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Religious freedom is a fundamental human right

Thomas Reese | May. 16, 2014 Faith and Justice

Religious freedom is a fundamental human right of every person on earth. It has been recognized by international accords and by the Second Vatican Council. But religious liberty is under attack in many countries around the world.

The United States committed itself to the promotion of religious liberty through its foreign policy in the 1998 International Religious Freedom Act (IRFA) [1]. The law provides that it will be the policy of the United Sates to condemn violations of religious freedom and to promote and assist other governments in the promotion of the fundamental right to freedom of religion.

Congress felt it was necessary to make this clear in the IRFA because it is easy to forget about religious freedom when policymakers are so focused on national security, economic issues and other human rights that religious freedom is forgotten.

Although much of the motivation for passage of this act was concern over the persecution of Christians, the law is generic -- it applies to all religions.

The IRFA provides for the creation of the U.S. Commission on International Religious Freedom [2] (USCIRF), to which President Barack Obama recently appointed me [3]. The purpose of the commission is to review annually the efforts of the U.S. government in implementing the IRFA.

The most recent USCIRF report [4], written before I was appointed, was released April 30. It is the 15th report issued by the commission and is divided into four parts, but in this column, I will focus on the first part: a discussion of the international standards for religious freedom.

What is religious freedom?

The first point to be made is that religious freedom is not just for believers. It also includes nonbelievers. Properly speaking, it is "freedom of religion or belief." It protects a person's right to hold or not hold any religion or belief. So religious freedom must also protect the atheist.

Nor is it only for religious minorities. It also applies to those of the majority who might want to debate or dissent from views within the majority religion.

One frequent mistake is to equate freedom of religion with freedom of worship. Even some American policymakers have spoken of freedom of worship rather than freedom of religion.

Freedom of religion is much more encompassing. It "includes the rights of worship, observance, practice, expression, and teaching, broadly construed," the 2014 USCIRF report explains. "These include: wearing religious dress or symbols; observing dietary restrictions; participating in rituals associated with certain stages of life; possessing property rights regarding meeting places; and maintaining the freedom to manage religious

institutions, possess, publish, and distribute liturgical and educational materials, and raise one's children in the religious teachings and practice of one's choice."

Religious liberty includes the right to change one's religion or belief without coercion. This is a controversial point in many Muslim countries, where conversion from Islam to another religion is illegal.

Nor is religious freedom only about beliefs that you hold in your heart but don't express. It also includes expressions intended to persuade another individual to change his or her religious beliefs or affiliation voluntarily.

All of these details are important because some societies speak of religious freedom as long as the believer is quiet and inactive. In this sense, freedom of religion goes hand in hand with freedom of speech, assembly and press.

Freedom of religion does not require that the state be secular. A state "may declare an official religion," the USCIRF report explains, "provided that basic rights, including the individual right to freedom of thought, conscience, and religion or belief, are respected for all without discrimination." If jobs or government benefits are denied to the adherents of a particular belief, then religious liberty has been violated.

This does not mean that there are no limits to religious freedom, but "freedom of religion or belief may be subject to only such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others."

As a fundamental human right, freedom of religion is important to believers and nonbelievers. Yet where freedom of religion is not respected, we see conflict and even bloodshed. Conflicts over religion can destabilize nations, cause economic uncertainty, and provide a breeding ground for terrorists. As a result, freedom of religion should be a priority in U.S. foreign policy.

[Jesuit Fr. Thomas Reese is a senior analyst for *NCR* and author of *Inside the Vatican: The Politics and Organization of the Catholic Church*. His email address is treesesj@ncronline.org [5]. Follow him on Twitter: @ThomasReeseSJ [6].]

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