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Keynote Address: After Twenty-five Years

*Robert A. Seiple**

Twenty-five years have passed since the passage of the 1981 Declaration, and it is important to celebrate the event. But what are we celebrating? Is it something more than simply the continuation of the paper trail in human rights from the 1948 Universal Declaration of Human Rights¹ to the 1966 Covenant on Civil and Political Rights² to the 1981 Declaration on Religious Intolerance and Discrimination?³ Perhaps more importantly, why should we celebrate?

One of the keys to a happy life is to go where you're celebrated, not simply tolerated. And moreover, it is the optimists who celebrate—pessimists commemorate. Do you know the difference between an optimist and a pessimist? A pessimist has more facts. That has always been true. It was true twenty years ago and twenty generations ago and will be true in the future.

Here is my definition of an optimist: An optimist is the guy who falls off a ten-story building and is exclaiming as he passes the fifth floor on his way down, "So far so good!" Pessimists are steeped in reality; optimists are hopeful they can change that reality.

Let me introduce what some might suggest is a very narrow distinction: the difference between tolerance and respect. Tolerance is commemorated. On the other hand, respect is celebrated. I am unapologetically tough on the concept of tolerance. Tolerance is an

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1. Universal Declaration of Human Rights, G.A. Res. 217A, U.N. GAOR, 3d Sess., 1st plen. mtg., U.N. Doc. A/810 (Dec. 12, 1948) [hereinafter Universal Declaration].

2. International Covenant on Civil and Political Rights, *opened for signature* Dec. 19, 1966, 999 U.N.T.S. 171 [hereinafter ICCPR].

3. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, G.A. Res. 36/55, U.N. GAOR, 36th Sess., Supp. No. 51, U.N. Doc. A/36/684 (Nov. 25, 1981) [hereinafter 1981 Declaration].

act of the intellect, while respect is a movement of the heart. Tolerance suggests forbearance, not equality. Tolerance starts with the premise, "I don't really have to like you. I simply have to tolerate you." Its implementation takes us to a lower common denominator. It allows me to accommodate your presence without celebrating your person. Tolerance freely uses the language of political correctness and shallow superficiality, and it diminishes the "other" while elevating the "self." In practice, it is a cheap form of grace delivered to those folks I don't especially care for.

Respect, on the other hand, is a much stronger concept. Respect celebrates what we have in common, and at least one thing that we have in common is the fact that each of us has been created in the image of God. This is cause for celebration, as is the universal appeal of choice.

Whether you get to the concept of choice as a rational person, thinking post-enlightenment thoughts, or as someone embracing the theological construct of free will, choice creates respect for one another, and respect honors differences while it celebrates a common humanity. The world that I see today is a world that is absolutely desperate for the celebration both of choice and of a common humanity.

Let me tell you a story about a Lebanese woman by the name of Mary. Mary taught me everything I know about religious freedom. I met Mary in the early '90s, after the end of a civil war—a horrific civil war that was fought along religious lines and that cost 140,000 lives.⁴ I went into Lebanon as soon as I could after the war and that is when I met Mary. Mary told me her story. There was a day in her life when the civil war spilled over into her community and into her village. A wave of militiamen came first. They came into the village and opened fire on the town. Everybody began to run. People fell here, there, everywhere. Mary ran. Mary tripped, and before she could get up, a young militiaman with a revolver approached her. Knowing that she was a Christian, he put the revolver to her head and said, "Denounce the cross or die." Mary was merely eighteen years old. She looked up at the militiaman and said, "I was born a

4. EDGAR O'BALLANCE, CIVIL WAR IN LEBANON, 1975-92 216 (1998) ("One authority (Reuters) estimated that from April 13, 1975 to December 31, 1989 at least 130,000 people had died in Lebanon as a direct result of the war, and that over 200,000 had been injured, during a period when the population had risen from 2.2 million to 2.4 million. Most other sources put the number of deaths at around 150,000.").

Christian. I'm a Christian. I will die a Christian." The revolver exploded in her face. The bullet went in just to the left of the chin and came out at the base of her head. It went right through her spine and instantly and irreparably she became a quadriplegic. Then the militiaman bent over her body and with his bayonet carved a cross on her chest and left her for dead.

The next day, however, the militia had a problem. They wanted to take over the village and stay there. They wanted to make it their base, but in order to do that, they had to bury all the people that had died the day before and were beginning to stink. While cleaning the village they came to a mass of human carnage, some thirty dead bodies. And in the middle of that human carnage, they heard a soft groan. Miraculously, Mary was still alive. Perhaps just as miraculously, the militia took her away and put her in a hospital. She is an Arab woman who is going to live out her entire life in an institution. She is in a land that has been twice occupied, by the Israelis in the south, and by the Syrians throughout the country. Later, Mary and I talked as she sat in her wheelchair, held hostage by her own body. Her positive optimism is surreal. I asked her, "Mary, why in the world would these people who are trying to kill you one day take you to the hospital the next day?" She smiled back and she said, "Sometimes God uses bad people to do good things." "Well, Mary, how about the person who pulled the trigger? How do you feel about him? He's absolutely destroyed your life." She smiled again and said, "I've forgiven him. I hope he's still alive. I want to forgive him face to face." "Mary, why in the world would you want to do that?" "Because that's what my God did for me and I can do no less."

In Mary's story, we see the best of faith and the worst of religion. We can also see the foreshadowing of a possible clash—not a clash of civilizations, but a clash of non-state actors. On the one side are those who represent an odious form of religion, who will kill innocent people, who will strap bombs to their bodies and blow up crowds of innocent people in neighborhood restaurants. Fortunately, however, there is another side, a side that includes those of us who believe that religious liberty deserves our honor in reality and not merely in theory. And fortunately, this side also includes individuals who are prepared to die for their faith.

Mary shows us yet another important element of respect—its redemptive value. How can Mary forgive those who tried to take her

life? By respecting them. When she respects them, she elevates them, and when she elevates them, she precludes herself from becoming a victim. The embrace of the other in our midst; the embrace of the person who is very different from ourselves; the embrace of a person that we don't quite know and that we certainly don't think we're going to like, are all gestures that originate from respect. This respect is linked to knowledge.

About six months ago, there was a poll taken in the United States that found most citizens don't know any more about Islam today than they did before 9/11.⁵ If I were a Muslim, that would translate into disrespect. I would think, "You don't respect me enough to know about what I am, who I am, what my identity is as a person."

Recently we have witnessed a few incidents which demonstrate this lack of respect. A few months ago, a Danish newspaper published cartoons of the prophet Mohammed in a manner which many Muslims found to be disrespectful.⁶ The editor should have known. The cartoonist should have been more respectful. Some people sit back and say, "This is a free press. This is legally right." But, you can be legally right and morally wrong—such is a lack of respect. We also have the case of Abdul Rahman, the Afghani who changed his faith about twenty years ago and is now locked in a marital dispute with his wife. As a result of this dispute, she told the authorities: "My husband changed his faith,"⁷ and the spiritual authorities, to quote them exactly, say, "He should be torn to pieces."⁸ Their response is the ultimate lack of respect.

For many years now, the motto I have been using in terms of religious freedom is simply this: Understand your own faith. If you

5. The Pew Forum on Religion & Public Life, Poll: Two Years after 9/11, Growing Number of Americans Link Islam to Violence, Sept. 11, 2003, <http://pewforum.org/press/index.php?ReleaseID=21>.

6. In September 2005, a daily Danish newspaper, *Jyllands-Posten*, published a series of cartoons depicting satirical images of the prophet Mohammed, which many viewed as an attack on the Islamic faith. In early 2006, the cartoons were republished in other countries and international backlash erupted. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEP'T OF STATE, INTERNATIONAL RELIGIOUS FREEDOM REPORT 2006: DENMARK, <http://www.state.gov/g/drl/rls/irf/2006/71377.htm> [hereinafter RELIGIOUS FREEDOM REPORT 2006].

7. Abdul Waheed Wafa & David Rohde, *Kabul Judge Rejects Call to End Trial of Christian Converts*, N.Y. TIMES, Mar. 24, 2006, at A3.

8. Erick Stakelbeck, *The Dangers of Leaving Islam*, CHRISTIAN WORLD NEWS, Sept. 1, 2006, available at <http://www.cbn.com/cbnnews/cwn/09016converts.aspx>.

choose not to believe, understand why you don't believe. But if you choose to believe, understand your faith at its deepest and richest best, and then understand your neighbors well enough to show them respect. Understand why your faith works. Understand how it works. Understand who the heroes of the faith are. Understand where they struggled, where they had their problems, where they had issues. Understand what is factually correct. Understand belief. Understand when belief is translated into faith. Get to a place where you have to say, "I don't know everything and I don't understand everything, but this I know: Once I was blind and now I see." Understand why, in words like those of Pascal, "Good men believe it to be true,"⁹ and then understand your neighbor's faith well enough to respect it.

Allow me to give you an example of one who, I would suggest, does not fully understand his own faith: Osama bin Laden. I would suggest to you that Osama bin Laden does not understand his faith at its deepest and richest best. He looked at Islam and began to pick and choose the things he would adopt. He decided to pick the concept of Jihad and to use Jihad against the West. When he chose Jihad out of all the ideas in that faith, out of all of the truths, all the historical verities of that faith, he truncated his gospel. It was no longer religion, no longer politics, and it was no longer ideology. It was murder. He did not understand his faith and he certainly had no respect for anybody else's. When a misunderstood faith and an inappropriately applied faith are in the hands of a religious zealot, bad things happen in the world.

I sometimes get people who come up to me and say, "I'm not in politics. I'm not in the military. I'm not in government. What can I do about homeland security?" I say to them, "You can do something; every individual can. Understand your own faith. Respect your neighbor's faith." If everyone in the world would do this, we would never have sectarian conflict again. Those brutal, unpredictable, long-lasting conflicts would be a thing of the past. Unfortunately, we seem to be a long way from that kind of respect. We live in a world that's not yet safe for diversity.

Let me also make a point that is less picky than the distinction between tolerance and respect, but that implicates a major issue with the 1981 Declaration. From the history of the Declaration's coming

9. VICTOR GIRAUD, PASCAL: OEUVRES CHOISIES 482 (1938).

together, you can see that it's a compromised document.¹⁰ It's compromised by the paper trail that I mentioned earlier. The Declaration contains no language about changing one's faith. The principle of choice is simply left out of the Declaration. In order for faith to be truly authentic, it must be freely chosen and freely embraced. Where believers are precluded from freely embracing the faith of their choice, they are coerced, and what it means to be distinctively human and truly free ends up missing. By this I mean a lack of personal autonomy and liberty of choice.

To be fair, we should remember that resolving claims of absolute truth with human freedom is never going to be easy in our pluralistic universe. We should also think about what is possible in a document that has come together in a committee. Sometimes compromises must be made in order to have any sort of consensus or decision.

Even so, the Declaration is a compromised document, and, ironically, it can be used to embrace an absolute—the absolute in the Islamic faith that precludes the changing of one's faith.¹¹ However, the Declaration can also be used to embrace the notion that the international principles of religious rights have been codified, in 1948¹² and in 1966,¹³ and that the articles that protect the right to change one's faith will be carried forward and preserved. This, however, raises an interesting question: Would legislation embracing this latter interpretation pass today, twenty-five years later? Sadly, I don't think that it would even come close. Diversity is being trampled. Identity can get you killed. People are dying and killing in the name of religion like never before. We are not celebrating our common humanity, and there's no respect for the things that make each one of us legitimately different. In France, we have coercive secularism fighting against coercive religion.¹⁴ In Iran and in Iraq, we have Baha'is¹⁵ and Sunnis¹⁶ whose very lives are in danger simply

10. See NATAN LERNER, GROUP RIGHTS AND DISCRIMINATION IN INTERNATIONAL LAW 85–88 (2d ed. 2003).

11. See *id.* at 88.

12. *Id.*; see also 1981 Declaration, *supra* note 4.

13. ICCPR, *supra* note 3.

14. See RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at FRANCE, <http://www.state.gov/g/drl/rls/irf/2006/71380.htm>; Justin Vaisse, *Veiled Meaning: The French Law Banning Religious Symbols in Public Schools*, BROOKINGS INSTITUTION, U.S.-FRANCE ANALYSIS SERIES (March 2004), available at <http://www.brook.edu/fp/cusf/analysis/vaisse20040229.pdf>.

15. RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at IRAN, <http://www.state.gov/>

because they represent an unwelcome minority in the midst of a hostile nation. Saudi Arabia persecutes Shiites.¹⁷ Vietnam beats up Mennonites.¹⁸ China takes on Catholics and Falun Gong with equal fervor.¹⁹ Hindus in India scare Muslims and Christians alike.²⁰ And in North Korea, the ultimate equal opportunity oppressor, they scare everybody.²¹ There has never been such an array, such a comprehensive breadth, of sectarian violence based on discrimination and on a profound lack of respect.

In this global environment, is there anything we can celebrate? I think so. We can celebrate respect, and we can celebrate religious freedom. Every generation needs to affirm and reaffirm religious freedom. The 1980s was a period of reaffirmation, and that decade was important because it reconnected us to an historic legacy that began with the Universal Declaration of Human Rights in 1948 and that gave us a future hope. That reaffirmation also laid a foundation for seeing foreign affairs through the prism of religious freedom. In my country, the table was set for what became the International Religious Freedom Act of 1998.²² The table was also set for the institution of our National Religious Freedom Day, which is held every year on January 16th to celebrate what Thomas Jefferson and the state of Virginia did when they enacted the Virginia Statute for Religious Freedom in 1786.²³ Religious freedom is not something

[g/drl/rls/irf/2006/71421.htm](http://www.state.gov/g/drl/rls/irf/2006/71421.htm); Bahá'í International Community, *The Situation of the Bahá'ís in Iran* (2006), http://info.bahai.org/persecution_iran.html.

16. RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at IRAQ, <http://www.state.gov/g/drl/rls/irf/2006/71422.htm>; see also Howard LaFranchi, *Iraq's Sunni-Shiite Tension Rising*, CHRISTIAN SCI. MONITOR, Sept. 22, 2004, at 6-7.

17. RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at SAUDI ARABIA, <http://www.state.gov/g/drl/rls/irf/2006/71431.htm>; see also INTERNATIONAL CRISIS GROUP, *THE SHIITE QUESTION IN SAUDI ARABIA* (2005), available at <http://merln.ndu.edu/archive/icg/shiitequestion.pdf>.

18. Rachel Zabarkes Friedman, *Righteous Protest: When the Vietnamese Prime Minister Came to the United States, He Heard From Vietnamese Americans*, NAT'L REV., July 18, 2005, at 30-32; see also RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at VIETNAM, <http://www.state.gov/g/drl/rls/irf/2006/71363.htm>.

19. See RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at CHINA, <http://www.state.gov/g/drl/rls/irf/2006/71338.htm>.

20. See *id.* at INDIA, <http://www.state.gov/g/drl/rls/irf/2006/71440.htm>.

21. See *id.* at KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF, <http://www.state.gov/g/drl/rls/irf/2006/71344.htm>.

22. International Religious Freedom Act, 22 U.S.C. §§ 6401-81 (2000).

23. Proclamation No. 8100, 72 Fed. Reg. 1909 (Jan. 11, 2007); see also Press Release, George W. Bush, Religions Freedom Day, 2007 (Jan. 11, 2007), available at

that any country or any generation or any person can ever take for granted. We need to embrace the 1981 Declaration and we need to celebrate its existence.

Let me now close with a story that I think is worthy of celebration. In 2002, the Institute for Global Engagement invited a delegation from Laos to come and spend a couple of weeks with us. We weren't sure they were going to come. They were a little nervous about coming. After all, the United States and Laos don't have a great history. In fact, the United States dropped more bombs on the country of Laos during the Vietnam War than were dropped on Germany during the four years of World War II,²⁴ and there are more than 400 crash sites in Laos where American pilots were shot down.²⁵ More than that, every year there are some thirty to one-hundred people, mostly children, who are killed or injured in Laos by live US bombs that never exploded,²⁶ even though it's been about thirty years since the war was supposed to have ended. Despite all of this, the delegation came. We talked them into it. At that point it was the highest level delegation ever sent to the United States. We spent fifteen days together. It was the most exhausting thing I've ever done in my life. We took them to Capitol Hill. They talked with senators, they talked with congressman, and they talked with the State Department. They went to houses of worship, including a Lao Buddhist temple in Manassah, Virginia. We even saw the Yankees beat up on the Baltimore Orioles. We went to New York City to see Ground Zero and the United Nations. We talked with Lao-Americans from every generation, from the older folks, who had the most pain about what it meant to lose their country, to the youngest folks, who were willing to forgive and forget and find a way to make better things happen.

<http://www.whitehouse.gov/news/releases/2007/01/20070111-2.html>. Religious Freedom Day also celebrates the First Amendment's protection of religious freedom. *Id.*

24. Andre Vltchek, "Secret War" Still Killing Thousands, *WORLDPRESS.ORG*, Nov. 14, 2006, <http://www.worldpress.org/Asia/2562.cfm>.

25. Robert Seiple, Why I'm Returning to Laos, <http://www.firstfreedom.org/Laostrip.htm> (last visited April 2, 2007).

26. Vltchek, *supra* note 24; Paul Wiseman, *30-year-old Bombs Still Very Deadly in Laos*, *USA TODAY*, Dec. 11, 2003, at 10A. Some estimates put the number of unexploded bombs in Laos at up to nine million. Nick Meo, *Search for MIAs Goes on in Laos: US Military on Different War Mission*, *S. F. CHRON.*, Jan. 14, 2007, at E4, available at <http://www.sfgate.com/cgi-bin/article.cgi?file=/chronicle/archive/2007/01/14/ING2HM.VOMG18.DTL>.

In spite of all this, however, the crowning moment of the entire visit was our experience with an Amish farmer in Lancaster County, Pennsylvania. The farmer took us out to show us his farm. He was very proud of it. And then, because he liked us, he said, "Come on back into our house. I want to show you our house." When we got into the house, he said, "This is where we worship every Sunday." You could hear the mental wheels of the Lao delegation turning. "This is a house church?" the Laotians asked. "Yes," reiterated the farmer. "Every Sunday, we go downstairs and we worship in the basement." "An underground house church," the Laotians repeated with wonder. They had become accustomed to treating underground house churches in their own country with suspicion, but they saw that this group, while clearly wanting to be different, was doing so legitimately and was making a contribution to civil society. They also saw that American civil society, at the local level, at the state level, and at the federal level, was in return protecting their right to be different.

This delegation went back to Laos, and in the two weeks following their return, they went at their own expense to every province in Laos. At that time, there were thirty-seven people who, because of their faith, were in prison. Thirty-four of the thirty-seven were released, and twice during the two years following the release of these prisoners, I was invited by the Laotians to give a conference in their country on religious freedom. Not only was it the first time that religious freedom conferences had been held in a Communist country, but also, the invitees consisted of the people who had dispensed with religious liberty in the countryside: the police chief, the district officials, the head-bangers, if you will—two years in a row. And during those two years, the Laotians put together Decree No. 92, a religious freedom law that protected every Laotian's right to believe or not to believe.²⁷ The Laotians also invited me to speak about religious freedom to the Lao Foreign Ministry Institute in January 2007.

Why did they do this? Why did this happen? The short answer is that they came to a realization that religion practiced at its best is absolutely nothing for any government to fear. Not only that, it might be a positive thing. It means something to a country if the

27. See RELIGIOUS FREEDOM REPORT 2006, *supra* note 6, at LAOS, <http://www.state.gov/g/drl/rls/irf/2006/71346.htm>.

minority populations believe that the government wants them to have things that are right and good. When that happens and people feel that the government is on their side and wants what is best for them, they are loyal citizens. When you have loyal citizens, you don't have to worry about a destabilized population. When you eliminate things that will destabilize your population, you have legitimate security in a country.

The Laotians also realize that this puts them on the right side of history. This puts them on the right side of the international community. This takes away a potential black eye. Laos is a small country with many challenges. Seventy percent of the population is illiterate. Forty percent live under the poverty line. Those are huge challenges. But in spite of those challenges, the Laotians took on a human rights agenda and did things that have never been done anywhere in the world before.²⁸

That is cause for celebration, as is the progress in the field of religious freedom that the United States has made during the last 200 years. We've come a long way, and we celebrate the journey. We celebrate this international Declaration. We affirm it as every generation must. And we do so in defense of those who need it most: nameless people, faceless people, people that number in the hundreds of millions. Their only hope is that good nations and good people will continue to do the right thing.

28. Laos has steadily progressed from a "country of particular concern" ("CPC") in 2003 to the current state of affairs—they are not even on the "watch list" for CPC status. U.S. COMM'N ON INT'L RELIGIOUS FREEDOM, ANNUAL REPORT 34–35 (2003), *available at* <http://www.uscirf.gov/countries/publications/currentreport/finalReport050203.pdf>; U.S. COMM'N ON INT'L RELIGIOUS FREEDOM, ANNUAL REPORT 130–34 (2006), *available at* <http://www.uscirf.gov/countries/publications/currentreport/2006annualRpt.pdf>.