

A Global Review of the Denial of Religious Freedom Spring 2001

By Zarrín T. Caldwell

Although freedom of religion is guaranteed by article 18 of the Universal Declaration of Human Rights, the U.N. Special Rapporteur for religious freedom, Professor Abdelfattah Amor, recently noted that “the situation with regard to intolerance and discrimination based on religion or belief is alarming.” This article reviews what the absence of religious freedom actually entails in selected countries where religious freedom seems to be officially sanctioned. Where relevant, we have also added notes about IARF’s involvement.

Most of the information below was synthesised from a range of materials available over the Worldwide Web. Owing to space limitations, we have left out some high-profile cases like the persecution of Christians in Sudan and the Falun Gong in China. And, we are sure there are many other cases which we don’t know about. Hence, we are happy to hear from our members so we can keep our knowledge up-to-date! (Updates can be sent to zarrin@iarf.net, but please check with us before putting our name on any email lists.)

Central Asia: Afghanistan

An international outcry erupted in early March over the Taliban’s destruction of two Buddhist statues in the Hindu Kush mountains in Afghanistan. Known as one of the area’s renowned archaeological treasures, the statues were created in the third and fifth centuries and their destruction was denounced by the United Nations and governments around the world, including Muslim states. Press reports from India quote former foreign secretary S.K. Singh, once India’s ambassador to Afghanistan, as noting, “It is out of sheer desperation that the Taliban have destroyed these artifacts. Basically, they are angry about the U.N. sanctions imposed on them in January and about their failure to get recognition from the international community. It is a shameful act of barbarism and the loss it has caused is irreparable.”

Professor Kaleem Bahadur from Jawaharlal Nehru University in New Delhi added, “Breaking idols is not Islam. ... Jews lived in the Islamic state in Prophet Mohammed’s time. They had religious freedom. Islam tells you to respect other religions and the feelings of their followers. And where Muslims are in a majority, it is their duty to protect the minorities and their religious places.” Bahadur went on to note that the Taliban’s actions are likely to hurt the image of Islam and may make life more difficult for Muslim minorities in other countries.

For their part, the Taliban claim that the statues are idols and such depictions are forbidden in Islam. Central Asian experts add that the Taliban may be using the demolition of the statues as means to unite a multi-ethnic Afghanistan in the name of religion. The *BBC* describes the Taliban as comprised of Afghans trained in religious schools in Pakistan along with former Islamic fighters, the Mujahedin, whose goal is to create a pure Islamic state based on Islamic law.

At the IARF, Bhiksuni Chueh Men brought this matter to its International Council and our U.N. representative, Gianfranco Rossi, has since raised this issue at U.N. interventions on the subject of religious intolerance.

South Asia: India

In the context of India's remarkable situation of being the home (indeed birthplace) of so many religions, problems of religious intolerance still continue to be a great concern. Hindu nationalists are perpetuating violence against Christians, Muslims, and groups such as the Dalits, members of the oppressed (formerly "untouchable") castes. According to *Worldwide Newsroom*, India's ruling Bharatiya Janata Party (BJP) is under pressure from its ideological wing, the Rashtriya Swayamsevak San (RSS) to construct a temple at the disputed site of Ayodha, where Hindu nationalists destroyed a centuries-old mosque in the early 1990's. At the time, the incident led to violence around the country in which scores of people were killed. Tensions are also rising over a shrine claimed by Hindus and Muslims in the state of Karnataka. It is alleged that Hindu nationalists want to build temples at 900 of India's historical monuments most of which are Islamic cultural sites.

While Muslim communities have been the target of religious persecution over the past 50 years, Hindu nationalists have increasingly focused on the Christian community. A 1999 report from *Human Rights Watch* chronicles persecution against this community over the past several years. Attacks have ranged from the killing of priests and raping of nuns, to the physical destruction of churches, and forced conversion of Christians to Hinduism. Possible underlying motivations for these attacks include an effort to rally the tribal population for political ends. There is dispute in any given circumstance over whether such attacks are random, or part of an organised campaign.

In a more hopeful vein, the *Hindustan Times* reported in January that people donating and receiving blood following the devastating earthquake in India had cut across the communal divides between Hindus, Muslims, and Christians. They cited a case of over 100 Muslim youths who had saved the lives of nearly 100 Hindu quake victims by donating blood. Dr. Khan, a Muslim member of IARF's International Council, has given testimony in both the U.S.A. and Iran on the situation in India.

Far East: Vietnam

According to press reports, both Buddhist and Christian leaders continue to face arbitrary detention and arrest in Vietnam. Although such practices have been in existence since the victory of the Communist Party in the mid 1970's, the issue has recently achieved more prominence with a U.S. congressional hearing on the topic held in February and sponsored by the *U.S. Commission on International Religious Freedom*. Witnesses at the hearing chronicled persecution against Buddhists, Catholics and Protestants in Vietnam. Although Communist authorities have characterised the hearing testimony as "baseless and fabricated," human rights advocates have called for the imposition of U.S. trade sanctions against Vietnam over this matter.

Recent developments include the detention of Father Van Ly, a Catholic priest; the detention of Thich Quang Do, a leader of the Unified Buddhist Church of Vietnam; and the arrest of Le Quang Liem, a Hoa Hao Buddhist sect leader. Late last year, police apparently used force to dispel 3,000 of the Hoa Hao Buddhists taking part in a public ceremony.

Communist authorities have also reportedly outlawed Protestant churches which have won large followings among the region's indigenous minorities in recent years. Professor Amor from the U.N. visited Vietnam in 1998, but was not permitted to meet with many key religious representatives.

The Communist Party newspaper claims, "We have many times clearly stated that there is nobody arrested in Vietnam because of religion or their beliefs. The fact that some Buddhists and followers of other religions have been detained is because they committed offenses against Vietnamese law and should be dealt with under the law."

Despite this "official" position, religious leaders in Vietnam have cited a new wave of oppression in the country and have jointly announced an alliance, the Vietnam Interfaith Council, to promote religious freedom. Some hold the view that the government is restocking its holdings of political and religious prisoners to use as bargaining chips for the upcoming debate on the ratification of the U.S.-Vietnam Bilateral Trade Agreement.

The Cao Dai, a different religious group based in Tay Ninh which also suffers persecution in Vietnam, approached IARF for membership through their U.S. office, the Cao Dai Overseas Mission. They have since been accepted as Associate Members by the Council.

Europe: France

Religious freedom advocates are closely watching developments in France related to legislation introduced last summer to curtail the activities of "sects or cults" in that country. Known as the About-Picard bill, the legislation seeks to modify existing laws and was adopted by the French National Assembly last June as a means to restrict "groups of a sectarian nature." According to *Le Monde*, the private bill was designed to target those religious groups found guilty of criminal offences and which are either regarded as "detrimental to the public order," or "dangerous for the integrity of the human personality."

While generally supporting the intent of the legislation, religious representatives from across the spectrum have also criticised the French proposals for, among other things, targeting about 170 religious organisations, including those considered more mainstream. Of special concern was the creation of an offence of "mental manipulation" which many religious groups felt opened the door to excessive interpretation.

Based on the reservations expressed by a range of religious representatives, the Minister of Justice, and various human rights groups, the French Senate has since made some language changes to the draft anti-cult law. Joseph Grieboski, president of the *Institute on Religion and Foreign Policy* in Washington, D.C., has expressed concern over the French proposal believing that it synthesises "an almost militant anti-religiosity spreading throughout western Europe that is influencing the emerging democracies of central and eastern Europe." He added that these emerging democracies don't have the kind of legal protections that countries like France do and, hence, overly broad laws could lead to more human rights violations. While the About-Picard legislation was due to be discussed again in the French Senate in late March, this debate was postponed.

IARF's General Secretary has been approached by one of the affected groups. He asked them to consider whether any alternative legislation could be proposed which would meet the reasonable concerns of the State to protect its citizens. Certainly, IARF's intent to

develop a Voluntary Code of Practice may help to better define responsible religious practice.

Europe: Georgia

Following various attacks against Jehovah's Witnesses, such as property destruction and burning of literature, the Georgian Parliament adopted a resolution on 30 March condemning religious violence. *The Keston Institute* reports, however that, on the same day, "the parliament adopted a constitutional amendment giving the Orthodox Church a special role in society," a move which has aroused concern from other religious groups." The amendment regulates relations between the Church and State across a number of areas, but those from minority faiths are concerned that the amendment does not clearly specify the position of other religious bodies. Disinclined to support any constitutional agreements with other faiths, a statement from the Orthodox Church noted that, as the traditional faith of the Georgian people, the Church had "the right to be regarded above other faiths."

In several of the Newly Independent States, and certainly in Russia, religious organisations outside of traditional ones (such as Russian Orthodoxy, Judaism and Islam) have often had to go through a difficult registration process. The genesis of this process was Russia's passage of a law on religion in 1997 which was effectively designed to limit the activities of foreign religious organisations. The direction which President Putin will take policies on this subject still remains somewhat unclear.

Africa: Nigeria and Ivory Coast

Following the burning of churches and other forms of harassment in Northern Nigeria, dozens of Christian families have started to flee to the neighbouring country of Cameroon. While various state governors in northern Nigeria have begun to adopt the Islamic legal system of Sharia, they also claim that this law is for Muslims only and that Christians will not be affected. Nonetheless, Christian news reports have indicated that this is not the case and they cite the recent migration of Christian families to demonstrate the negative impact of the implementation of Sharia law on those who are not Muslim. Following the implementation of Sharia law in several states in Northern Nigeria last year, Muslim extremists have burned several church properties. The *BBC* also reports that there was terrible bloodshed last year when at least 2000 people died in fighting between Christians and Moslems. This occurred in a neighbouring state of Kaduna which has a much larger Christian population.

Similar unrest has been taking place in Côte d'Ivoire. Christians and ethnic southern Ivorians were singled out for attacks in a riot in the capital of Abidjan late last year. The fighting began when thousands of supporters of an ethnic northern Muslim-based political party protested a court decision to ban their Muslim leader from standing in parliamentary elections. Press reports indicate that, across the north of the country, police officers and soldiers have been shot and wounded, churches have been burnt down and Christians and

southerners have been threatened and their homes vandalised. There is fear that such violence may lead to a northern Muslim versus southern Christian civil war.

IARF presently has only one member organisation in Nigeria. However, as part of our Strategic Plan, we intend gradually to build up contacts and programmes in Africa after the next Congress.