



ISSUE BRIEF | Center for American Values

RELIGIOUS FREEDOM CHALLENGES TRANSCEND THE INTERNATIONAL AND DOMESTIC DIVIDE

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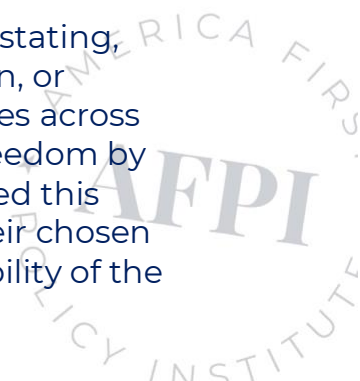
TOPLINE POINTS

- ★ Religious freedom is now under threat on a global level. A separation of domestic issues from international issues no longer exists.
- ★ What is considered hate speech in the West is equivalent to blasphemy cases in the rest of the world.
- ★ It is now more important than ever before to secure religious freedom throughout the world with U.S. leading the way.

Background

Challenges to Religious Freedom Continue to Become More Common in the West.

The United States Constitution guarantees the freedom of religion, stating, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...” However, far-reaching policies across the country during the COVID-19 pandemic challenged religious freedom by labeling churches as “nonessential” entities. As a result, they curtailed this essential right and limited the ability of people to freely exercise their chosen faith. Furthermore, activist organizations are working to limit the ability of the



American people to profess their sincerely held religious beliefs in the public square through various methods, including by encouraging lawmakers to rescind state-level Religious Freedom Restoration Acts.

For now, religious freedom remains in the American way of life. The executive, judicial, and legislative branches of government have protected this freedom time and time again. And America's historical commitment to this freedom has inspired other governments and multilateral institutions like the United Nations (UN) to do the same. In its universal declaration of human rights, the UN declares in Article 18 that,

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

The declaration has been signed by all 192 member states of the UN. However, observance of this basic right has not been respected by all. In fact, many signatories violate this declaration on a continual basis. According to a 2021 Department of State report on international religious freedom, challenges around the world continue to mount. Though some minimal progress has been made in some countries, such as Morocco, religious minorities continue to be oppressed in China, Iran, Pakistan, Afghanistan, and several other countries. In Nigeria, Egypt, India, and Indonesia, many people of faith experience violence, discrimination, and persecution.

Today, issues faced by religious communities in countries with high levels of religious intolerance are becoming more common in Western countries, including the U.S. Public religious expression is actively challenged, and practitioners are even sued for practicing their sincerely held beliefs in the public square. These domestic challenges to all people of faith are transcending what was once a divide between the situation on the international stage and the situation here at home. More than ever before, policymakers should recognize that religious expression should be safeguarded and celebrated in the U.S., not attacked.

Religious Freedom in the U.S.

The global threat to religious freedom makes it necessary to address these issues, and America is in the strongest position to secure this freedom domestically and also champion it around the world through sound policy. Several decisions and maneuvers by the U.S. government in recent years have advanced this freedom.



The United States Supreme Court's recent decision in *Kennedy v. Bremerton School District*, which secured a football coach's freedom to pray on a football field, highlighted the current Court's commitment to protecting the First Amendment. Additionally, the Supreme Court ruled that state-provided vouchers in Maine could be used to pay for education obtained at parochial schools. The Court also ruled that the Colorado Civil Rights Commission had violated the religious freedom of businessman Jack Phillips, who respectfully declined to create a cake for a same-sex wedding.

Furthermore, the United States House of Representatives passed legislation in January 2023 that condemned attacks against faith-based pro-life institutions in the wake of the overturning of *Roe v. Wade* in the *Dobbs v. Jackson Women's Health Organization* decision. However, more actions must be taken at the federal and state levels of government to secure religious freedom for all Americans.

In the coming months, the Supreme Court will decide the outcome in *303 Creative LLC v. Ellis*, which preemptively challenges an existing statute in the state of Colorado that could be used to compel 303 Creative LLC or other likeminded businesses that serve clients through graphic and website design as well as other related services, to engage in projects that they do not want to accept based on the project's message. The Court has an important opportunity to safeguard religious freedom and freedom of speech by ruling in favor of 303 Creative.

The Critical Role of the U.S. in Securing Religious Freedom Around the World

Domestic victories should be celebrated, but the U.S. must continue to lead the fight internationally. During the Trump Administration, the State Department made international religious freedom a core priority in U.S. foreign policy in 2018–2019. This culminated in the department twice hosting the largest human rights event in its history and the largest international religious freedom event in the world. At these events, the Department highlighted stories of the persecuted and launched international efforts to support religious freedom globally through the International Religious Freedom or Belief Alliance (IRFBA). It also issued a declaration that the Chinese Communist Party was committing genocide through its persecution of Uyghur Muslims.

IRFBA has also issued joint statements that promote religious freedom and condemn efforts that target religious minorities, but the alliance can do



more. U.S. leadership along with others in the West must continue, but before addressing global concerns, leaders must recognize that threats to religious freedom in the West draw a striking resemblance to threats in the rest of the world. Violence specifically driven by anti-Christian bigotry that was once mainly a foreign concept has now made its way to the U.S. and the West.

What traditionally divided the discussion between domestic and international religious freedom in the U.S. is quickly becoming blurred. Historically, people of faith in Western countries were aware of persecution happening around the world but did not see it up close in their own country. After enjoying extensive religious freedom for years, people in the West are now facing increasing pressure from various forms of harassment and even violence. Sadly, many churches in the U.S. became the target of violent acts during the last few years. Between January 2018 and September 2022, at least 420 incidents involving arson, bomb threats, vandalism, and other violent acts against churches took place, according to the [Family Research Council](#).

Similar anti-religious violence is also occurring in Europe. In France, a [2021 study cited](#) 857 anti-Christian attacks in 2021, 589 anti-Jewish attacks, and 213 anti-Muslim attacks. Moreover, in other Western countries like Finland, where people are celebrated as the happiest and freest in the world, people of faith now must wonder how long they can adhere to their sincerely held religious beliefs without discrimination or fear of retribution. This concern was brought to the forefront with the case of a Member of Parliament, Päivi Räsänen, who fell into the fight of her life after she publicly questioned the Evangelical Church of Finland for its affiliation with a gay pride event. She's been a lifelong member of the church and follower of Christ, but her Christian faith and genuine public questioning led to her facing criminal charges from the General Prosecutor of Finland for inciting hatred, even though an investigation found no wrongdoing by Räsänen. The lower courts acquitted Räsänen, a decision that the prosecutor general appealed to a higher court.

Overall, these incidents in the U.S., Finland, and other countries underscore the critical role of the U.S. in securing religious freedom around the globe. Our Nation has an essential part to play in the effort to ensure that all people of faith are free to practice their religion without threat of persecution.

An Alarming Case of Persecution in the West

The case of Mrs. Räsänen is particularly alarming because it is eerily similar in spirit, even if not in magnitude, to blasphemy cases common in countries like Pakistan and India. In these countries, Christians and other religious minorities are often targeted, harassed, and silenced by blasphemy laws that



carry severe sentences ranging from life in prison to death. In particular, in Pakistan, religious minorities live under the yoke of the country's notorious blasphemy law that muzzles its minority citizens through layered sections 295, 295A, 295B, 295C that all carry different increments of punishments ranging from a few years in prison to life in prison or the death penalty.

A simple allegation of someone committing blasphemy against the majority religious community of the country that is Sunni Islam can be extremely incendiary. The allegation will often instigate a flash lynch mob response that will attack the accused before the local police even have an opportunity to respond. The most famous case of blasphemy involved a young Pakistani woman, Asia Bibi, who was imprisoned for blasphemy in 2009 and spent nearly a decade on death row before being acquitted by the Supreme Court of Pakistan.

The common theme between Mrs. Räsänen's case and Asia Bibi's is that the individual who made the alleged derogatory statement "offended" those in the perceived majority or in power. Paivi Räsänen made nonviolent statements that were grounded in her sincerely held religious convictions. Her statements resulted in a slew of public criticism as well as criminal charges from the General Prosecutor of Finland. Asia Bibi made a statement that upset the majority religious community in her country and landed her in a trial for her life. In both cases, the Christian faith of both women was attacked, and their ability to voice their sincerely held religious convictions was assaulted.

Additional Global Threats to Religious Freedom

Other countries also face serious challenges. Afghanistan's Christian community was targeted severely in the mismanaged U.S. withdrawal in 2021. Known Christians received threatening calls and messages from the Taliban and the Christian community was forced even further underground. Additionally, Nigerian Christians continue to be brutally attacked and massacred throughout the country's Middle Belt region, where Fulani Militants target Christian farming communities on a nearly daily basis. The Christian population in the Middle East, especially in Iraq, has dwindled since the 2003 U.S. invasion, and the genocide waged by ISIS forced Christians to either escape or die. In 2003, Iraq had a Christian population of 1.5 million. Now, that number has fallen roughly to only 200,000–300,000. Hindu Nationalism in India continues to marginalize Muslims and Christians, targeting them with violent attacks because of anti-conversion laws. Additionally, Chinese Christians and Muslim Uyghurs face constant persecution from the communist regime. These examples demonstrate that



religious freedom is in decline across the globe, and the U.S. must lead the world to firmer grounding for this human right.

Policy Options

The prevalence of anti-religious violence and sentiment should alarm all freedom-loving Americans and people across the West. Several policy options can be undertaken to curb the decline of religious freedom that the world is seeing today.

Legislative Options

In addition to making public statements, the U.S. Congress should be proactive in protecting people of faith. Legislation like [H.Res.1233](#) specifically condemns attacks against churches and pro-life groups and facilities. However, stronger protections are still needed for faith-based businesses, organizations, schools, and individuals who could face discrimination because of their sincerely held religious beliefs.

Executive Actions

The Department of Justice should work to identify perpetrators and prosecute them to the full extent of the law. Additionally, the Biden Administration should express outrage over the attacks and direct relevant agencies to investigate the attacks and make arrests.

State Level Protections

State governments should work to protect businesses and organizations operated by religious individuals. Elements of the LGBTQ movement have targeted such businesses and filed suit against individuals who have sincerely held religious convictions. Civil liberties of people like Jack Phillips of Masterpiece Cakeshop in Colorado must be protected. State level governments should consider passing legislation that protects religious groups from undue harassment from individuals and organizations that seek to compel religious organizations, businesses, and individuals to forgo their sincerely held religious beliefs. Legislation like Mississippi's H.B. 1523 protects religious individuals and organizations from having to participate in activities that would compromise their sincerely held religious convictions.

Global Magnitsky Act

In the international context, the U.S. should implement stronger sanctions through the Global Magnitsky Act on individuals who persecute religious minorities. This act specifically targets individuals and entities with sanctions rather than entire countries. Individuals who are sanctioned through these authorities have committed egregious human rights violations that include



religious persecution. This tool can deter human rights violators and encourage behavior changes in violators. The act also provides an excellent platform for like-minded governments to cooperate and stand for religious freedom around the world. The President of the United States should leverage this tool more to push back on known individuals who persecute religious minorities.

Ministerial to Advance Religious Freedom

The U.S. should continue to inspire further international cooperation through multilateral functions like the [Ministerial to Advance Religious Freedom](#), which was started by the U.S. under the Trump Administration. The Ministerial sent a powerful signal that communicated unwavering commitment from the U.S. to support persecuted people of faith. The conference highlighted threats to religious freedom across the globe, hosted victims of religious persecution, and drew together an international community of religious freedom advocates, as well as government officials, to promote religious freedom. Through these actions and others, America can continue to lead the increasingly critical effort to protect all people of faith who face persecution.

International Religious Freedom or Belief Alliance

The alliance was started as a part of a global movement of like-minded governments to advance religious freedom around the world. The alliance includes 37 countries that fully commit to the alliance's declaration of principles. Though the alliance currently offers joint statements, the alliance must amplify its ability to hold persecuting countries, governments, entities, and individuals accountable for their actions. The alliance should coordinate by issuing combined targeted sanctions on known persecutors. Global coordination among the alliance members is critical to ensuring that those who suppress religious minorities face the necessary repercussions of accountability from the international community.

International Aid

The U.S. is a generous country and gives billions of dollars in foreign aid in a single year. However, this aid often lands in countries that are consistently violating the basic rights of their citizens, such as religious freedom. The U.S. has no excuse for empowering countries and governments that persecute and suppress their own people on the basis of religious identity. Instead, it must limit or withhold foreign aid from countries that have a record and an ongoing pogrom of persecution of religious minorities. The U.S. must wield its economic power to hold accountable these countries and governments.



Conclusion

Religious freedom is in decline around the globe and concerns that Americans only viewed from a distance have now reached the homeland. Anti-Christian sentiments in the West, as seen with the case of Member of Parliament Paivi Rasanen, must be addressed through robust religious freedom policy protections. In addition, the U.S. must secure this freedom domestically and champion it internationally. Despite the domestic challenges faced by religious communities in the U.S., it still remains in the strongest position to champion this freedom worldwide.

