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From Madisonian Secularism to a Christian Government: The International Religious Freedom Act of 1998

Margaret Chase

Trinity University, mchase1@trinity.edu

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Meg Chase
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FROM MADISONIAN SECULARISM TO A CHRISTIAN GOVERNMENT:
THE INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998

As he signed H.R. 2431, the International Religious Freedom Act of 1998 (IRFA), into law, President Clinton declared his administration was “committed to promoting religious freedom worldwide,” and making religious freedom “a central element of U.S. foreign policy.”¹ Senator Daniel Kahikina Akaka (D-HI) described the legislation as “one of the most important pieces in foreign relations” and as a “necessary step to ensure that religious persecution will not be tolerated in [the United States’] conduct of foreign policy.”² Jesse Helms, the chairman of the Senate Foreign Relations Committee, stated the “senseless injustice of religious persecution abroad” had “stirred the hearts and souls of the folks back home in churches and synagogues” and that “Americans were eager to learn what their government is doing to ease the suffering of their brothers and sisters overseas.”³ According to President Clinton, the act served “to promote the religious freedom of people of all backgrounds, whether Muslim, Christian, Jewish, Buddhist, Hindu, Taoist, or any other faith” and the freedom of religion was “perhaps one of the most precious of all American liberties.”⁴ The passage of the IRFA made the United States one

¹ William J. Clinton: "Statement on Signing the International Religious Freedom Act of 1998," October 27, 1998. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=55155>.

² *The International Religious Freedom Act: Hearings on S.R. 11387, Before the Senate Foreign Relations Committee* 105th Cong. (1998) (statement of Daniel Kahikina Akaka, Senator).

³ *The International Religious Freedom Act: Hearings on S.R. 11387, Before the Senate Foreign Relations Committee* 105th Cong. (1998) (statement of Jesse Helms, Chairman, Senate Foreign Relations Committee).

⁴ William J. Clinton: "Statement on Signing the International Religious Freedom Act of 1998," October 27, 1998.

of the few countries in the world to promote religious freedom as an explicit foreign policy goal. In the 25 years that followed the landmark Declaration on the Elimination of all Forms of Intolerance and Discrimination Based on Religion or Belief, the only other state to announce the advancement of international religious freedom as a significant foreign policy objective was the Vatican city-state. The passage of this legislation led to the United States becoming the model promoter of religious freedom across the globe.

In the post-Cold War world, America emerged as the protector and promoter of freedom, and religious groups took advantage of this title to ensure the safety and wellbeing of their brothers and sisters abroad. Globalization led to more communication between religious groups internationally, and this led to the sensitization of the American public to the persecution of their fellow followers across the globe. Grassroots organizations emerged and united different religious groups to pressure Congress into putting religious freedom at the forefront of American foreign policy. The role of the United States in the post-Cold War world allowed religious groups to effectively voice their concerns to Congress about international religious persecution. This ultimately uncovered the Christian morality perspective of congressional leaders and changed James Madison's secular government to one rooted in religious justification.

This essay will explore the legislative initiative behind the International Religious Freedom Act. First, I will discuss how the context of the American value of religious freedom, the globalization of Christianity, and the nation's position in the Post-Cold War world combined to allow for religious leaders to voice their desires to spread religious freedom. I will then examine congressional testimonies to understand how religious freedom went hand-in-hand with American foreign policy goals and the mechanisms that diverse and united religious groups used to push legislation. Then I will analyze how the actions of religious leaders led to the final

version of the bill and what the final version entailed for U.S. foreign policy. Finally, I will argue that the creation of the International Religious Freedom Act is evidence of a turning point in American politics in which a government built to be strictly secular turned to religious moral teachings and justifications for foreign policy decisions. This set a precedent for religious moral authority in America's international engagement that has continued to resonate in foreign policy, especially in regards to the United States' actions against global religious terrorism.

The free exercise of religion is the first of Americans' freedoms articulated in the First Amendment, which states "Congress shall make no law respecting an establishment of religion, or preventing the free exercise thereof."⁵ The 1963 Supreme Court ruled that the "Free Exercise Clause" of the First Amendment exempts believers from legal requirements that burden or impede their faith, and this was reinforced in the 1993 Religious Freedom Restoration Act.⁶ The 1993 act states that "government shall not substantially burden a person's exercise of religion even if the burden results from a rule of general applicability."⁷ Since the 1993 legislation, 28 states have interpreted their state constitutions' religious freedom provisions to allow believers similar protections.⁸ All of this legislation provides evidence to the fact that religious freedom has been a fundamental piece of domestic policy in the United States for the past two centuries. Legislating international religious freedom in the context of foreign policy, however, was new when Congress passed the IRFA.⁹ The decision to legislate international religious freedom in America's foreign policy came at a time of unprecedented religious pluralism in the United

⁵ J.F. "How America Defines Religious Freedom." *The Economist (Online)* (March 24, 2014), <https://search.proquest.com/docview/1510284811>.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Timothy Shah, "Legislating International Religious Freedom" (speech, Washington, DC, November 20, 2006), Pew Research Center, <http://www.pewforum.org/2006/11/20/legislating-international-religious-freedom/#>

States, one of the first “free marketplaces” of religion in the modern world.¹⁰ Diverse faiths in America are morally predisposed to advocating for the religious freedom of their brothers and sisters abroad because the U.S. government protects their freedom to operate, and they wish the same for their fellow members abroad.¹¹ In a globalizing world this sentiment became stronger and eventually led to foreign policy legislation.

During the Cold War, for example, Christian solidarity organizations emerged in an effort to support and protect other Christians trapped behind the Iron Curtain. The denial of religious freedom by communist states was a defining aspect of the relationship between the United States and Soviet Union, thus increasing the number of American Christians promoting the cause of their international brothers and sisters.¹² Religious groups soon advocated for official action from Congress to promote religious freedom abroad. Christians, Jews, and other religious groups backed the 1974 Jackson-Vanik legislation that normalized the emigration of Jews (and other religious groups) from the USSR.¹³ Religious groups also supported the Helsinki Accords that coupled the territorial sovereignty of the Soviet Union with advancements of human rights, including religious freedom.¹⁴ Numerous congressional hearings that investigated the implementation of the Helsinki Accords gave human rights activists a forum.¹⁵ America’s historical precedent of supporting domestic religious freedom as a fundamental right joined with the ideals of the Cold War to set the stage for the promotion of international religious freedom in the 1990s.

¹⁰ Allen D. Hertzke, "INTERNATIONAL RELIGIOUS FREEDOM POLICY: TAKING STOCK," *Review Of Faith & International Affairs* 6, no. 2 (June 2008): 17. *Complementary Index*, EBSCOhost (accessed November 5, 2017).

¹¹ *Ibid.*

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ Allen D. Hertzke, "INTERNATIONAL RELIGIOUS FREEDOM POLICY: TAKING STOCK."

¹⁵ Allen Hertzke, *Freeing God’s Children: The Unlikely Alliance for Global Human Rights* (Maryland: Rowan & Littlefield, 2004), 133.

America was also an defining voice behind designing the Universal Declaration of Human Rights, the 1966 International Convention on Civil and Political Rights and the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. In aiding the creation of these human rights declarations, the United States committed itself to advocating for what it believed to be the Western ideals of freedom of religion and freedom from persecution. The collapse of the USSR signaled a victory for Western conceptions of government and human rights, and religious Americans wished to extend these rights to states which persecuted their brothers and sisters. Because the U.S. emerged as the morally correct nation, religious groups felt it necessary to capitalize on this opportunity to spread religious freedom, which required foreign policy legislation. Americans in general wanted security by making other states similar to the U.S.¹⁶ Persecuted peoples also looked towards the most powerful nation in the world (monetarily and militarily) for assistance in achieving their freedom.¹⁷ When activists in the last decade of the twentieth century fought for the IRFA legislation, they were able to draw upon numerous international legislative precedents and the Cold War victory with implicit public support.

Another condition underlying the legislative initiative behind the IRFA was the globalization of Christianity. An international constituency was born as Christian communities in the United States began to communicate with their international counterparts through modern forms of communication.¹⁸ Two-thirds of all Christians lived outside of the United States and

¹⁶J.F. "How America Defines Religious Freedom." *The Economist (Online)*, Mar 24, 2014, <https://search.proquest.com/docview/1510284811>.

¹⁷ *The International Religious Freedom Act, Before the Senate Foreign Relations Committee*, 105th Cong. (1998) (statement of Don Nickles, Congressman).

¹⁸Allen Hertzke, "Legislating International Religious Freedom" (speech, Washington, DC, November 20, 2006), Pew Research Center.

often amidst conditions of poverty, exploitation, war and religious persecution.¹⁹ Communication between Christian communities sensitized many lay Americans to the problem of religious persecution around the world. The label of the “suffering church” was placed on many Christians living in developing countries.²⁰ As stories of Christian suffering spread, social networks of American religious life generated grassroots pressure on national policy makers. The pervasiveness of religious persecution throughout the world united Christians with other religious groups as well.²¹ The legislative campaign drew together a diverse coalition of unlikely allies, such as evangelical groups with Jewish organizations, the Episcopal Church, the Catholic Conference, Tibetan Buddhists, and Iranian Bahai’s.²² The legislation was able to pass with the large support of the numerous religious groups pushing for it. Religion took a head-on approach to pushing international religious freedom to the floor of Congress.

The post-Cold War world continued to influence American foreign policy as it sought to optimize America’s national security and strategic goals. American leaders worried that any mistakes could force the world into a more costly new cold war that would risk the West’s recent ideological triumphs as well as pose harsher nuclear threats. Additionally, the Cold War distinctly outlined American foreign policy for over 40 years, and international politics was a zero-sum game that the public understood.²³ In this post-bipolar world, the IRFA reflected the belief that a foreign policy commitment to religious freedom would have eventually brought gains to the United States’ interests by spreading Western ideals across the Third World in a human rights context. At this point in American history, the long-time association of religious sentiments with irrationality was replaced by the union of religious values and national interests

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Allen Hertzke, “Legislating International Religious Freedom.”

²³ Charles William Maynes. 1990. "America without the Cold War." *Foreign Policy*.

that sought to best improve America's security at home and abroad.²⁴ Religious groups pushed Congress to create a law that would solidify America's role as the global enforcer of freedom and protect persecuted religious minorities abroad.

The bill was created as Congress' response to agitation from American religious groups regarding what was initially and widely characterized as "a worldwide trend of anti-Christian persecution" in Islamic countries such as Sudan, Pakistan, Saudi Arabia, and in Communist countries such as China, Cuba, and Vietnam.²⁵ Before the creation of the bill, the National Association of Evangelicals (NAE) issued the "Statement of Conscience" which outlined Christian persecution and recommendations for government action.²⁶ The statement invited "people of every faith" to "work tirelessly to bring about action by [the] government to curb worldwide religious persecution."²⁷ Their determination to end persecution of specifically Evangelical Protestants and Catholics led them to invite other religions to push legislation. The Statement of Conscience also claimed "If governments are to be worthy of the name, or responsive to their national interests and the interest of their people, lessons of history mandate uncompromising hostility to religious persecution," which called upon the government's obligation to involve themselves in matters of religious persecution.²⁸ The NAE placed religious persecution in a secular framework; it was no longer just a religious cause but one of national interest that required the government's action. The statement concluded with the idea that religious liberty was "the bedrock principle that animates [the United States] republic."²⁹

²⁴ Allen Hertzke, "Legislating International Religious Freedom" (speech, Washington, DC, November 20, 2006), Pew Research Center.

²⁵ David Little. "Religion and Global Affairs: Religion and U.S. Foreign Policy." *SAIS Review* 18, no. 2 (1998): 25-31. <https://muse.jhu.edu/> (accessed November 5, 2017).

²⁶ Allen Hertzke, *Freeing God's Children: The Unlikely Alliance for Global Human Rights*, 133.

²⁷ National Association of Evangelicals, *Statement of Conscience*, accessed December 5, 2017, <http://www.pcahistory.org/pca/3-476.pdf>.

²⁸ *Ibid.*

²⁹ *Ibid.*

Religious persecution became a national cause, one that asked the United States to act on its historical identity as a free nation and responsibility as the Cold War victor to continue spreading Western ideals, such as the freedom of religion.

Less than a month after the “Statement of Conscience,” Congressman Chris Smith (R-NJ), Chairman of the Subcommittee on International Operations and Human Rights of the House International Relations Committee, held hearings committed to addressing global Christian persecution.³⁰ Nina Shea, director of the Puebla Program on Religious Freedom under Freedom House, addressed patterns of persecution against Christians in communist states, namely North Korea, Vietnam and China.³¹ Shea described how “the Free World understood as a given that religious freedoms and other human rights were denied in communist-controlled countries,” and how North Korea, Vietnam and China in particular continued to “persecute Christians, as well as other religious groups.”³² Shea, in the midst of the post-Cold War world, connected communism with religious repression in a human rights context that she believed the Free World realized and therefore should have taken action against. She continued her argument by describing how religious freedom was inherently a democratic freedom: “The repression of Christians [was] part of a political climate in which human rights and democratic freedoms are routinely abused.”³³ Shea’s claim that religious freedom was a democratic freedom directly linked religious freedom to the United States’ quest to continuously spread democratic ideals after the end of the Cold War. She concluded by stating that “even as trade and free markets [burgeoned] in China and

³⁰ Allen Hertzke, *Freeing God’s Children: The Unlikely Alliance for Global Human Rights*, 187.

³¹ *Persecution of Christians Worldwide, Before the Subcommittee on International Operations and Human Rights*, 104th Cong. 235 (1996) (statement of Nina Shea, Director of the Puebla Program on Religious Freedom, Freedom House).

³² *Ibid.*

³³ *Ibid.*

Vietnam, religious freedom continues to deteriorate.”³⁴ Although capitalism spread to these communist countries, they still violated human rights. Shea effectively connected America’s desire for free trade and global capitalism with religious freedom and human rights, forcing the government to see religious freedom as connected to free-market capitalism and therefore a permanent aspect in American foreign policy goals.

The testimony of Abe Ghaffari, Executive Director of Iranian Christians International Inc., further connected American foreign policy goals and Western ideals with religious freedom. Ghaffari spoke of Iranians who “lost their jobs or been refused gainful employment, housing and education... Ethnic Christians such as Armenians and Assyrians also continued to face officially sanctioned discrimination, particularly in the areas of employment, education, housing, and the court system and public accommodations.”³⁵ Ghaffari’s testimony widened the geographic scope of religious persecution from Shea’s communist nations to the Middle East, a region the United States shifted its focus to because of its failed states and rampant terrorism. It also described how religious persecution affected freedoms the West proclaimed, such as the right to employment and education.

In addition to Ghaffari’s testimony, Father Tran Qui Thein of Catholic Priest House, asked for Congress to help the discriminated religions in the Socialist Republic of Vietnam (SRV). Thein tied the United States to the people of the SRV by reminding Congress of the “commitment [the SRV] gave in joining the United Nations that various freedoms be respected, including the freedom of religion, as defined in the UN Charter and the Universal Declaration of

³⁴ Ibid.

³⁵ *Persecution of Christians Worldwide, Before the Subcommittee on International Operations and Human Rights, 104th Cong. 235 (1996) (statement of Abe Ghaffari, Executive Director Iranian Christians Inc.).*

Human Rights.”³⁶ Their’s mention of the commitment to the UN Charter and Universal Declaration served as a reminder to Congress to follow through on the United States’ own commitment, especially as the U.S. was a defining voice in the Universal Declaration and held most of the world’s post-Cold War power. Ghaffari, Thien and Shea’s testimonies are evidence of the Christian pluralism present in Congressman Smith’s hearings. Many Christian groups took the opportunity set forth by the end of the Cold War to use America’s power and desire to spread Western ideals to incorporate religious freedom into foreign policy.

Other religions answered the calls of Christian advocates requesting bilateral aid to end global religious persecution, and Jews were one of the most potent allies of the solidarity movement.³⁷ The Jews set an international advocacy precedent with the campaign for Soviet Jewry in the 1970s, and they inspired Christian groups in their efforts to affect American foreign policy.³⁸ Michael Horowitz, a Jewish advocate for persecuted Christians, claimed that it was the tragic history of the Jews that led him to call Christians “the Jews of the twenty-first century” and the “new victims of choice for thug regimes.”³⁹ Many Jews joined the Christian fight for religious freedom because of their own history of persecution. Additionally, the end of the Cold War signaled a need for the United States to keep aiding persecuted Jews worldwide as the campaign in the 1970s did in the Soviet Union. During the campaign for human rights and religious freedom in the 1990s, the Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee, joined Christian groups like the NAE to diminish the “limits on the right to believe” and to end the measures that inhibit “the ability of members of a religious community to participate fully in society and deny them equality and the ability to

³⁶ *Persecution of Christians Worldwide, Before the Subcommittee on International Operations and Human Rights*, 104th Cong. 235 (1996) (statement of Father Tran Qui Thien, Catholic Priest).

³⁷ Allen Hertzke, *Freeing God’s Children: The Unlikely Alliance for Global Human Rights*, 129.

³⁸ *Ibid.*

³⁹ Allen Hertzke, *Freeing God’s Children: The Unlikely Alliance for Global Human Rights*, 32.

enjoy their human rights in numerous areas.”⁴⁰ These two religious groups joined forces to advocate for a common cause. Both put religious persecution in the spotlight of American foreign policy at a time of unprecedented Western power.

After the multitudinous hearings, Chairman of the Senate Foreign Relations Committee, Jesse Helms, concluded that Congress needed to “do more to advance the cause of religious freedom across the globe” and that the American public believed the United States to be the “leader, in word and in deed, in promoting religious tolerance abroad.”⁴¹ The multiple religious activists’ hearings elicited emotional responses from a diverse group of devout religious congressmen and women. The hearings also pushed Congress to act on the new power of being the Cold War champion; to be the global defender of freedom meant fighting for and defending religious freedom.

The Cold War put the United States at the pinnacle of world power in many Americans’ eyes, and religious groups pushed the government to adopt the idea that it was their duty to pass policies that promoted specifically religious freedom abroad. Additionally, pressure from religious activists forced Congress to consider the national security benefits of incorporating religious freedom in foreign policy. In the wake of Smith’s hearings, Congress passed a resolution in the summer of 1996 requiring a report by the U.S. State Department on the persecution of Christians abroad and those under communist rule, which was to include a catalog of U.S. policies in support of religious freedom and an advisory committee on religious freedom

⁴⁰ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Religious Freedom*, 105th Cong. (1998) (statement of Felice D. Gaer, Director, Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee).

⁴¹ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Religious Freedom*, 105th Cong. (1998) (statement of Jesse Helms, Chairman, Senate Foreign Relations Committee).

abroad.⁴² Christians advocating for legislation, however, saw this as a “mere window dressing aimed at forestalling more serious action.”⁴³ In response American Christians advocated for stricter congressional legislation.

Michael Horowitz decided to sponsor congressional legislation for more serious action against religious persecution.⁴⁴ Bipartisan support for a religious freedom bill, however, took time to create. The IRFA endured a long and divisive legislative battle between two opposing views about how to best address and remedy the issue of international religious persecution. Congress argued over how much the United States should involve itself in international religious conflicts, if the United States should take a unilateral or multilateral approach to defending religious freedom, and how much emphasis should be placed on diplomatic negotiation instead of direct military involvement.

Horowitz endorsed the original Wolf-Specter bill which envisioned a tough and blunt force to deal with religious persecution. The bill stated “Governments have a primary responsibility to promote, encourage, and protect respect for the fundamental and internationally recognized right to freedom of religion” and “The United States Government is committed to the right to freedom of religion and its policies and relations with foreign governments should be consistent with the commitment to this principle.”⁴⁵ It acknowledged the religious activists’ claim that the United States government had the responsibility to promote and protect religious freedom abroad while democratizing repressive governments. This included public exposure, automatic sanctions, and unilateral U.S. action against countries deemed to be in violation of

⁴²Allen Hertzke, *Freeing God’s Children: The Unlikely Alliance for Global Human Rights*, 187.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Freedom From Religious Persecution Act of 1997, H.R. 2431, 105th Cong. (1997).

religious freedoms.⁴⁶ The bill's harsh stance against religious persecution appealed to religious activists seeking the strongest forms of diplomacy.

Advocates for this bill included Father Richard John Neuhaus, president of the Institute on Religion and Public Life in New York City. Neuhaus supported the bill, stating "This legislation should be seen as a part of decades-long effort to entrench human rights as a permanent and determinative factor in our country's foreign policy."⁴⁷ He claimed that the Department of State and major human rights organizations had been hesitant in addressing religious persecution, and that this bill would help overcome that.⁴⁸ Dr. Don Argue, President of the National Association of Evangelicals, called the Wolf-Specter bill a "legislative embodiment of the Call to Action section of the Statement of Conscience."⁴⁹ Argue claimed the bill's harsh sanctions and straightforward diplomacy was a manifestation of exactly what the NAE wanted to see from the post-Cold War United States government in terms of foreign policy and religious persecution. Staunch religious leaders saw the tough and blunt approach of the bill as the legislation that would encompass their interests in the global pursuit of religious freedom for their brothers and sisters abroad.

The Senate alternative to the Wolf-Specter bill was the Nickles-Lieberman Bill, which emphasized quiet diplomacy and a wider menu of executive actions, including multilateral approaches to dealing with religious freedom offenders.⁵⁰ The Wolf-Specter legislation focused on the most egregious forms of religious persecution, whereas the Nickles-Lieberman bill

⁴⁶ Ibid.

⁴⁷ *The Freedom From Religious Persecution Act of 1997, Before the House International Relations Committee on Religious Persecution*, 105th Cong. (1997) (statement of Father Richard John Neuhaus, President, Institute on Religion and Public Life Chairman).

⁴⁸ Ibid.

⁴⁹ *The Freedom From Religious Persecution Act of 1997, Before the House International Relations Committee on Religious Persecution*, 105th Cong. (1997) (statement of Dr. Don Argue, President, National Association of Evangelicals).

⁵⁰ Hertzke, Allen D. "INTERNATIONAL RELIGIOUS FREEDOM POLICY: TAKING STOCK."

thought there should be a wide focus on promoting religious freedom generally, including all aspects of discrimination and more severe forms of persecution. The Nickles-Lieberman bill also described the importance of religious freedom to American values: “The right to freedom of religion undergirds the very origin and existence of the United States.”⁵¹ However, it did not fight religious persecution with heavy sanctions and unilateral action, it first required the United States “To condemn religious persecution, and to promote, and to assist other governments in the promotion of, the fundamental right to religious freedom.”⁵² The bill also wanted the United States to be “vigorous and flexible” and to have “the most effective and principled response, in light of the range of violations of religious freedom by a variety of persecuting regimes, and the status of the relations of the United States with different nations.”⁵³ This bill allowed the government to be more flexible in deciding how to treat religious persecution abroad by giving more options and more degrees of severity in determining the levels of persecution. The flexibility, the Senate believed, was imperative in operating as the world’s largest power. The United States sought to maintain its global power by giving itself flexibility in dealing with foreign nations. It also purposefully included persecuting regimes, which effectively tied post-Cold War foreign policy goals with religious freedom by targeting the restrictive forms of government and spreading Western ideals.

Many religious advocates who sought the creation of the bill were not pleased with either of the two options. David Hirano, executive vice president of the United Church Board for World Ministries, testified in front of the Senate Foreign Relations Office on International Religious Freedom to discuss his dislike for both the Wolf-Specter and Nickles-Lieberman bills. Hirano claimed the bill would “unintentionally, actually create an atmosphere that fosters more

⁵¹ International Religious Freedom Act of 1998, S. 1868, 105th Congress. (1997-1998).

⁵² Ibid.

⁵³ Ibid.

persecution rather than encouraging religious freedom” by imposing Western ideals on countries that did not want American involvement, and would potentially taking out their anger through further persecution.⁵⁴ He, and many other religious leaders, were worried that the aid of the United States in foreign countries was too easily seen as “tied to the extension of U.S. economic and political power,” and too often people in other countries “came to identify Christianity in those countries with Western political, cultural, and economic power.”⁵⁵ This posed a threat to Christians abroad by potentially putting them under further scrutiny in their homelands as backlash to Western influences. Ultimately, Hirano believed the United States should work multilaterally through internationally recognized organizations rather than unilaterally. Hirano’s ecumenical partners explained the hardships that come with economic sanctions imposed by the United States: “Christianity knows no nationality; but when the United States targets other nations for economic sanctions or other punishment because their actions fall under our broadly and arbitrary defined term of ‘religious persecution’ we firmly believe it will only put our partners in further jeopardy.”⁵⁶ Even though the United States and Western government triumphed after the Cold War, developing nations did not necessarily seek Western support.

Hirano was not the only religious leader to express their concern for the negative effects of U.S. involvement in promoting religious freedom. John N. Akers, Chairman of East Gates Ministries International, testified before the Senate Foreign Relations Committee and expressed his own concern, which was similar to Hirano’s, noting “in some societies, stringent and thoughtless measures by the United States could actually make the situation worse for believers,

⁵⁴ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom*, 105th Cong. (1998) (statement of David Hirano, Executive Vice President, United Church Board for World Ministries).

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

rather than better.”⁵⁷ Felice D. Gaer, Director of the Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee, explained the importance of foreign policy makers to keep in mind that the “repression of religious freedom and acts of religious intolerance, including violence, are commonly manifested in combination with other human rights abuses” and that Congress and the United States need to be weary of all human rights violations and of the tendency of leaders to “use religion to justify their own effort to obtain power and wealth.”⁵⁸ Although religious actors sought to implement a law to permanently engrave religious freedom into American foreign policy, they were concerned with its side effects. The division between the two forms of legislation was not necessarily along ideological lines or Christian left and right lines, but on the differing views of how the policy against religious persecution should be implemented. Some wanted the sharp blow of the Wolf-Specter bill while others sought the quieter diplomatic resolutions presented in the Nichols-Lieberman bill. Isolationism was no longer an option because of the United States’ immense power, yet Congress and the public did not want to ignite the flame of another cold war. Many religious groups who advocated for the bill, however, focused more on the outcomes of sanctions and military intervention and sought a bill that put the wellbeing of those being persecuted at the forefront of policy-makers’ minds.

The worries of religious organizations eventually helped join the Wolf-Specter and Nickles-Lieberman bills into one cohesive act, the International Religious Freedom Act of 1998.

The groundbreaking legislation of the IRFA was summarized as an expression of

⁵⁷ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom*, 105th Cong. (1998) (statement of John N. Akers, Chairman, East Gates Ministries International).

⁵⁸ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Religious Freedom*, 105th Cong. (1998) (statement of Felice D. Gaer, Director, Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee).

United States foreign policy with respect to, and strengthen United States advocacy on behalf of, individuals persecuted in foreign countries on account of religion; to authorize United States actions in response to violations of religious freedom in foreign countries; to establish an Ambassador at Large for International Religious Freedom within the Department of State, a Commission on international Religious Freedom, and a Special Adviser on International Religious Freedom within the National Security Council and for other purposes.⁵⁹

The Act established an Office of International Religious Freedom at the State Department, headed by an Ambassador-at-Large responsible for issuing a yearly country-by-country report on religious freedom. It also created the U.S. Commission on International Religious Freedom, an independent government agency that issues its own annual report and makes policy recommendations to the State Department, Congress, and the President. Wolf-Specter-supporting partisans approved of a provision in the Nickles-Lieberman bill that created the U.S. Commission because it was a body with its own budget that was completely separate from the State Department, which was an office largely focused on quiet diplomacy, not firm action as the Wolf-Specter bill sought, against religious persecution perpetrators.⁶⁰ The worries of religious activists on the discrepancies between the two bills pushed Congress to create a more cohesive and diverse bill that encompassed both hard and soft diplomacy.

The multiple religious groups involved in the drafting of the bills wanted the government to include religious freedom as a defining factor of American foreign policy to help their persecuted brothers and sisters abroad. Once this was achieved, religious groups heavily influenced what the final bill would say as some religious leaders were extremely worried about the international perception that the U.S. promotion of religious freedom abroad would be merely a facade for a new post-Cold War American imperialism. Foreign observers could have

⁵⁹ International Religious Freedom Act of 1998, S. 1868, 105th Congress. (1997-1998).

⁶⁰ Hertzke, Allen D. "INTERNATIONAL RELIGIOUS FREEDOM POLICY: TAKING STOCK."

seen the United States, which already issued an annual *Country Report on Human Rights*, was intervening one step further by criticizing states on the sensitive issue of the freedom of religion and belief.⁶¹ Ultimately, however, the post-Cold War world gave religious leaders a platform to express their policy desires because they aligned with already existing U.S. foreign policy goals. Politicians responded to the agitation from the diverse religious groups in part because spreading religious freedom meant the upholding the United States' new claim as the protector of freedom and spreading Western ideals worldwide.

The final bill did eventually bring bipartisan support in Congress and had a strong backing from various religious groups across the country. Senator Kahikina Akaka described the bill as “not a Republican bill or a Democratic bill, a conservative or liberal proposal, or an effort to protect or promote one faith. Indeed, it is an ecumenical effort support by a bipartisan group in Congress, and it enjoys wide support among all people of faith and supporters of human rights.”⁶² Human rights, religious rights and government action all came together under one bill, and Congress took the opportunity to “take action and address this critical infringement on human rights.”⁶³ By equating religious persecution as a violation of human rights, the bill became more than just legislation to promote religious freedom, but legislation to advocate for all types of Western freedoms worldwide.

However, not all lawmakers saw the bill as secular. Heavy religious sentiment filled their responses to the bill. Jesse Helms believed “that prayers of millions of Americans and other believers around the world will accomplish more than any Act of Congress,” and that increased

⁶¹Gunn, Jeremy. "A Preliminary Response to Criticisms of the International Religious Freedom Act of 1998." *BYU Law Review* 2000, no. 3 (2000a): 841-866.

⁶² *The International Religious Freedom Act: Hearings on S.R. 11387, Before the Senate Foreign Relations Committee* 105th Cong. (1998) (statement of Daniel Kahikina Akaka, Senator).

⁶³ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom*, 105th Cong. (1998) (statement of Ted Strickland, Congressman East Gates Ministries International).

“U.S. leadership in this area” would “advance the cause of religious freedom across the globe.”⁶⁴ Joseph Lieberman, one of the main supporters of the bill, quoted the prophet Isaiah while describing how the world looks to the United States for moral leadership. Congressman Bob Clement reflected “that God truly reigned in this legislation.”⁶⁵ Congressman Ted Strickland recalled the “stories of Daniel being thrust into the lion’s den and of Paul and Silas being cast into prison for their religious beliefs” as he shamed religious persecution.⁶⁶ Not only did religious groups push for legislation, but Congress used religious, specifically Christian, ideals to justify implementing religious freedom into foreign policy. As America became the moral watchdog of the post-Cold War world, more and more congressional leaders used religiously-charged statements and arguments to validate the actions they considered to be moral. A government with Madisonian ideals warning of the dangers of organized religion in the political sphere became a religious stronghold fighting for freedom of religion.

Additionally, the persistence of creating the bill itself, the bridging of the Wolf-Specter and Nickles-Lieberman versions, showed a deep connection to religious freedom in Washington.⁶⁷ Religious freedom was one of the defining American values and it resonated so deeply with Congress that neither partisan group decided to give up. They continued to reshape the bill until it finally passed, proving the deep connection of religious freedom to American government. The IRFA was not a piece of legislation that originated from foreign policy officials, but from grassroots social movements among a diverse group of religious activists.

This is evidence of the longstanding importance Americans have placed on religious freedom

⁶⁴ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Religious Freedom*, 105th Cong. (1998) (Statement of Jesse Helms, Chairman Senate Foreign Relations Committee).

⁶⁵ Thomas Farr, “Legislating International Religious Freedom” (speech, Washington, DC, November 20, 2006), Pew Research Center.

⁶⁶ *The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom*, 105th Cong. (1998) (statement of Ted Strickland, Congressman East Gates Ministries International).

⁶⁷ Allen Hertzke, *Freeing God’s Children: The Unlikely Alliance for Global Human Rights*, 222.

since the country's founding. The issue of religious freedom permanently projected the United States government and religious public towards international engagement with global human rights.

Religious groups took advantage of the post-Cold War position of the United States and the religious pluralism of the 1990s. The International Religious Freedom Act was not only a mandate to promote and protect religious freedom, but it also enforced the claim that the American government is a religious, not strictly secular, entity using specifically Christian morality as a guide to foreign policy decisions. President Clinton himself wove religion into the ordinary actions of the president by publically requesting forgiveness of sins, opening cabinet meetings with a prayer, and regularly consulted Protestant ministers on a wide array of issues.⁶⁸ Congress reflected the President's religious sentiment by connecting Christian ideals to their foreign policy decisions. President Clinton also called the freedom of religion "perhaps one of the most precious of all American liberties."⁶⁹ This is evidence of a turning point in American politics: religion was no longer an irrational and untrustworthy source that had no place in government, but a moral reasoning system that aided foreign policy decisions. The IRFA and its religious outcomes set a precedent for U.S. foreign policy as Congress and the President draw upon religious moral authority in international engagement.

Bibliography

Charles William Maynes. *America without the Cold War. Foreign Policy*, 1990.

Coles, Roberta L. "Manifest Destiny Adapted for 1990s' War Discourse: Mission and Destiny Intertwined." *Sociology of Religion* 63, no. 4 (2002): 403-426.

⁶⁸ Gunn, Jeremy. "A Preliminary Response to Criticisms of the International Religious Freedom Act of 1998." *BYU Law Review* 2000, no. 3 (2000a): 841-866.

⁶⁹ William J. Clinton: "Statement on Signing the International Religious Freedom Act of 1998," October 27, 1998.

Danchin, Peter G. "U.S. Unilateralism and the International Protection of Religious Freedom: The Multilateral Alternative." *Columbia Journal of Transnational Law* 41, no. 1 (Sep 22, 2002): 33.

Farr, Thomas and Dennis Hoover. *The Future of U.S. International Religious Freedom Policy*, 2009.

Freedom From Religious Persecution Act of 1997, H.R. 2431, 105th Cong. (1997).

The Freedom From Religious Persecution Act of 1997, Before the House International Relations Committee on Religious Persecution, 105th Cong. (1997) (statement of Dr. Don Argue, President, National Association of Evangelicals).

The Freedom From Religious Persecution Act of 1997, Before the House International Relations Committee on Religious Persecution, 105th Cong. (1997) (statement of Father Richard John Neuhaus, President, Institute on Religion and Public Life Chairman).

Gunn, T. Jeremy. "A Preliminary Response to Criticisms of the International Religious Freedom Act of 1998." *Brigham Young University Law Review* 2000, no. 3 (Jun 22, 2000b): 841-866, <https://search.proquest.com/docview/194383305>.

Hertzke, Allen D. *Freeing God's Children: The Unlikely Alliance for Global Human Rights*. Lanham [u.a.]: Rowman & Littlefield, 2004.

———. "International Religious Freedom Policy: Taking Stock." *The Review of Faith & International Affairs* 6, no. 2 (Jun 1, 2008a): 17-23, <http://www.tandfonline.com/doi/abs/10.1080/15570274.2008.9523333>.

Hertzke, Allen, D. "Legislating International Religious Freedom" (speech, Washington, DC, November 20, 2006), Pew Research Center.

International Religious Freedom Act of 1998, S. 1868, 105th Congress. (1997-1998).

The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom, 105th Cong. (1998) (statement of David Hirano, Executive Vice President, United Church Board for World Ministries).

The International Religious Freedom Act: Hearings on S.R. 11387, Before the Senate Foreign Relations Committee 105th Cong. (1998) (statement of Daniel Kahikina Akaka, Senator).

The International Religious Freedom Act, Before the Senate Foreign Relations Committee, 105th Cong. (1998) (statement of Don Nickles, Congressman).

The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Religious Freedom, 105th Cong. (1998) (statement of Felice D. Gaer, Director, Jacob Blaustein Institute for the Advancement of Human Rights of the American Jewish Committee).

The International Religious Freedom Act: Hearings on S.R. 11387, Before the Senate Foreign Relations Committee 105th Cong. (1998) (statement of Jesse Helms, Chairman, Senate Foreign Relations Committee).

The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom, 105th Cong. (1998) (statement of John N. Akers, Chairman, East Gates Ministries International).

The International Religious Freedom Act of 1998, Before the Senate Foreign Relations Office on International Freedom, 105th Cong. (1998) (statement of Ted Strickland, Congressman East Gates Ministries International).

J.F. How America Defines Religious Freedom. *The Economist*, 2014a.

"How America Defines Religious Freedom." *The Economist (Online)*, Mar 24, 2014b, <https://search.proquest.com/docview/1510284811>.

Little, David. "Religion and Global Affairs: Religion and U.S. Foreign Policy." *SAIS Review of International Affairs* 18, no. 2, <https://muse.jhu.edu/article/30395>.

Marci A. Hamilton. "Religion and the Law in the Clinton Era: An Anti-Madisonian Legacy." *Law and Contemporary Problems* 63, no. 1/2 (Jan 1, 2000): 359-389, <http://www.jstor.org/stable/1192456>.

Martin, William. "The Christian Right and American Foreign Policy." *Foreign Policy* no. 114 (1999): 66-80.

National Association of Evangelicals, *Statement of Conscience*, accessed December 5, 2017, <http://www.pcahistory.org/pca/3-476.pdf>.

Persecution of Christians Worldwide, Before the Subcommittee on International Operations and Human Rights, 104th Cong. 235 (1996) (statement of Abe Ghaffari, Executive Director Iranian Christians Inc.).

Persecution of Christians Worldwide, Before the Subcommittee on International Operations and Human Rights, 104th Cong. 235 (1996) (statement of Nina Shea, Director of the Puebla Program on Religious Freedom, Freedom House).

"Political Christians, Christian Politics." *Christian Century* 111, no. 37 (1994): 1211.

Senate Foreign Relations Committee. *The International Religious Freedom Act*. 105-2 sess., Nov 12, 1998.

Sciolino, Elaine. "THE CLINTON RECORD: Foreign Policy; Bosnia Policy Shaped by U.S. Military Role." *The New York Times*, Jul 29, 1996.

Shah, Timothy. "Legislating International Religious Freedom" (speech, Washington, DC, November 20, 2006), Pew Research Center,

<http://www.pewforum.org/2006/11/20/legislating-international-religious-freedom/#>

Su, Anna. *Exporting Freedom: Religious Liberty and American Power* Harvard University Press, 2016.

Washington, George. *George Washington's 1790 Letter to Touro Synagogue*, 1790.

William J. Clinton: "Statement on Signing the International Religious Freedom Act of 1998," October 27, 1998. Online by Gerhard Peters and John T. Woolley, *The American Presidency Project*. <http://www.presidency.ucsb.edu/ws/?pid=55155>.