its statement does not imply an endorsement of current or previous restrictions. Far from seeking to legitimate those restrictions, the Commission called for 'restoration of access to religious sites when legitimate security concerns are met.' Given that the Commission's expertise is in religious freedom rather than security matters, we took no position as to those security concerns... We believe it important for the Commission to focus on religious-freedom issues and avoid carefully the error inserting itself into the Middle East peace process."<sup>41</sup> Nina Shea, in her personal remark about the dissenting view of Laila on 2001 Commission report, says that "I think she [Laila] has a political agenda. Her religious belief has been politicized and was motivated by her Palestinian feeling."<sup>42</sup> However, issue of religious freedom in Israel and Occupied Territory was also been highlighted by non Muslim. In 2006, Chris Smith, chairman of a the House

38 Pat and Samir Twair, "Muslim Member Clarifies Opinion on USCIRF Letter", Washington Report on Middle East Affairs: (2001), p.87

39 Laila Al-Marayati, "The Biases of Elliot Abrams", Counter Punch, (2002). [cited 25 March 2009]. Available from <http://www.counterpunch.org/laila1216.html>

40 Laila Al-Marayati, David Saperstein and Nina Shea, "The Annual Report of the US Commission on International Religious Freedom ", (U.S. State Department: Washington D.C., 2001).

41 Pat and Samir Twair, "Muslim Member Clarifies Opinion on USCIRF Letter". Washington Report on Middle East Affairs (2001), p. 87

42 Nina Shea, *interview with author*, (Washington D.C., May 2009).

Subcommittee on Africa, Global Human Rights and International Operations presented his testimonial on the situation of Palestinian Christians after the building of a separation wall by the Israeli government. He recommended to the Commission on International Religious Freedom to report the negative impact of the wall on Palestinians.<sup>43</sup> However, there no action has been taken by the Commission until now on the issue.

### **The Christian Right and the Implementation of the IRFA during George W. Bush's Administration**

The IRFA, as a new piece of U.S. legislation was expected to become an integral part of U.S. public diplomacy and foreign policy, especially in advancing international religious freedom. Theoretically the , IRFA gives the U.S. foreign policy a new paradigm in that it tries to integrate a conventional secular based diplomatic and foreign policy initiative with religious based foreign policy. Traditionally, promoting liberty, freedom and democracy and protecting human rights around the world have been a central theme of U.S. foreign policy. During George W. Bush's presidency, these values were always highlighted. In his 2005 Inaugural Speech, he re-asserted that "The survival of liberty in our land increasingly depends on the success of liberty in other lands. The best hope for peace in our world is the expansion of freedom in the entire world."<sup>44</sup> In addition, the State Department Report highlighted it goals "to advocate religion" and as a "transnational vehicle of conflict prevention and post conflict reconciliation" clearly manifest the idealism of the U.S. that religion is an important element to maintain peace and stability. This belief is evident in the official statement of the Office of International Religious Freedom that states its main mission of promoting religious freedom as a core tenet of U.S. foreign policy by identifying and monitoring global religious persecution and discrimination.

However, there is a perception that the introduction of the IRFA has given a new avenue for the evangelical movement to assert its influence on American foreign policy. As the force behind the legislation was partly religious and the congressional support for the legislation was also driven by religious motivation concerned about the rights of their fellow believers in other countries,<sup>45</sup> it is argued that has been able to exploit and manipulate the IRFA to advance its international interest, especially on proselytizing activities through the instrument of the U.S. foreign policy. In other words, the IRFA is seen as a tool used by evangelical groups to promote Christianity globally. Lee Marsden for instance, argues that the religious persecution issue has become one of the key issues that made the conservative Christians more organized in persuading

43 Lee Marsden, "For God's Sake: The Christian Right and U.S. Foreign Policy", (London Zed Books, 2008), pp. 122-123

44 George W. Bush. *2005 Inaugural Speech* US Department of State, (2005). [cited 9 March 2008]. Available from <http://www.state.gov/g/drl>

45 Allan Herzke, *interview with author*, (Washington D.C., May 2009).

the U.S. administration to protect the interest of Christians globally.<sup>46</sup>

However, the perception that IRFA predominantly represents the interests of evangelicals and their global missionary work that focuses on proselytizing has been rejected by John V. Hanford III, the ambassador-at-large for the Office of International Religious Freedom at the State Department. He denies that the IRFA was established to facilitate evangelicals to advance their missionary work. He says, “I don’t know where in the world this comes from, because the truth to it, and there is no evidence that has been the case in the way it has been implemented...what I’m trying to address is the misunderstanding that all this is about the US trying to get missionaries into their countries. Our office isn’t focused on that. We do work on the basic freedom of people to change or choose their faith.”<sup>47</sup> In addition, despite the fact that the Christian Right was actively involved in lobbying the IRFA, Thomas Farr argues that the movement has only had a minor role in the implementation of the IRFA in US foreign policy, thus failed to make significant contribution towards enhancing the implementation of IRFA.<sup>48</sup> Allen Hertzke also contends that evangelicals have no role in the implementation of the Act. He argues that as the idea underlying the IRFA was a secular justification and the fact that the State Department is a secular organization, its officials very much interpreted the Act in secular terms.<sup>49</sup> Shea, presently a director of Hudson Institute’s Center for Religious Freedom, argues that her involvement in advancing international religious freedom was completely from a human rights perspective. She further, suggests that the IRFA was initially envisaged from a secular point of view.<sup>50</sup>

In fact, some strong evangelical organizations have recognized their limitation in the implementation of the IRFA. William Saunders asserts that though his organization, Family Research Council, played a significant role in the process of legislating the Act, its role has become almost irrelevant after it became part of US foreign policy.<sup>51</sup> Likewise, Janice Crouse of CWA states that her organization was not involved directly in the implementation of the IRFA. Instead, CWA, according to her, was more interested in advancing international human trafficking issues and viewed the issue is more important to present American policy. Thus, CWA actively lobbied Congress to adopt

46 Lee Marsden, “For God’s Sake: The Christian Right and U.S. Foreign Policy”, (London Zed Books, 2008), p. 114

47 John V. Hanford, John Shattuck and Thomas F. Farr, “Religion and International Diplomacy: A Ten Year Progress Report”. Ten Years of Promoting Religious Freedom Through U.S. Foreign Policy. (2008). Available from <http://pewforum.org/events/?EventID=206>

48 Thomas F. Farr, *interview with author*, (Washington D.C., May 2009).

49 Allen D. Hertzke, *interview with author*, (Washington D.C., May 2009).

50 Nina Shea, *interview with author*, (Washington D.C., May 2009). However, she recognizes that the important role of religious people, notably the evangelicals leaders who fought for the introduction of IRFA probably created a perception that IRFA is a religious based legislation.

51 William L. Saunders, *interview with author*, (Washington D.C., April 2009).

legislation to stop human trafficking activities.<sup>52</sup>

The limited influence of evangelicals in the implementation of the IRFA in U.S. foreign policy is also due to the fact that, US administration views the Act in a realist perspective that is largely motivated by its national interest. For the U.S. administration, promoting religious freedom worldwide has become increasingly critical with the rise of transnational extremism in the post Cold War era. The September 11, 2001 terrorist attack which was partly motivated by fanatical religious beliefs strengthens the idea that the American government should view religion as an important element in foreign affairs. In addition, the attack also signified to the American authorities that the status of religion freedom in other countries does affect American security as well as its interests. As such, the Bush administration regarded the freedom to practice the religion of one choice as a salient factor in maintaining peace and stability not only in America security but also to the international security. In other words, for Bush's administration, global security was an important part of American national security. As it viewed religious freedom as a critical component of global security, promoting global religious freedom became a salient feature of the administration agenda. Moreover, the Bush's administration viewed international religious freedom as a vehicle for global peace<sup>53</sup> and any attempt to restrict that freedom will lead to international terrorism. As Paula Dobriansky, former undersecretary of state affairs says; "[Terrorism] includes a willingness to view other human beings as objects to be destroyed. It is, at its core, a pure form of anti-religion. At its best, religion is, therefore, an antidote to fanaticism, not its cause."<sup>54</sup> Moreover, as study on terrorism has suggested that there is a correlation between terrorism and religious suppression, it is rational for the United States to regard any attempt to discriminate or restrict professed believers to practice their religions as more likely to jeopardize the world stability.<sup>55</sup> Gordon H. Smith in his study on religious freedom and terrorism suggests; "We need to remember that failure to respect legitimate claims for religious freedom can itself become a source of political instability and terrorism."<sup>56</sup>

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52 Janice Shaw Crouse, Interview with author, (Washington, D.C., May 2009).

53 Winnifred Fallers Sullivan, "Religious Persecution and U.S. Foreign Policy", *Religious Persecution as a U.S. Policy Issue*, (Hackett Silk and Hoover : Connecticut, 2000).

54 Lee Davidson, "Allies' Stand on Religion Questioned". DESERET NEWS. (2001). Quoted in Matthew L. Fore, "Shall Weigh Your God and You: Assessing the Imperialistic Implications of the International Religious Freedom Act in Muslim Countries": *Duke Law Journal*, 52:(2001), pp. 427-428

55 Matthew L. Fore, "Shall Weigh Your God and You: Assessing the Imperialistic Implications of the International Religious Freedom Act in Muslim Countries": *Duke Law Journal*, 52:(2001), p. 427

56 Gordon H. Smith, "Religious Freedom and the Challenge of Terrorism": *BYU L REV.*, 205:214 (2002), Quoted in Matthew L. Fore, "Shall Weigh Your God and You: Assessing the Imperialistic Implications of the International Religious Freedom Act in Muslim Countries": *Duke Law Journal*, 52:(2001), p. 427

Contrary to the perception that the Bush administration and the State Department were serious about implementing the IRFA to advance the global religious freedom agenda and reduce religious persecution, Thomas Farr, a former director of the Office of International Religious Freedom, contends that the Bush administration was not only ineffective in advancing religious freedom abroad, but also failed to engage the foreign religious community. He believes this ineffectiveness was mainly because of the secularist mindset among officials at the State Department.<sup>57</sup> Some officials perceive IRFA as a religion-based issue and thus not in line with the separation of Church and State as stipulated in the Constitution. As a result, they resist integrating IRFA with foreign policy implementation. In addition, they believe the Act is a product of evangelicals' activism and therefore should be sidelined in order to restrain the possibility of evangelicals influencing the State Department.<sup>58</sup>

In addition, Thomas Farr and William Saunders suggest that the main reason behind the failure of the implementation of the IRFA was that the State Department was not really interested in implementing the Act. They argue that, during the Bush administration, the State Department abandoned the implementation of policies suggested by IRFA. Therefore, the Act has played no role in American public diplomacy, or American strategy to promote democracy or to counter the spread of international terrorism.<sup>59</sup> Similarly, Nina Shea argues that the major loophole of IRFA implementation is the lack of understanding among US officials who do not see the importance of religious freedom in American foreign policy. In addition, Shea claims Bush himself was actually not so keen on the global religious freedom issue. Nina Shea argues that Bush's understanding of religious freedom was political and not motivated by his Christian belief.<sup>60</sup> As such, Nina Shea asserts that Bush was only interested in the issue of religious freedom when his grassroots or political supporters, such as evangelicals, pushed him to react. She said, "I mentioned to him [President Bush] about [the persecution of] Christians in Iraq, and I spoke to him personally about this, but he was not interested in it ... He was interested in Christian persecution in China because his grassroots or political base wanted him to be."<sup>61</sup>

## Conclusion

In sum, it was obvious that American evangelicals were involved in and contributed significantly to the passage of the IRFA. However, this contribution would not be successful without the coalition with other organizations

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57 Thomas F. Farr, Interview with author, (Washington D.C., May 2009).

58 Ibid.

59 Thomas F. Farr and William L. Saunders, "The Bush Administration and America's International Religious Freedom Policy": *Harvard Journal of Law and Public Policy*, 32:(2009), p. 950

60 Nina Shea, Interview with author, (Washington D.C., May 2009).

61 Ibid.

and individuals that was established under the banner of the human rights issue. The success of the evangelicals to establish contacts and alliances with other conservative movements or secular organizations and individuals galvanized the issue of international religious freedom to be discussed extensively at Congress. However, the paper showed the limitations of the role of evangelicals and their allies as they had no control or influence over the implementation of the IRFA in U.S. foreign policy. The Act is located under the State Department's jurisdiction and responsibility and officials in that department mostly viewed the legislation in a secular perspective. In addition, the implementation of the Act through US foreign policy was mainly based on considerations of US national interest as the administration viewed the freedom to practice any religion or religious values as an important factor in promoting peace and security at the international level.

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