



An Olive Branch Doctrine

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Peace At Any Price

Editorial

BY: LINCOLN E. STEED



If you drive directly east from the crowded northern suburbs of Sydney, Australia, you will quickly end up on one of many world-class surf beaches. As an Australian, I can assure you they are as idyllic as any travel poster advertisement for paradise. You know the routine: surf, sand, dining on the strand where all the beautiful people are; and the soothing sounds of balmy sea breezes mixed with water tumbling on bright yellow sand. Even after 26 years of living half a world away, that moment in the sun still draws me. To me, at least, it is a good stand-in for an earthly paradise.

A few days ago I retested the memory. Back in Australia for a few weeks, I made the trek to those eastern shores. Together with my family, I drove the 20 or so kilometers from the bushland suburbs across to the sea. I had forgotten though that there is so much open land between. It is an area of deep gorges down to tidal inlets. It is an area of alternating rocky desolation and heavily wooded eucalyptus forest: trees with smooth white-skinned bark that is bushfire blackened in swaths from runaway fires in recent years that have threatened to wipe out entire suburbs of housing.

And then when we were in sight of the beaches—the blue shimmer and sandy curves were visible from the mountain heights many miles away—still immersed in woodland, a white dome appeared like a mirage. And with it came another childhood memory. Looking much like the fabled Taj Mahal of India, a Baha'i temple holds pride of place on a peak in the woods before the tumble down to the shore. I remember well my father taking me to visit it shortly after it was built 50 years ago. Back then it was an even greater curiosity. Especially so for an impressionable young boy. I was particularly impressed with its empty pristine whiteness inside and out, decorated only by the curving lines of a single "word" on the roof—a designation to the glory of one God.

As we entered the temple grounds the other day we were welcomed by several women who gave us literature and an invitation to look around. One had an accent that hinted at other shores. I asked and found out she was Iranian. Now the memories that came were of more recent vintage.

Not too many years ago, in my capacity as editor of *Liberty* magazine, I attended an international religious liberty conference in Cape Town, South Africa. There were about 600 other attendees and participants from all over the globe. There was an incredible sharing of religious viewpoints and discussion on how to protect this most precious aspect of human existence.

One of the speakers was a mullah from Iran—an advisor to a previous president of his country. I looked forward to his comments on freedom of religion in a country not recently known for religious freedom. I had visited Iran back in the days before Khomeini and the Islamic revolution there—back before the U.S. embassy hostage crisis—and had been impressed with the great cultural heritage of that ancient civilization. Few recognize that Iran is not an Arab nation, but Persian—the inheritors of Cyrus and Artaxerxes. The conversion of Persia to Islam was an event of apocalyptic importance to the spread of that faith. What would this mullah have to say on religious freedom?

He was asked about the situation of the Baha'is in Iran. Hmm—an interesting question, because while Iran is now largely Muslim after the conversion to Islam centuries ago, it has been the cradle of its own religious traditions: anciently Zoroastrianism and more recently in the mid-1800s the Baha'i faith. A Persian mystic named Baha'u'llah first enunciated this new approach to faith and wrote much on his ideas of one god, one world of faith, a universalist view of religious cooperation and equality. Some of the Bab's ideas were neoglobalist and perhaps naive; things like a world language, a global federation of faith, and a move beyond all forms of prejudice. A reasonable religious mind-set, one might think—at least harmless. But from the beginning there was severe persecution of this faith. In fact, the Iranian persecution of Baha'ism is so systemic as to be a type of religious genocide. Tens if not hundreds of thousands have been imprisoned and killed over the years. What would the mullah say?

He looked out on the hundreds of delegates—men and women dedicated to protecting the expression of religious faith all over the

world—and said this: “They deserve what they got, because they supported the wrong forces.”

There was a giant group intake of breath. Nothing more could be said. The mullah had stated it in the hard calculation of intolerance. The persecution continues in Iran and elsewhere. So often with religion it is not enough to state a peaceful intent. There are greater forces at play than most recognize. Some hatreds cannot be disarmed just by good intent.

In this issue of *Liberty* we have a very well-put together analysis of U.S. President Obama’s efforts to disarm a global religious divide. I think him well intentioned and not all of his efforts ill-advised. But it is worth remembering that with religion we are dealing with some elemental aspects of human existence that are not always rationally expressed or clearly recognized.

I think humanity can indeed benefit from a more global recognition that each of us is beholden to a higher reality—that we are all searching for our Creator. But just as surely the experience of the Bab and the president likely show that we cannot expect to blend the unique and often private holdings of religious faith into one universalist faith. Most holy books actually warn against this. I know my Bible equates a human-made religious conformity as coming from the counterpower.

Now and then my Seventh-day Adventist heritage reminds me of the larger forces at play in religious liberty. Oh, that it were as simple as a universal “humanism”—that we might just condition the nations to think benign spiritual thoughts. Oh, that we could just confederate religious expression into a one-world faith—oh, but for the dangers of syncretism and compulsion, of course. My Adventist heritage and doctrinal reading of the Bible tell me that faith differences are not just cultural—there are life-and-death issues at play. We need to know God not just for peace of mind, but to be able to know how He differs from the pretenders to deity.

It hit me on the heights above the Sydney beaches that we are in a race against time to find God. The Baha’i faith began in 1844. The Mormon movement in the United States also began in that same era, as did the Christian Scientists, and modern spiritualism and the Millerite movement, out of which emerged the Seventh-day Adventist Church. My church reads from Bible prophecy an imperative to find and acknowledge God in the moments before the end of all things.

Yes, in many ways the world of faith is in the woods of confusion. At times those woods reveal real danger—not just intolerance but mortal peril to faith and freedom. Beyond lies the healing curve of the eternal sea. We must accept the challenge of the journey. We must not give in to confusion or compulsion in matters of faith.

Lincoln E. Steed in the editor of *Liberty Magazine*.

An Olive Branch Doctrine: Religion And The Path Of Democratic Reform In The Arab-Muslim World



BY: GREGORY W. HAMILTON

In the midst of an astonishing Twitter and Facebook revolution¹ that has unleashed a frantic generational demand for democracy and regime change in many countries of the Middle East, and North Africa, the Arab-Muslim world has become a strategic chess match between the United States and the mullah-ruled country of Iran. At stake is President Barack Obama's overall foreign policy approach involving democratic reform, and the political vehicle being used to successfully propagate it—the administration's Internet Freedom Agenda.²

But directly connected to it is his international religious freedom policy; and when tied to his overall approach to foreign policy one discovers an emerging "Obama doctrine"—what I call "Obama's Olive Branch Doctrine"—which relies on calculated notions of interfaith understanding and tolerance as the best components toward achieving democratic reform in today's world, and specifically in the Arab-Muslim world. To understand the religious aspect of Mr. Obama's nascent foreign policy, one must first understand it in context of the current political and revolutionary fervor sweeping the Arab world.

The Stakes Are High

Four days after Egypt's bold revolutionary success, this chivalrous chess match became more vivid when President Obama sharply contrasted Egypt's reasonably peaceful revolution with Iran's violent repression of its own protesters, who have been calling for the overthrow of its clerical regime. He said, "I find it ironic that you've got the Iranian regime pretending to celebrate what happened in Egypt, when in fact they have acted in direct contrast to what happened in Egypt by gunning down and beating people who were trying to express themselves peacefully."³ The same day, the Iranian Parliament, from direct pressure by the country's clerical rulers, called for the immediate execution of all opposition leaders.⁴ So much for freedom!

Siding with the United States in an effort to keep a strategic check on Iran are the autocratic monarchical rulers of Saudi Arabia and most of the Arab League, which makes up all the Gulf States, North Africa, and the Mediterranean corridor. Iran's Persian-speaking Shias do not rub shoulders easily with the Sunni Arabs of the southern Mediterranean, whom they regard as their cultural inferiors. For now, Arab unrest appears to be enriching Iran's power and influence over the chief Sunni proponent, Saudi Arabia.⁵ Saudi Arabia, while clearly nervous, acts cocksure that it will survive the current unrest. Saudi Arabia's interior minister, Prince Nayef bin Abdel Aziz, boasted recently that "Saudi Arabia is immune" to the protests because it is guided by religious law that its citizens will not question.⁶

But when the dust settles, who will the real winner be? Iran? Or the young people of the Middle East, who have the opportunity to at last be free of their autocratic rulers, which is due in large part to the fast-paced technology coming from the West? Iran's supreme leader, Ayatollah Ali Khamenei, proclaimed that Islam and Islamic values were the winner in Egypt, proclaiming that an "Islamic awakening" had occurred. For him it was an Allah-inspired beginning.

The editors of *The Economist* magazine wryly noted that while Iran's revolution of 1978-1979 was Islamic to the core, Egypt's was not—"or not yet." This is because Mr. Khamenei believes that "the fall of Mr. Mubarak can only usher in a government less friendly to Israel and less of a 'servant,' . . . of the United States—a government more after Iran's own revolutionary heart." And he may be right, because the potential of "an alliance between revolutionary Iran and Islamist elements in a new Egyptian government"—or

Tunisian, Moroccan, Yemeni, Omani, Saudi, Bahraini, Kuwaiti, Libyan, Syrian, Iraqi, and Jordanian governments—is not far-fetched.⁷

The United States is definitely in a tough spot. Mr. Obama admonished autocratic leaders, both "friend and foe alike," to "get out ahead of change" because "the world is changing." He said that advances in freedom of communication through smart phones, Facebook, and Twitter were forcing governments to act with the consent of the people, and that they could not afford to be "behind the curve."⁸ Admittedly, however, the swiftness of the current unrest in the Middle East has also caught Mr. Obama off guard; this, even despite Mr. Obama's foresight in August of 2010 to assign a special commission to study all of the best innovative approaches to democratic reform in the Arab-Muslim world.⁹

But that is not how he began his presidency in 2009.



Students at Cairo University listen to President Barack Obama during his speech there on June 4, 2009.

Cairo and the Emergence of the "Olive Branch Doctrine"

It was in Turkey, and then Cairo, barely five months into the first full year of his presidency, that Mr. Obama confidently launched his foreign policy legacy and his diplomatic push for democratic reform in the Arab-Muslim Middle East, using Turkey and Indonesia as models of democracy—"road maps" that the predominantly Muslim countries of the Middle East, including Egypt, should emulate.¹⁰

On June 4, 2009, in a speech before Egypt's government, military, and religious leaders titled "A New Beginning," Mr. Obama put forward his policy goals affecting this volatile region. In it he stressed political, civil, and economic freedom: "I have an unyielding belief that all people yearn for certain things: the ability to speak your mind and have a say in how you are governed; confidence in the rule of law and the equal administration of justice; government that is transparent and doesn't steal from people; the freedom to live as you choose."¹¹ The primary purpose of the speech was to address the matter of religious freedom and tolerance. And he frequently interchanged these terms to meet the Arab-Muslim community halfway.

Yet, in a bit of historical irony, President Obama came to Cairo in 2009 with the purpose of announcing to the Arab-Muslim world that during his presidency he was not following his predecessor's "Democracy Project" as a matter of U.S. Middle East policy. One could call this Obama's "Olive Branch" doctrine. The message was that religious tolerance, rather than the insistence of religious freedom and democracy, would be the foreign policy model pursued by the Obama administration. By "religious tolerance" Mr. Obama, in a stroke of supposed foreign policy realism, was communicating to Egyptians and all of the Arab-Muslim world that it was not the purpose of the United States to try to convert anyone to its way of thinking, politically or religiously.

Egypt's president, Hosni Mubarak, praised President Obama's speech, saying that it demonstrated that Obama understood the complexities that existed between freedom and tolerance in the Arab-Muslim world, and that he was an American president that Arab leaders could trust. He said, "Under the past administration there was a feeling that the Islamic world was a group of terrorists, Islam was hated and Muslims should be watched and that the previous administration was scared of any Muslim." "But," he observed, "Obama came and said, 'We will not fight Muslims and Islam.'" Mubarak concluded that Mr. Obama's attempt to reach out to the Arab-Muslim world placed the United States in a more positive light in the eyes of individual Muslims, and not just with Arab leaders.¹² Mubarak's words were uncannily predictive of something to come, something that included him and the country he governed for nearly 30 years.

The Muslim peoples of the Arab-Muslim Middle East have seen a political opening to take things into their own hands. In a shared cause of resistance to Western leaders who have been perceived—however erroneously—as wanting (since the invasions of Afghanistan and Iraq) to supplant Islam and their way of life, the people no longer see the need of continuing to harness their "strong horse" dictators whom Western leaders have propped up for years in the name of regional stability and security.¹³

The U. S. communicated caution and patience in the midst of the revolutionary demands of the people.¹⁴ This "safe" approach initially caused many of the protesters in Egypt to accuse Mr. Obama and the United States, of hypocrisy.

Obama's Interfaith Vision

President Obama appears to have a foreign policy objective in mind toward advancing democracy and democratic reform throughout the world, and particularly in the Arab-Muslim Middle East. If there is one move President Obama seems to be counting on, it is the promise he sees in both Indonesia and Turkey as models for bringing both the East and West together. It represents a subtle yet distinct shift toward religious "tolerance," away from the ideal of "freedom"—or somewhere in between—as the national and international norm.

It is a rather optimistic model that is rarely recognized or understood by pundits, foreign policy scholars, and the media—left, right, and center. It is a grand strategy that quietly sails through the criticism in a steady and self-convinced manner, representing Obama's clear affinity with the young protesters—not only supporting their yearning for freedom and democracy, but risking dumping a century's worth of U.S. support for Arab dictators, their oil (i.e., think alternative energy), and global stability—to support his and their shared yearning to engineer an interfaith approach to solving the world's religious and political conflicts. Mr. Obama sees it as the best possible means toward achieving world peace—the one last ray of hope in Mr. Obama's heart and mind, a hope that matches what an Obama biographer, Stephen Mansfield, described in *The Faith of Barack Obama* as the "eclectic" multi-faith experience that is based on his upbringing and personal life's journey.¹⁵

According to Mansfield, the president's foreign and domestic policy strategies appear irreversibly connected to his pluralistic religious experience—Catholic, Islamic, atheistic, and Pentecostal—and his years of involvement in community and social work. This in turn informs his intellect, his decision-making and communication style, and more specifically his *Kumbaya togetherness* or collective interfaith approach to foreign policy: the all-too-familiar "let's just get along" appeal.¹⁶ This is evidenced by Mr. Obama's Cairo speech emphasizing "A new Beginning":

"I am convinced that in order to move the things we hold in our hearts and that too often are said only behind closed doors. There must be a sustained effort to listen to each other; to learn from each other; to respect one another; and to seek common ground. As the Holy Koran tells us, 'Be conscious of God and speak always the truth.' (Applause.) That is what I will try to do today—to speak the truth as best I can, humbled by the task before us, and firm in my belief that the interests we share as human beings are far more powerful than the forces that drive us apart."¹⁷

Ideally speaking, this interfaith approach that he hopes will appeal to a new and vibrant generation of young people in the Middle East and around the globe, presumes to bring most people of faith together in the quest for shared democratic and economic values (i.e., world peace).

Within President Obama's overarching argument for a "new beginning" with Islam "is the clear suggestion that Islamic belief and democratic politics are not incompatible." After disavowing Bush's democracy promotion in his June 2009 address at Cairo University, President Obama gave sanction to this sentiment when he said that Bush's approach did not "lessen my commitment . . . to governments that reflect the will of the people," adding that "each nation gives life to the principle in its own way, grounded in the traditions of its own people."¹⁸ It seems clear that this is Obama's way of trying an untried approach to bridge the chasm in today's "clash of civilizations" between the Christian West and the Muslim East.

But this approach is alarming to European Union and NATO leaders, as well as Israel, because of the inevitability that "religious law will . . . undercut democratic reforms and other Western values." Both liberal and conservative foreign policy pragmatists warn that the . . . president's approach "fails to take into consideration the methodological approach many such [Islamist] parties adopt toward gradually transforming secular nations into Islamic states at odds with U.S. [and European] policy goals."¹⁹ That is why U.S. Secretary of State Clinton warned in Geneva that if Islamist parties seek to participate in the region's future elections, "political participation must be open to all people across the spectrum who reject violence, uphold equality, and agree to play by the rules of democracy."²⁰ Playing by the rules of democracy, that is the big test. It is a test that has never been met by any Arab Muslim nation in the Middle East.

Finally, President Obama's approach is one that will continue to dog him as he bumps up against the ideal of American exceptionalism in his own country. In the end, Obama's foreign policy approach to the Arab-Muslim world will either end up backfiring against his intended hopes and desires, or, as few believe, a wave of interfaith harmony among Sunni and Shiite Muslims will occur in their seeming quest for democracy and Western democratic values.



President Barack Obama speaks at Cairo University in Cairo, June 4, 2009. In his speech, President Obama called for a "new beginning between the United States and Muslims," declaring that "this cycle of suspicion and discord must end."

Gregory W. Hamilton is president of the Northwest Religious Liberty Association (NRLA). NRLA is a nonpartisan government relations and legal mediation services program that champions religious freedom and human rights for all people and institutions of faith in the legislative, civic, judicial, academic, interfaith and corporate arenas in the states of Alaska, Idaho, Montana, Oregon, and Washington. You can visit their Web site at www.nrla.com.

- 1 Ethan Zuckerman, "The First Twitter Revolution?" *Foreign Policy* (online), Jan. 14, 2011. See also Nouredine Miladi, "Tunisia: A Media Led Evolution?" *Aljazeera* (online), Jan. 17, 2011, in which the author concludes that "new and social media was one of the driving forces that kept the protests alive, giving Tunisians an effective way to coordinate"; and Carrington Malin, "Can We Say Twitter Revolution Now? Can We?" *Spot On Public Relations* (online), Jan. 16, 2011. Finally, see "Internet Democracy: This House Believes That the Internet Is Not Inherently a Force for Democracy" (a discussion between Evgeny Morozov and John Palfrey, and moderated by Mark Johnson), *Economist*, Feb. 23, 2011.
- 2 See Evgeny Morozov, "Freedom.gov: Why Washington's Support for Online Democracy Is the Worst Thing Ever to Happen to the Internet," *The Foreign Policy*, January-February 2011. This is an amazingly revealing article by Mr. Morozov: "The State Department's online democratizing efforts have fallen prey to the same problems that plagued Bush's Freedom Agenda. By aligning themselves with Internet companies and organizations, [Hillary] Clinton's digital diplomats have convinced their enemies abroad that Internet freedom is another Trojan horse for American imperialism." How? "Clinton went wrong from the outset by violating the first rule of promoting Internet freedom: Don't talk about promoting Internet freedom. Her Newseum speech was full of analogies to the Berlin Wall and praise for Twitter revolutions—vocabulary straight out of the Bush handbook. To governments already nervous about a wired citizenry, this sounded less like freedom of the Internet than freedom via the Internet: not just a call for free speech online, but a bid to overthrow them by way of cyberspace."
- 3 Tom Raum, "Obama Calls for Peaceful Response in Middle East," *The Washington Post*, Feb. 15, 2011. See also the White House transcript.
- 4 Alan Cowell and Neil MacFarquhar, "Iran Calls for Leaders of Opposition to Be Prosecuted," *New York Times*, Feb. 15, 2011.
- 5 See Michael Slackman, "Arab Unrest Propels Iran as Saudi Influence Declines," *New York Times*, Feb. 23, 2011.
- 6 Robert F. Worth, "Unrest Encircles Saudis, Stoking Sense of Unease," *New York Times*, Feb. 19, 2011. So is there any difference in Saudi Arabia's case, as compared with Iran's form of government? Yes, but not much. In Saudi Arabia Imams or Muslim religious leaders do not control the government as they do in Iran; secular princes guide by religious law, Sharia law. With the exception of Iraq this is the fundamental administrative difference between Shiite and Sunni-Arab Muslims. See Vali Nasr, *The Shia Revival: How Conflicts Within Islam Will Shape the Future* (New York: W.W. Norton, 2007).
- 7 A powerful radical cleric in Yemen by the name of Sheik Abdul Majid al-Zindani called for an Islamic state to replace the secular government there. He proclaimed, "An Islamic state is coming." Mr. al-Zindani is a revered theological adviser and mentor to Osama bin Laden. See Laura Kasinof, "Cleric Urges Islamic Rule in Yemen," *New York Times*, Mar. 2, 2011.
- 8 Tom Raum, "Obama calls for peaceful response in Middle East," *The Washington Post*, February 15, 2011. See also the White House transcript.
- 9 See Mark Landler, "Obama Ordered Secret Report on Unrest in Arab World," *The New York Times*, Feb. 17, 2011.
- 10 It seems that the media is only now catching on to this realization when Mr. Obama's intentions seemed fairly clear back in 2009 in his first foreign trips to Turkey, and particularly in his "A New Beginning" speech in Cairo. See Landon Thomas, Jr., "In Turkey's Example, Some See a Road Map for Egypt," *The New York Times*, Feb. 6, 2011.
- 11 The White House, Office of the Press Secretary, (speech transcript of) "Remarks by the President on 'A New Beginning,'" Cairo University, Cairo, Egypt: June 4, 2009, 1:10 p.m. (local). Some prominent liberal journalists are subtly suggesting that Mr. Obama's Cairo speech may have launched this Arab-Muslim revolution in the Middle East. Roger Cohen, for example, says that Obama is finding himself "ensconced on the right side of history." Thomas Friedman argues that the very persona of Barack Obama may be fueling the current Arab revolt: "Americans have never fully appreciated what a radical thing we did—in the eyes of the rest of the world—in electing an African-American with the middle name Hussein as president. I'm convinced that listening to Obama's 2009 Cairo speech—not the words, but the man—were more than a few young Arabs who were saying to themselves: 'Hmmm, let's see. He's young. I'm young. He's dark-skinned. I'm dark-skinned. His middle name is Hussein. My name is Hussein. His grandfather is a Muslim. My grandfather is a Muslim. He is president of the United States. And I'm an unemployed young Arab with no vote and no voice in my future.' I'd put that in my mix of forces fueling these revolts." See Roger Cohen, "Oh, What a Lucky Man," and Thomas L. Friedman, "This Is Just the Start," in *The New York Times*, Feb. 28 and Mar. 1, 2011. There seems to be an element of truth in their claims.
- 12 Andy Barr, "Mubarak Praises Obama Speech in Cairo," *Politico*, June 12, 2009.
- 13 For a rich discussion on the competitive nature of political power in the Middle East, with its mostly Muslim citizens, I highly recommend Lee Smith's *The Strong Horse: Power, Politics, and the Clash of Arab Civilizations* (New York: Doubleday, 2010).
- 14 See Helen Cooper, Mark Landler and David E. Sanger, "In U.S. Signals to Egypt, Obama Straddled a Rift," *The New York Times*, Feb. 13, 2011. In the immediate aftermath of Egypt's successful overthrow of the Mubarak regime, these *New York Times*' analysts ran an article chronicling the anger of President Barack Obama for the mixed messages coming from his special envoy to Egypt, Mr. Wisner, and Secretary of State Hillary Clinton.
- 15 Stephen Mansfield, *The Faith of Barack Obama* (Nashville, TN: Thomas Nelson, 2008): xix.
- 16 Stephen Mansfield, *The Faith of Barack Obama* (Nashville, TN: Thomas Nelson, 2008).
- 17 *Ibid.*
- 18 CBS News published by washingtonpost.com, "Obama Mulls Islam's Post-Revolt Role in Mideast," Mar. 4, 2011.
- 19 *Ibid.*
- 20 *Ibid.*

The Ninth Annual Religious Liberty Dinner: Ambassador Calls For "Strategic, Prayerful Action"



BY: MELISSA REID

President Obama's then-nominated and now-confirmed pick for the top religious freedom post, Suzan Johnson Cook, emphasized the continued urgency of the protection of freedom of conscience during her keynote address at the April 5, 2011, Religious Liberty Dinner in Washington, D.C. She noted that in the past two centuries more people have died for their faith than the other 19 centuries combined.

"As Americans, without any apologies whatsoever, we must repeat the message [religious freedom] over and over and over again to the world . . . [and] hold up international documents that establish this right," said Cook.

"We were very fortunate to have Dr. Cook as our keynote speaker. The dinner provided an excellent opportunity to hear directly from the ambassador-at-large for the Commission on International Religious Freedom, and I look forward to working with her," said Dwayne Leslie, director of the office of Legislative Affairs for the General Conference of Seventh-day Adventists.

Cosponsored by *Liberty* magazine, the **North American Religious Liberty Association**, the **International Religious Liberty Association**, and the **Seventh-day Adventist Church**, the dinner is held to celebrate and bring attention to the principle of religious freedom, both in the United States and around the world.

The evening's 200-plus guests included members of the diplomatic community; the U.S. State Department; three members of Congress (Reps. Roscoe Bartlett [Maryland], Charles Rangel [New York], and Sheila Jackson-Lee [Texas], nongovernmental organizations; and religious leaders from a variety of faith communities.

During his welcome Elder Ted N. C. Wilson, president of the Seventh-day Adventist world church, reminded guests that religious liberty is part of the "DNA of the Adventist Church." He reaffirmed the church's longstanding commitment to promote such freedom for all people, no matter their faith tradition.

Three advocates of religious freedom were also honored at the dinner:

- Norway's former bishop of Oslo Gunnar Stålsett received the International Award for his lifetime of efforts in promoting peace and reconciliation between people of different faith traditions.
- Kit Bigelow, former external affairs director for the National Spiritual Assembly of Baha'is, received the National Award for her 25 years of human rights advocacy, both at the United Nations and in Washington.
- Edwards Woods III, director of the Lake Region chapter of the North American Religious Liberty Association, received this year's A. T. Jones medal for his grassroots activism in building up religious liberty support across Michigan, Illinois, Wisconsin, and Indiana.

Toward the end of the evening, Knox Thames, director of policy and research at the United States Commission on International Religious Freedom, gave a poignant tribute to the late Shahbaz Bhatti, a member of the Pakistani president's cabinet who was



Ambassador Suzan Johnson Cook and Dr. John Graz.

gunned down outside of his mother's home after speaking out against the country's controversial blasphemy laws. Thames was a personal friend of Bhatti's, and had helped him connect with Washington lawmakers during the Pakistani minister's recent trips to the nation's capital.

"He was ready to die for the cause of helping his country, but he didn't want to die," said Thames. "He squeezed every ounce out of being a religious freedom advocate on the federal cabinet before being murdered by the Pakistan Taliban."

Thames called for religious freedom advocates to put pressure on the U.S. government to keep the issue of reforming Pakistan's blasphemy laws on the "front burner" of bilateral relations. Bhatti headed the committee to amend the laws at the time of his assassination.

"The Religious Liberty Dinner has grown way beyond its founding purpose of bringing attention to the 100th anniversary of *Liberty* magazine. It is now a premier religious liberty event for the Washington political elite, diplomatic community, and various religious representatives," said *Liberty* editor Lincoln Steed. "The partnering of these like-minded organizations has created something with invaluable outreach potential."

Melissa Reid is the associate editor of *Liberty* magazine.

Readers of *Liberty* should know that there is a close connection between *Liberty* Magazine and **NARLA (North American Religious Liberty Association)**. Just before the Religious Liberty Dinner our NARLA board met and voted Melissa Reid in as new executive director of that membership-based religious liberty advocacy organization. This should prove an ideal partnership between the magazine and NARLA, as she continues as associate to *Liberty* editor Lincoln Steed, who is also vice-president of NARLA.

Remembering Shabaz Bhatti: A Friend To Freedom

BY: KNOX THAMES

Shabaz was my friend. He was a brave advocate for religious freedom. He stood up in the face of danger. He was killed.

For those of you who aren't familiar with Shabaz Bhatti, he was a prominent Pakistani Christian who courageously advocated for the rights of members of Pakistan's religious minorities. I had the honor of helping Washington policymakers get to know him and understand the value of his courageous work. We became friends over the course of two years and three Washington, D.C. visits, my trip to Pakistan in December, and countless phone calls.

Shabaz was sworn in by the Pakistani president in November 2008 as the federal minister for minorities affairs, becoming the first Christian in Pakistan's federal cabinet. Upon being sworn in, Shabaz declared: "I decided to become federal minister for minorities affairs to advocate the case of the oppressed and the marginalized communities of Pakistan. I have devoted my life to struggle for human equality, social justice, religious freedom, and to uplift and empower the religious minorities communities of Pakistan."

After assuming the position, Shabaz worked bravely to see the repeal or reform of Pakistan's abusive blasphemy laws. Before his assassination last month, he had just been reappointed to the cabinet, something he referred to me as being a "miracle." It energized him to press on, despite increasing resistance and threats to his life.

I know at times he was afraid—he told me as much on occasion—but he rarely admitted it. He was ready to die for the cause of helping his country, but didn't want to die. He squeezed every ounce out of being a religious freedom advocate in the federal cabinet to make a difference, before being murdered by the Pakistani Taliban on March 2.

But now that his life has been taken, the question is—so now what? Will his passing discourage us, or challenge us, to do more in this struggle for religious freedom?

Practically (and Shabaz was very practical), we need to press our government to keep blasphemy reform on the front burner in our bilateral relations with the Pakistanis. His murder and that of the governor of Punjab, Salman Taseer, graphically demonstrates the dangers of ignoring the forces of violent extremism. The Pakistani government must also be respectfully encouraged to use force of law to change the climate that welcomes vigilante violence and gives societal cover to acts of extremism.

In addition to working top down, we come at this from the bottom up and support interfaith efforts that Shabaz started, such as the interfaith committees he established in every district of Pakistan and the National Interfaith Council to promote understanding and tolerance among the different religions.

These are not easy tasks. It will take courage, both real and political. The United States must support those who are brave enough to step into this fray.

Shabaz carried his small candle into the darkness to confront the forces of violent religious extremism threatening his country. We must remember his sacrifice, not just as we remember a lost friend, but have it be a call for action. His candle was snuffed out by murderers steps from his mother's home in a cold drizzle of rain and a hail of bullets. We must pick up his candle and carry on in this important work, pressing for greater religious freedoms for all Pakistanis, Muslims, Christians, Ahmadis, Hindus, and Sikhs, as well as elsewhere, be it Baha'is in Iran, Ugghur Muslims and Tibetan Buddhists in China, and beyond.

We can best remember Shabaz by making his death matter. I believe we can make a difference. I believe we can make a difference and carry on his work. We all have areas of influence that can have impact. We can all insist that religious freedom for all



people everywhere be respected.

Remarks by Knox Thames, director of policy and research, U.S. Commission on International Freedom, at the ninth annual Religious Liberty Dinner, April 5, 2011.

Where Are The Bridges Of Madison?

BY: BRUCE N. CAMERON



If you love freedom, do you have a "dog" in the Madison fisticuffs? The answer is "Yes!" But on which side should the thinking civil libertarian be in Wisconsin? Is Governor Scott Walker the younger face of former Egyptian president Hosni Mubarak? When you hear about Democrats leaving town in the dark of night is that a good or bad thing? Is it true that the elimination of collective bargaining for public employees is the beginning of the road to serfdom for the middle class?

Uncritically listening to the news coming out of Wisconsin, you might get a little confused about the answers. Much of the popular media suggests a striking resemblance between recent events in Egypt and Wisconsin.

Let's take a couple of laps through the logic of the law to decide where those who love liberty should come out in the dogfight over public employee collective bargaining in Wisconsin.

1 Is public employee collective bargaining a civil right?

The United States Supreme Court has an answer: "No." In *Smith v. Arkansas State Highway Employees, Local 1315—441* U.S. 463 (1979)—the United States Supreme Court determined that public employees have no constitutional right to bargain collectively with the government.

Because many citizens harbor a suspicion that the Supremes do not always get it right, perhaps just reading that the Court said "No," does not settle the matter in your mind. Let's dig deeper by examining what it means for a union to bargain collectively with the government.

a. Collective bargaining limits employee free speech: Collective bargaining is not like the kind of free speech we all enjoy to express our thoughts to our neighbors or local politicians. When a labor union is certified as the exclusive bargaining representative for public employee collective bargaining, specific consequences follow. One consequence is that the union is granted a monopoly over speech to the government about employees' wages and working conditions. As a result, individual employees are legally barred from discussing these matters with their employer.

Empowering the collective and silencing the individual does not sound like the typical constitutional right.

b. Collective bargaining limits employee economic freedom: Collective bargaining prevents employees from selling their labor on their own terms. This limit on individual economic freedom violates antitrust laws because it restrains competition. Recognizing this, Congress created an exemption in the Sherman Act, 15 U.S.C. 1, *et seq.*, allowing unions a monopoly in collective bargaining.

You might say, "Don't tell me about theory. Let's be practical. Making a living wage should be a civil right. Employees have no power unless they are granted a monopoly. It is right to muzzle some employees for the benefit of the collective!" Exactly how many government employees do you know who do not make a "living wage"?

Did you know that almost all employees in the private sector (93 percent) are not represented by a labor union? These employees have decided that they do not need a union monopoly to bargain collectively for them.

One very important practical aspect of collective bargaining in the public sector is highlighted by public education. Most union contracts require a single wage rate (or salary) for all employees in the same job classification. No exceptions are made for ability, industry, or skill. Because a single wage rate must be an average rate, superior employees (those with above-average ability, industry, or skill) find that they are underpaid, and inferior employees find that they are overpaid.

Everyone who has attended school knows that some teachers are great, and some are not so great. Monopoly collective bargaining ensures that they are all paid the same—thus encouraging superior teachers to leave the profession and inferior teachers to stay.

Public employee collective bargaining harms both individual employee speech and individual economic freedom. The larger reason it is not a constitutional right is its impact on democracy, which we turn to next.

2 Is public employee collective bargaining the friend or enemy of democracy?

Whatever tales your grandfather might have told you about the "bad old days" when he labored from sunrise to sunset for Scrooge Stamping for 10 cents an hour after walking barefoot in the snow at on -140° F when he was 8 years old, don't miss one important fact: Public employees work for your grandfather, your father, your mother, your children, and you! If your grandfather learned any lessons about the fair treatment of employees while toiling for Scrooge, he has ample opportunity to show what he learned in treating fairly the public servants who work for him!

a. Regular citizens are locked out by collective bargaining: The problem is that public employee collective bargaining prevents your family from applying Grandpa's lessons. The average citizen has little to no opportunity to have a voice in the working conditions of public employees because those decisions almost always take place outside the sunshine of public view.

When the U.S. Supreme Court discussed collective bargaining and the First Amendment in *Smith*, it accepted that every citizen has a right to speak to and petition the government. Conversely, the government has no obligation to respond or even listen. The normal recourse for citizens is to throw the bums out at the next election if they don't like being ignored.

Public employee collective bargaining laws require something much different. Collective bargaining requires the government to engage in "good faith" negotiations with the union. Failure of the government to attempt to reach an agreement with the union is illegal. When an agreement is reached, it must be reduced to writing.

This is another reason collective bargaining cannot be a civil right. One citizen has no right to a monopoly barring another citizen from speaking to government. Instead, every citizen has an equal right to speak. No citizen or group of citizens has the right to force the government into a dialogue policed by a third party. No one has the right to compel the government to enter into a written agreement on his pet issues. Instead, if our local politicians disagree with our viewpoint, our remedy is our right at election time to vote for someone else.



Wisconsin Governor Scott Walker signs the ceremonial bill, after the Republican-controlled House and Senate eliminated almost all collective bargaining for most public workers at the state Capitol in Madison, Wisconsin.

b. The dislocation of taxpayer rights by collective bargaining is serious:

Consider that labor-related costs are generally the largest category of expense for local government. The percentage commonly cited for employment-related costs in schools and local government is 60 percent of the total budget. Labor costs, of course, are at the heart of collective bargaining for public employees. Collective bargaining in Wisconsin takes place behind closed doors. Taxpayers are excluded from the bargaining process. As a result, they have no direct voice in deciding how a majority of their local tax dollars are spent. The two parties at the bargaining table are union representatives and, typically, nonelected government administrators who are required to bargain in good faith with the union, and only the union, over at least 60 percent of the local government budget.

Not only is this inconsistent with democracy—you can understand why Governor Walker argued that limiting the scope of collective bargaining for public employees is critical to containing the spiraling cost of government. Nothing helps to control the cost of government better than letting taxpayers have a clear view of and a firm say in how their money is spent.

If you move high enough up in the typical governmental bureaucracy, you will find an elected official whom taxpayers can hold accountable for budgetary decisions. But even then taxpayers' hands are tied. Typically collective bargaining agreements are entered into for a term of three years. Even if voters tossed out their elected representatives at the next election, that would not alter existing collective bargaining agreements, which put approximately 60 percent of the taxpayers' obligations out of their immediate reach.

Even when politicians decide to take a firm stand against increased employee-related costs, other aspects of public employee

collective bargaining thwart their efforts. Because public employees generally are barred from striking, many states provide public employee unions with the right to invoke "interest arbitration" when the government refuses to agree to union demands and negotiations break down. Interest arbitration turns over to an unelected labor arbitrator the final decision on disputed wage raises and other economic decisions! Neither elected politicians nor the taxpayer has the authority to override the arbitrator's decision.

Another problem is that public employee unions are to some degree always sitting on both sides of the collective bargaining table. Here is how: In the private sector, the employer knows that if it does not limit labor costs, it will go out of business. This is a powerful incentive to hold the line on wages. The opposite is true for government. Not only is government not going to go out of business because of competition, but the government bureaucrats sitting at the bargaining table know that if employee salaries go up, likely their administrator salaries will also go up. Consequently, no one at the bargaining table has an economic incentive in line with the interests of those who want to hold down taxes and government spending.

The National Education Association, the largest labor union in the United States, has long promoted the election of its members to local school boards. When NEA members are elected to a school board, the union truly sits on both "sides" of the table.

Even if local politicians are not members of the union representing their public employees, unions are heavily involved in funding local political campaigns. To get an idea of the level of the NEA's political involvement, consider this: the NEA recently reported that slightly less than half its dues are expended for collective bargaining costs. The rest is spent for political and ideological activities!

In Wisconsin the NEA's state affiliate, the Wisconsin Education Association, contributed more money for politics than any other labor union in the state's last election cycle. Other labor unions were close behind. Excluding political parties and individual contributors, organized labor accounted for five of the top seven political contributors in Wisconsin. This gives politicians a powerful incentive not to hold the line on public employee collective bargaining.

The darker side of the anti-democratic aspect of Wisconsin public employee collective bargaining is that up to now public employees have been required to join the union or pay compulsory union fees as a condition of employment. Thus, the huge political power that public employee unions exert is derived in part from employees who do not agree with union politics.

c. Imagine if collective bargaining rights were given to other organizations: Proponents of public employee collective bargaining argue that employees have a unique interest in their working conditions, and therefore they should be allowed to engage in anti-democratic, closed-door collective bargaining. The National Rifle Association and its members have a unique interest in gun laws, the International Brotherhood of Teamsters has a unique interest in trucking regulations, and the American Medical Association has a unique interest in medical malpractice laws.

How democratic would it be to allow the Teamsters to negotiate secretly truck safety regulations, and write the laws governing maximum truck speed and weight? What about allowing the NRA to negotiate behind closed doors what kinds of guns can be privately owned and what gun registration, if any, is necessary? Should the AMA be able to force government to covertly negotiate malpractice laws only with it?

This type of backroom deal is inconsistent with a one-person, one-vote democracy. The NRA, Teamsters, and AMA are special interest factions that (naturally) put their members' interests ahead of the public interest. Collective bargaining gives public employee factions a special portal into government decision-making that is not available to regular citizens.

3 Are the protests in Wisconsin like the protests in Egypt?

So far, we have seen that public employee collective bargaining is not a constitutional right or even a civil right, because it is inconsistent with democracy. Are the protests in Wisconsin democracy in action?

a. Skip the polling booth and go straight to jail: The last presidential election in Egypt brought reports that some citizens who tried to vote were fired upon, and 10 were killed. The runner-up in the election, Ayman Nour, was jailed. No similar reports have surfaced from the most recent elections in Wisconsin. No one in the Wisconsin legislature claimed to have won through superior weaponry. Losers were not jailed. Instead, the will of the electorate was freely expressed, and Governor Walker and a Republican majority won their posts by persuasion, not coercion. The government in Wisconsin bears no resemblance to the past government in Egypt.

b. Mug a taxpayer and go to Madison: The bulk of the demonstrators in



The 14 Wisconsin Democratic senators that left the state to protest the bill proposed by Governor Scott

Madison, however, raise serious challenges to democracy. Citizens are entitled to visit the legislature and voice an opinion. Would the picture change if they just robbed the local convenience store to get the funds to make the trip? Media reports showed that many of the demonstrators were public employees who were marching on the capitol during regular work hours. Braving the cold weather, they picketed and screamed even though they reported to the government that they were too "sick" to go to work. Who was robbed so that the "sick" demonstrators could voice their opinions? The taxpayers!

Walker return to massive crowds that continue to protest at the Wisconsin State Capitol
March 12, 2011.

Wisconsin taxpayers should not be shocked to discover that they are footing the bill for this political protest. Wisconsin law has long provided that public employee unions can require public employees to pay union dues—even those who refuse to join the union and want nothing to do with its politics. Government in Wisconsin not only compels compulsory union fees, but also provides free debt-collection services to the unions. State and local governments in Wisconsin collect the political portion of union dues and the unions' political action committee money and then hand this money over to the unions—all at taxpayer expense.

c. *Running from democracy:* While lovers of liberty hope that the goal in Egypt is to bring in an era in which citizens can freely cast their votes for representative officials who, in turn, may freely vote in the legislature, that was manifestly not the goal of the demonstrators or the Senate Democrats in Madison. The Senate Democrats left the state in the dark of night for the purpose of denying the senate the opportunity to vote. Screaming demonstrators in the legislative gallery substituted name-calling for free debate.

Governor Walker is restoring democracy to Wisconsin. By eliminating some (but not all) public employee collective bargaining, he is taking budgeting decisions out from behind closed doors and putting them in the hands of the taxpayers. By eliminating compulsory union fees and state-subsidized union fee collections, he is restoring freedom of choice to public employees and a level playing field for taxpayers.

Those whose first love is religious freedom might not think they have a dog in the fight in Madison, but they do. Religious freedom never stands alone. It accompanies freedom of speech, association, and press, and a free market. The same anti-democratic, collectivist policies and practices at the heart of the battle for Wisconsin are also the natural enemies of religious freedom.

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The Supreme Court Weighs In On ... The Costs Of Free Speech

BY: CLIFFORD GOLDSTEIN

According to a recent Supreme Court ruling (*Albert Snyder vs. Westboro Baptist Church*), the free speech clause might not allow someone to yell "Fire!" in a crowded movie theater, but it does allow protesters at military funerals to hold signs that declare, "Thank God for Dead Soldiers."

In the 8-1 decision, Chief Justice John Roberts, writing for the majority, said that the Westboro Baptist Church, led by the incorrigible Fred Phelps, could not be held liable for the damages sought by the family of Matthew A. Snyder, a slain marine lance corporal whose funeral was picketed by Phelps and some other church members in 2006.

"Speech is powerful," wrote Roberts. "It can stir people to action, move them to tears of both joy and sorrow, and—as it did here—inflict great pain. On the facts before us, we cannot react to that pain by punishing the speaker. As a nation we have chosen a different course—to protect even hurtful speech on public issues to ensure that we do not stifle public debate. That choice requires that we shield Westboro from tort liability for its picketing in this case."

Offensive Speech

However unpopular, and however much it offends our sensibilities, the decision in *Westboro* is correct, at least in the sense that it followed logically from previous cases based on the premise of the free speech clause of the First Amendment. Only Justice Alito dissented, arguing that the "respondents' outrageous conduct caused petitioner great injury, and the Court now compounds that injury by depriving petitioner of a judgment that acknowledges the wrong he suffered. . . . In order to have a society in which public issues can be openly and vigorously debated, it is not necessary to allow the brutalization of innocent victims like petitioner. I therefore respectfully dissent."

Alito's dissent, however, seemed motivated more by his emotional distaste for the Westboro Baptists than by clear legal thinking or by the "sacred" dogma of precedent. Free speech protections, though having limits (nothing in the clause, for instance, would demand that Rush Limbaugh be the featured speaker at the next Democratic National Convention, or that someone could spray-paint Snoop Dogg lyrics on the Jefferson Memorial), are still accorded broad and powerful protections in this country, and in ways that remain unseen in many other Western liberal democracies.

Which is how it should be; otherwise, what would free speech protections mean if only popular speech were protected? The whole purpose of the free speech clause is to protect offensive and unpopular "speech," in whatever form it might come. That's why the Supreme Court has consistently rejected the argument that speech can be punished because it offends some people's sensibilities, and is precisely why it has with regularity invalidated statutes and practices that penalize expression based solely on content.

After all, the High Court, under the umbrella of free speech protections, has upheld the right of the American Nazi Party to hold a march in a Jewish neighborhood, the right of the Ku Klux Klan to spew its venom, and the right of Gregory Lee Johnson, then a member of the Revolutionary Communist Youth Brigade, to burn an American flag and shout "America, the red, white, and blue, we spit on you, you stand for plunder, you will go under!" Thus, why should Fred Phelps and his pious thugs be denied the same, however offensive their actions might be?

Westboro Baptists

For about 20 years, members of the Westboro Baptist Church, located outside of Topeka, Kansas, have been picketing military funerals in the belief that these deaths are God's punishments on America for its tolerance of homosexuality, particularly in the military (ironically enough, one of the few places left in public life where sexual preference can mean dismissal).



Westboro, an independent Baptist church (not affiliated with any other Baptist organization), was founded by its pastor, Fred Phelps, and it consists mostly of his family members. A few years ago Phelps, along with six other of the faithful, traveled to Maryland in order to picket the funeral of Snyder, who was killed while serving in Iraq. The picketing took place on public land approximately 1,000 feet from the church where the funeral was held, and was in accordance with guidance from local law enforcement officers. Phelps and his nasty little troop peacefully displayed their signs—"Thank God for Dead Soldiers," "Fags Doom Nations," "America Is Doomed," "Priests Rape Boys," and "You're Going to Hell"—for about 30 minutes before the funeral began.

Others—not just Catholic priests and dead Marines—have fallen afoul of Westboro Baptist's "righteous" indignation, too. In 1996, for instance, Phelps led a protest march against the United States Holocaust Memorial Museum in Washington, D.C., proclaiming that "God has smitten Jews with a certain unique madness. . . . Jews, thus perverted, out of all proportion to their numbers energize the militant sodomite agenda. . . . Jews are the real Nazis."

The dead marine's father filed a lawsuit against the church, claiming the "intentional infliction of emotional distress, intrusion upon seclusion, and civil conspiracy." A lower court jury held Westboro liable for millions of dollars in compensatory and punitive damages. After a few appeals, including a reversal of the original decision against the church, the case made it to the U.S. Supreme Court, which issued its verdict in March 2011, stating in rather mundane terms that "the First Amendment shields Westboro from tort liability for its picketing in this case."

No Zero-Sum Game

However much the First Amendment might shield this kind of speech, what it doesn't do is address the blowback that could follow from these kinds of decisions. Such protections are not a zero-sum game, and can come with repercussions. For instance, right after the Westboro decision the blogosphere was rife with speculation about what will happen when Phelps and company picket another dead Marine's funeral and some post-traumatic-stress-syndrome serviceman decides to administer his own form of justice with an M-16. Or, on a larger scale, could these kind of exceedingly unpopular court decisions (which is precisely why we have a court system somewhat independent of the democratic process) cause a backlash in which large portions of the demos seek to impose free speech restrictions on those whose views it deems offensive?

Who knows? What seems clear is that, at least for now, the U.S. Supreme Court has, with this decision, upheld the tradition of free speech that has evolved over the past century. It was the right decision, it was a consistent decision, it was the kind of decision that the Court was designed to make. That is, it took a basic constitutional right and placed a hedge of protection around it, regardless of how offensively that right has been used (or abused).

Unfortunately, because of this decision, we haven't heard the last of the Westboro Baptists and their unusually hateful expression of faith. One wonders if they have ever heard of Jesus' words: "Judge not, that you be not judged. For with what judgment you judge, you will be judged; and with the measure you use, it will be measured back to you" (Matthew 7:1, 2, NKJV).*

Clifford Goldstein, a previous editor of *Liberty*, writes from Sykesville, Maryland.

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The Christian Persecutory Impulse: The Emergence Of Toleration

Part Four In A Series

BY: DAVID J.B. TRIM



Editors' note: This is the fourth in a series of five articles on the history of Christian persecution up to the end of the seventeenth century. The first, second, and third articles can be found [here](#) and [here](#) and [here](#).

The millennium-old Christian consensus that religious diversity was an evil that ought to be crushed by the combined power of church and state, and that in each Christian polity there ought to be "one king, one law, one faith," became increasingly untenable in the face of the Reformation reality of entrenched minorities in several nations. The number of people potentially subject to the violence of persecution greatly increased; this meant both that it could no longer be ignored and that it seemed increasingly unlikely that persecution really could solve the "problem" of diversity.

Strategies for Coexistence

From the late 1550s it seemed to many statesmen that new solutions to the "problem" of religious diversity were urgently needed, for in many nations it had become increasingly plain that diversity could not be overcome by violence. Those who began to argue for toleration did so partly because they recognized that resolving doctrinal disputes by violence was hardly Christlike, and partly because they foresaw that the end result of large-scale violent responses to religious heterodoxy might be political partition as well as religious division.

In England a Catholic queen, Mary I, had succeeded a Protestant king, Edward VI, in 1553, and then executed at least 287 people in 46 months from February 1555 to Mary's death in November 1558. Her successor, Protestant Elizabeth I, made the Church of England Protestant once more, but was sensitive to the deep confessional divisions within her realm, with her subjects not split only between Catholic and Protestant but also between varieties of Protestant confessions. Her response was to require all her subjects to worship in her way, in her church, but to concede effective liberty of conscience and private worship.¹

In France, divided between a Roman Catholic majority and a considerable Calvinist minority, the first of eight wars of religion broke out in 1562, which were to last with short periods of peace until 1598. Beginning in January 1562 the crown issued a series of nine edicts of pacification, one before the wars began (and which partly prompted the first war) and eight treaties concluding hostilities. Each of these edicts granted a greater or lesser degree of concessions to the Huguenots (as members of the Reformed minority were known). These never amounted to more than what one eminent historian of the Huguenots calls "licensed coexistence," rather than full-blown toleration.² Yet several edicts, including the first, only angered zealous Catholics; thus, conceding freedom of belief and limited freedom to worship led to war. Eventually, however, the ninth pacification, the celebrated Edict of Nantes issued by Henry IV in 1598, was universally (if grudgingly) accepted. France had embarked on a nine-decades-long "adventure in religious pluralism."³ Full religious freedom did not exist, but Huguenots had complete liberty of conscience, and, even more vitally, they had, if only in certain towns and cities, liberty to practice their faith fully.

In the Low Countries, ruled by the Spanish Hapsburg dynasty, despite intense persecutory efforts by the Inquisition in the 1550s and early 1560s, by the middle of the 1560s there probably was no overall religious majority; Catholics and Calvinists were the largest groups, but there were also sizable Lutheran, Anabaptist, and Jewish communities. A Calvinist insurgency in 1566 gave rise in the 1570s to a more broadly based Dutch Revolt and the Eighty Years' War against Spain, which only concluded in 1648. It was a war fought about more than religion, but religious hostilities ensured there could be no compromise on political issues. The northern provinces of the Netherlands eventually achieved independence as the Dutch Republic, partly because the members of the various rival religious communities cooperated against Hapsburg rule. The result was that virtually from its inception the Dutch

Republic had a regime of limited toleration. Liberty of conscience was almost universally conceded; while the Reformed (i.e., Calvinist) Church had a privileged status and while freedom to believe was not matched by freedom to worship, nevertheless the Netherlands was unusually tolerant by the standards of early-modern Europe.

As we shall see, however, in France and the Netherlands, even those who opposed persecution and advocated toleration most strongly often retained traditional attitudes. The late sixteenth and early seventeenth centuries witnessed the beginnings of a paradigm shift in Christian attitudes to religious diversity and persecution, one that would eventually lead to a rejection of the Christian persecutory impulse. Yet that impulse retained some of its potency. First, there were many parts of Europe—both Protestant and Catholic—where persecution continued, because there was still an underlying presumption that unity, not diversity, was the ideal. Second, even where the use of force to achieve it was forsworn, and different methods embraced, there was still almost no concept that a plurality of religious opinions and practices could be a good thing—that multiformity might even be a way of honoring a God whose creation is characterized by diversity and variety, rather than uniformity.

France: Seeking "Concord"

Even before the outbreak of the wars of religion, the Chancellor of France, Michel de L'Hospital, became convinced that the persecutory paradigm was no longer relevant in France. While L'Hospital was a devout Roman Catholic and disapproved of heresy, he also disapproved of opposing it by violence. In a series of government memoranda, legal pleas and official speeches he argued for "concord" and peaceful coexistence.

Because belief is internal and mental, disagreements about beliefs must be resolved by intellectual arguments, not by force: "It is stupid," L'Hospital wrote, "to think that this division of minds can be settled by the power of the sword and with gleaming armour."⁴ But in addition, disagreements about *religious* beliefs require specifically religious, rather than secular, responses. In an address to France's supreme court in June 1561, L'Hospital argued that because heresy was a spiritual fault, it inevitably required "divine and spiritual remedies" rather than "human remedies."⁵ Furthermore, not only was force, by its nature, innately incapable of resolving disagreements about religious beliefs, it also was entirely inappropriate for followers of Christ, who "loved peace, and orders us to abstain from armed violence." Christ "did not compel and terrorise anybody through threats [or] with a sword."⁶

L'Hospital repeatedly emphasized that followers of Christ ought not embrace violent solutions to disputes with fellow believers. In December 1560, in an official memorandum, he condemned "those who take up arms for the cause of God, because the cause of God does not want to be defended by arms."⁷ In the autumn of 1561 he urged the royal council not to use force against the Huguenots, as it would be "repugnant . . . to the name of Christians we bear."⁸ In early 1562, as the first of eight confessional civil wars were about to break out, he lamented the fact that some "believed the diversity of Religion" could be ended by force, and that "some had opposed [it] by the fire or by the sword," when these "are not the weapons which God would have one use in such things."⁹ The right "weapons" for a struggle between different systems of belief were "charity, prayers, persuasions, [and] the Word of God."¹⁰

Because force was bound to fail, L'Hospital stressed the need for reconciliation. He made one of his most significant speeches in September 1561, at the Colloquy of Poissy, at which the leading theologians of the rival confessions in France tried (unsuccessfully and possibly insincerely) to resolve their differences and agree on a common formula of faith. He stressed to the assembled Catholic and Calvinist delegates that force had failed to resolve the problem of religious diversity, and called on the former not to think of the latter "as enemies," for "those of the so-called new religion" were "Christians just like themselves"; good Catholics "must not close the door to them . . . but receive them in warm spirit, without harshness and stubbornness."¹¹

There were, however, two reasons for this Christlike forbearance: one was to ensure national reconciliation, so that the French people were not fatally weakened; the other was because L'Hospital believed that this, rather than force, was the best way to end religious division. He did not envisage a nation divided into two confessions, each accepting the other; instead he expected that if believers repudiated violence, then the differences between them would be resolved. He distinguished "between eternal laws and temporary remedies" and regarded edicts of toleration as the latter: provisional measures to deal with a problem of religious diversity, not a permanent feature of the religious landscape. As the diversity disappeared, so would toleration—but through peaceful dialogue, persuasion and conversion, rather than persecution or war.¹²

It was common for even adamant opponents of persecution, such as Michel de L'Hospital, to be at the same time opponents of pluralism. While they argued for toleration on grounds that were principled and ethical, they did not argue for toleration as a principle. Instead, they espoused what one historian has termed "political toleration": a temporary measure, conceded because of weakness, rather than granted from a position of strength because of principle.¹³ L'Hospital and others still believed in a Catholic nation of France: "concord" meant a reunited Christian church, not recognition of separate Catholic and Reformed churches.

France: "Suffering" Heretics



Catherine de Medici views the aftermath of the St. Bartholomew's Day massacre.

By the end of 1576 L'Hospital's worst nightmares had come true. Force had utterly failed to reunite the people of France in concord. Not even five civil wars in 15 years and the St. Bartholomew's Day massacre (August 24-25, 1572), which produced mortality on the scale of the attack on New York in September 2001, had done the trick. While no one knew that three more wars, taking up 15 of the next 22 years, were still to be waged, it was clear that the *guerres de religion* were far from over. Consequently, even arch-Catholics were starting to come around to L'Hospital's way of thinking.

At a meeting of the Estates-General of France in 1577, each of the three Estates (the nobility, the clergy, and the commoners) resolved in favor of uniformity of religion. But the Duke de Montpensier, one of the favorite counselors of King Henry III and known for his Catholic zeal, shocked the deputies with a speech arguing for limited toleration. He made it that "the Roman Catholic religion" was the faith in which he would "live and die," but then declared that, in light of "the evils which the recent wars have brought us, and how much this division is leading to the ruin . . . of this poor kingdom," he felt "constrained to advise . . . the toleration and sufferance of

those of the new opinion." Trying to sweeten what was, both to himself and to his listeners, a bitter pill, he optimistically observed that toleration would surely only need to be in place for "a short time," because after the crown and its subjects had been "reunited and reconciled," "God [would] bless us with only one religion, the Roman Catholic faith held and followed by all previous kings."¹⁴ It was a grudging and very limited concession, yet a remarkable one, made as it was by a close counselor of a king who, before succeeding to the throne, had been deeply complicit in the St. Bartholomew's Day massacre.

Montpensier was not alone in his willingness to suffer the Huguenots to live. One group of nobles at the Estates-General argued that though it was "highly desirable for all the people . . . to live in one Roman Catholic and apostolic religion," and though it was of course "true that when people have only one religion, a king is better obeyed and served," it was also the case that civil war was one of the "greatest afflictions" that a people or king had to endure. Therefore, though they "by no means [approved] of the so-called reformed religion," they pleaded with the king to reject further persecution and religious war; for "violence," they ominously and presciently warned, "eventually leads to self-destruction."¹⁵

These examples expose the extent to which the emerging willingness to "suffer" (the choice of word is striking) confessional minorities was not an ethical and principled but rather a practical, prudential decision. There was still no concept that religious pluralism could characterize a polity—only a lack of enthusiasm for persecution as a way of ending religious diversity. It is also striking that, despite the expression of these sentiments, the Estates-General in 1577 actually pushed Henry III into repealing the royal edict of 1576 that had ended the fifth war of religion by granting the Huguenots liberty of public worship as well as of conscience. It is a telling fact that this edict—which granted the most generous terms of any edict before 1598—excited such a strong Catholic reaction that France was plunged in the short term into another civil war, and in the long term to another two decades of religious violence. Civil war provoked limited sufferance of heterodoxy; wider toleration provoked more civil war—because so many people were convinced that persecution was the right response to falsehood and false religion.

Even after the toleration granted by the Edict of Nantes was accepted, it was still regarded as a short-term measure. Royal counselors and Catholic bishops alike assumed (as had L'Hospital) that gradually Protestants would all convert to Catholicism, ending the need for toleration. One regional administrator spoke for many when he called the edict "a shadow" on French law, "extracted from our kings by the necessity of the times."¹⁶ Eighty-seven years later the Huguenot minority was still in existence, to the frustration of the Catholic elites. Henry IV's grandson, Louis XIV, revoked the edict, ending legal diversity and reinstating persecution. But toleration had always been contingent. L'Hospital's concept of "concord" and Montpensier's notion of "sufferance" were both preferable to persecution and religious war, but neither were true safeguards against a return to violence, because they could not envisage diversity as a normal state of affairs.

The Netherlands

Meanwhile, in 1566, William of Orange and other leading Dutch nobles had staged a conference in Brussels, in an effort to find a peaceful solution to the violence already beginning to shake the Netherlands. One of the scholars they invited was the French humanist François Baudouin, one of Europe's preeminent jurists, but also a historian and theological controversialist. He had published influential histories of Constantine, the ruler under whom (as we saw in the first article in this series) the church was first reconciled with the state, and of the Donatists, one of the first politically significant Christian heretical groups. Baudouin had been a convert to Reformed Protestantism and a leading figure at the Colloquy of Poissy, but in 1563 he reconverted to Roman Catholicism. He maintained, however, his hostility to persecution. Because

of his legal expertise, Baudouin was more than just an academic theorist.

At the Brussels conference, Baudouin presented a treatise which was later adopted by the assembled nobles and submitted to the then-ruler of the Low Countries, Philip II, king of Spain and lord of the Netherlands. Drawing on his expertise in ancient history, Baudouin cited the example of the emperors of ancient Rome, whose most rigorous persecutory efforts produced the opposite effect of their intention. The Roman experience showed, he argued, that "in the persuasion of the heart, corporal violence prevails no more than the vapor or wind that blows, to hinder the heat of the fire."¹⁷ But having asserted the inutility of persecution, he also argued against it on principle; he avowed that the way to change people's religious "opinions is to persuade them, that their faith and belief is not conformable to the word of God." And he provided a remarkable answer to those who assumed that, if the argument of the Word proved fruitless, then the argument of the sword ought to follow, to realize the goal of conversion:

"To effect the which, there is no other means, than to give them free audience, to the end, that they may propound their reasons and motives with all liberty, and that they be confuted of error and heresy by the word of God: if they remain obstinate, yet when this disputation and instruction shall be done in the eye of the world, those that are weak shall by this means be persuaded, not to follow their errors."¹⁸

Thus, he concluded, "prelates and bishops" ought to trust more in the rightness of their cause; if they did, he affirmed, "there is not in the world a better means to prevent the multiplying of sects, than to confer together publicly, that all the world may know, that the others do falsely brag, that they have the word of God on their side."¹⁹

The treatise was dismissed out of hand by the ultra-Catholic Philip II. Baudouin returned to France, but the irenic concepts he had expounded were embraced in the Netherlands by William of Orange. The harsh intolerance of the Spanish regime, which in the late 1560s and early 1570s executed an average of three people per week for heresy,²⁰ evoked similar intolerance from Dutch Calvinists. In the northern provinces Reformed pastors and politicians encouraged persecution even of Catholics fighting for the political liberties of the Netherlands! It was William who took a lead in trying to moderate the persecutory impulses of zealous Calvinists; even after his death in 1584 the Dutch Republic maintained religious policies that were comparatively—and increasingly—generous and tolerant.

Yet even in Europe's most tolerant state, the persecutory impulse periodically continued to mold policy. In the 1620s the government closed Lutheran churches in Rotterdam and Leiden.²¹ As late as 1657, English Quakers in Amsterdam, refugees from repression in England, suffered such persecution that their leader wrote bitterly: "Oh, how appears the devouring wolf under the sheep's clothing!" The "congregation which persecutes," he concluded, is "not the congregation of Christ but the synagogue of Satan."²²

Thus, while Baudouin's argument that the best thing for religion is free and open exchange and debate is immensely attractive today, his clarion call to generosity of spirit toward those whose religious views differ from his own is easier to hear today than it was in his own day. It was not only the absolutist Roman Catholic monarch Philip II who was unimpressed by the call to rely on the Word, not the sword. As we have seen, French Catholics and Dutch Calvinists shared his contempt; and a seventeenth-century English Puritan, reading a version of Baudouin's discourse at least 50 years later, was also dubious. In the margin, next to a statement that only the "word of God must determine of controversies," he wrote: "But who shall execute it?"²³ And when Baudouin went one step further and asserted that while it might in theory be desirable that there be "one law, one faith, and one king," in practice "it is not possible to attain unto it,"²⁴ the reader skeptically queries in the margin whether "Christ [is] a desirer of discord."²⁵ There were still many people in Christendom who believed Christians had a right and a duty to impose correct doctrine by force and to preserve unity.

The examples we have considered indicate how hard it was to shake off the presumption that God wanted church and state, prince and people, nobles and commoners, all to share the same unity of faith—and the associated presumption that persecution was the right way to achieve that unity. Nevertheless, by the year 1600 a shift away from those presumptions was well under way—arguably a paradigm shift, or the origins of one. Statesmen as well as theologians, members of majorities as well of minorities,



William of Orange

and those in power as well as those on the margins—all had begun to concede the necessity of some degree of toleration, even if temporary and restricted. There was still hostility to such attitudes, but a consensus on the necessity of toleration was starting to emerge. Nevertheless, as many scholars have pointed out, religious toleration is not the same thing as religious freedom.

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- 1 For a concise overview see David J. B. Trim, "Reformation and Counter-Reformation," *Liberty*, May/June 2009, pp. 22-29, and "Reformation Achieved," *Liberty*, July/Aug. 2009, pp. 22-29.
- 2 N. M. Sutherland, "Persecution and Toleration in Reformation Europe," *Persecution and Toleration, in Studies in Church History* (1984), vol. 21, pp. 158, 159.
- 3 Keith Cameron et al., ed., *The Adventure of Religious Pluralism in Early Modern France* (New York: Peter Lang, 2000).
- 4 Quoted in Loris Petris, "Faith and Religious Policy in Michel de L'Hospital's Civic Evangelism," in Cameron, et al, p.137.
- 5 Quoted in Seong-Hak Kim, *Michel de L'Hôpital: The Vision of a Reformist Chancellor During the French Religious Wars, Sixteenth Century Essays & Studies* (Kirksville, Mo: Sixteenth-Century Journal Publishers, 1997), vol. 36, p. 68.
- 6 Quoted in Petris, p.137.
- 7 Quoted in Loris Petris, "Causas belli præcidere eloquio pietate. L'éloquence de Michel de L'Hospital Dans Ses Discours de 1560 à 1562," in Thierry Wanegffelen, ed., *De Michel de L'Hospital à l'édit de Nantes: Politique et Religion Face aux Églises* (Clermont-Ferrand: Presses Universitaires Blaise-Pascal, 2002), p. 273 (translation mine).
- 8 Quoted in Kim, pp. 75, 76.
- 9 Quoted in Petris, "L'éloquence de Michel de L'Hospital," p. 273, note 72 (translation mine).
- 10 Petris, "Faith and Religious Policy," pp. 138, 139.
- 11 Quoted in Kim, p. 72.
- 12 Mario Turchetti, "Middle Parties in France During the Wars of Religion," in Philip Benedict et al., eds., *Reformation, Revolt and Civil War in France and the Netherlands 1555-1585* (Amsterdam: Koninklijke Nederlandse Akademie van Wetenschappen, 1999), pp. 171, 172; Petris, "Faith and Religious Policy."
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- 14 Quoted in Mack P. Holt, *The Duke of Anjou and the Politique Struggle During the Wars of Religion* (Cambridge: University of Cambridge, 1986), pp. 84, 85.
- 15 *Ibid.*, p. 85.
- 16 Quoted in French in Richard Bonney, *Political Change in France Under Richelieu and Mazarin, 1624-1661* (Oxford: Oxford University Press, 1978), p. 384 (translation mine).
- 17 The text appears in English translation in Edward Grimeston, *A Generall Historie of the Netherlands* (London: 1609), pp. 356-367. In the quotations that follow, spelling and punctuation have been modernized.
- 18 Grimeston, p. 357.
- 19 *Ibid.*, p. 358.
- 20 William Monter, "Heresy Executions in Reformation Europe, 1520-1565," in Ole Peter Grell and Bob Scribner, eds., *Tolerance and Intolerance in the European Reformation* (New York: Cambridge University Press, 1996), pp. 59, 60.
- 21 Jonathan Israel, *The Dutch Republic: Its Rise, Greatness, and Fall, 1477-1806* (Oxford: Clarendon Press, 1995), p. 476.
- 22 Quoted in J. van den Berg, "Quaker and Chiliast: The 'Contrary Thoughts' of William Ames and Petrus Serrarius," in R. Buick Knox, ed., *Reformation Conformity and Dissent: Essays in Honour of Geoffrey Nuttall* (London: Epworth Press, 1977), p. 183.
- 23 Folger Shakespeare Library copy of Grimeston, p. 359; this belonged to the Greville family, notable in the seventeenth century for their Puritanism: cf. John Gouws, "Greville, Fulke, first Baron Brooke (1554-1628)," *Oxford Dictionary of National Biography* (Oxford: Oxford University Press, 2004), vol. 23, pp. 786-990.
- 24 *Ibid.*, pp. 365, 366.
- 25 *Ibid.*, p. 366.

Facing Up To The Burqa: Is France Going Too Far?

BY: JOHN GRAZ

There is a new law in France forbidding women wearing full-face veils in public. The media has largely focused on the voices of protest from religious leaders and human rights advocates. Yet it's important to realize that this law enjoys widespread popular support—not just in France, but across Europe.

Polls show that in many European countries similar bills would draw significant public backing, and already some countries are showing signs of following France's example. In the Netherlands, the Dutch minority coalition is under pressure from the politically powerful Freedom Party to introduce similar legislation later this year. In Italy, while a national law is not on the table some local towns have already tried to ban the burqa through local decrees. Belgium's lower house approved a burqa ban last year, although this still hasn't been enacted. Seven of Germany's 16 states have banned face veils from classrooms, and one state forbids burqas among its public sector workers. In recent years both Austria's women's minister Gabriele Heinisch-Hosek and Swiss justice minister Eveline Widmer-Schlumpf have been quoted as saying that a ban on public face veils should be considered if there's a significant increase in the number of women who wear them.¹

So What's Driving This Trend?

According to French president Nicolas Sarkozy, the burqa ban represents an attempt to protect the dignity and equality of French women. Yet it's clear that the move to ban public veiling in France also contains a strong element of political calculation. President Sarkozy faces elections soon, and polls show he'll contend with strong competition from the far right. Many see this new law as a means by which Mr. Sarkozy can steal back support from this crucial voting bloc.

But there's more than just political strategy at work. France—and indeed, much of Europe—has a checkered history when it comes to dealing with religious minorities.

I recall the notorious "sect list" developed under France's anti-cult laws in the early 2000s—a list that on occasion was used by government agencies to deny rights to even well-recognized and long-established religions. Every minority group became a suspicious organization, and the result was not so much discrimination, but rather equality in discrimination.

And then there was the 2004 amendment to the French Education Code that effectively banned headscarves in public schools. Its enforcement became a media circus. Teenage girls who refused to take off their veils became "a national threat for the republic and the democracy."

Is the Burqa Different?

It's interesting to recall the reaction of the French government in November 2009 when the people of Switzerland voted in a referendum to ban the new construction of minarets. French foreign minister Bernard Kouchner said at the time that the minaret ban was "intolerant," "prejudiced," and amounted to "religious oppression."²

Yet now Mr. Sarkozy's government says banning the burqa has nothing to do with religion.

Is the burqa different? Is it a religious symbol or a symbol of female repression? Do women choose to wear the covering, or are they forced? Does the "burqa law" release women from an "oppressive, medieval practice"? Does it create a freer, more equitable society? Does it defend the rights and dignity of women?

Some would argue that a democratic state has not only the right but the responsibility to limit religious expression where this contravenes core cultural or social values. They reason: If the burqa ban can be questioned on the grounds of religious freedom,



then what next? Could polygamy be protected? Or stoning those who decide to change their religion? Surely there must be a point where the state can say, "Stop. There is a limit."

Others argue that the new French law protects women from those who would force them to wear the burqa or niqab against their will. Few people would question the need for the law to defend the free choice of women in this way. But what about women who clearly assert that wearing the veil is an essential part of their religious expression, and they choose freely to wear it? In forcing women *not* to wear the burqa, is the French government also engaged in coercing women to act against their individual free choice?

And then there are the perennial issues of "culture" and "integration." When I go to the Middle East, or Asia, or Africa, I try to comply with some basic cultural norms. Could the French be right to say: "This is our culture, and we love it as it is. Nobody has forced you to come to our country, so if you come, don't impose your culture on us." Or as Damien Green, the immigration minister for the United Kingdom, said: "If you come to Britain, you have to accept British values." (Although it's very interesting to note that even though two out of three Britons support an outright ban on the burqa, the government refuses to propose a law.)

Enforced Integration?

I understand the concern of the French, but I believe that attempting to legislate cultural change is a hazardous enterprise that all too often steps on the toes of fundamental human rights. It raises the question: Who in society should have the task of arbitrating between competing social or cultural values? Who gets to decide which values should be promoted and protected, or which should be quashed? And if a religious practice happens to clash with another cultural value, should the "winner" be decided by majority opinion? Should the clash be decided by whichever political force is currently in power? Or are there deeper considerations to take into account?

The burqa law targets a specific population: the 6 million Muslims in France and, more specifically, the very small minority of women who wear the burqa or niqab. But attempts to integrate this group through legislation won't have the desired effect. This minority will simply grow in number and in frustration. True cultural integration can't be implemented through force; only education, encouragement, and the passage of time will ultimately prove effective.

And then there are purely practical problems associated with implementing this new law. Even if some agree with the assessment of Eric Besson, French minister of industry, that the burqa is a "walking coffin," how should the police proceed to make sure the law is respected? Will the police simply fine or arrest every woman wearing the burqa? And will the government choose to prosecute these cases, even if the women insist that wearing the burqa is a personal choice and an integral expression of their religious faith?

Too Far?

The French believe in integration. "You want to live with us, so follow our ways." American society believes in integration also, but it takes a less-demanding form. "You want to join us? You can keep your traditions and your religions, but obey our laws."

Religious freedom has a price and carries some risks. But in the long run a nation that attempts to *protect* its minorities rather than target them produces a society that is less polarized and, ultimately, more free.

Is France going too far? Is Europe going too far?

My answer is yes. Stripped of its fine-sounding rhetoric, this law simply codifies religious intolerance. It's religious prejudice masquerading as a defense of human rights. Simply put, President Sarkozy's government is saying to those women who wish to wear the burqa, "Our [majority] values are inherently superior to yours, and they trump your right to practice your faith."

But the inclination to fear or dislike that which is different is not just a French failing—it's a common human tendency. Before casting the first stone, every country should look at the way it treats its religious minorities.

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¹ "The Islamic Veil Across Europe," BBC Europe News, <http://www.bbc.co.uk/news/world-europe-13038095>, retrieved Apr. 19, 2011.

² "European Politicians React to Swiss Minaret Ban," <http://www.dw-world.de/dw/article/0,,4946616,00> retrieved Apr. 18, 2011.