

Religious Freedom in Islam: A Global Landscape

Daniel Philpott

Professor of Political Science and Peace Studies, University of Notre Dame
philpott.1@nd.edu

Abstract

This paper presents a global landscape of religious freedom in Islam, a crucial matter for resolving the contentious contemporary debate over whether Islam is a peaceful or violent religion. The landscape shows a general dearth of religious freedom in Islam. This does not mean, though, that Islam is incompatible with religious freedom, for a large percentage of Muslim countries are governed by regimes inspired by western secularism. The paper also argues that religious freedom is neither synonymous nor co-extensive with electoral democracy. Several democracies with low levels of religious freedom exist in Muslim-majority countries, while authoritarian regimes with relatively high levels of religious freedom exist but are rare.

Keywords

religious freedom; democracy; religion and politics; religion, Islam

1. Introduction

For more than a decade, a debate has raged within the West over what sort of religion Islam is. To simplify, on one side are hawks, who claim that Islam is highly prone to violence and intolerance, that it is unlikely to support liberal democracy, that in good part these tendencies are due to its texts and foundational claims, that these tendencies are widely shared within Islam, that they are unlikely to change, and that the West ought to gird up for a long struggle to defend its liberties and civilization against the threat

* The author thanks Nilay Saiya for valuable research assistance. He thanks the organizers of the conference at which he delivered this paper, “Religious Law and State Affairs” at Bar Ilan University, Tel-Aviv, Israel, May 29, 2011, as well as members of the Religious Freedom Project at the Berkley Center for Religion, Peace, and World Affairs, who offered comments on the piece at a workshop on September 24th, 2011. Among these, he is grateful to Monica Duffy Toft in particular for her detailed comments. He completed this article as an Associate Scholar with the Religious Freedom Project of the Berkley Center for Religion, Peace and World Affairs at Georgetown University.

of Islam. Arguing to the contrary are doves who aver that Islam, like all religions, harbors a diversity of peaceful as well as violent tendencies, that it is not averse to democracy and freedom, that it is historically changeable, that its violent tendencies are attributable in important part to colonialism, post-colonial domination, and cultural aggression on the part of the West, and that dialogue can widen the sphere of agreement between the West and Islam. At times this debate extends from westerners to Muslims residing in the West. To be sure, Muslims carry on their own debates about the character of the West.

The recent Arab Spring has only sharpened and reinforced this debate, with hawks predicting and warning against a repressive Islamist takeover of politics in Egypt, Tunisia, Libya, and Syria, and doves welcoming the participation of Islamic parties after years of authoritarian suppression and predicting democratic politics.

Who is right? Close to the center of this debate stands the question of religious freedom, which is indeed even more important for this debate than democracy is. Over the past couple of decades, much scholarship on democracy and Islam has emerged and has offered strong evidence for the possibility and existence of electoral democracy in the Islamic world, even if democracies exist in a small number of Muslim-majority countries.¹ As I argue below, however, that it is entirely possible for a Muslim-majority country to be a democracy – that is, to carry out contested elections and to contain Islamic political parties that are willing to relinquish power when they lose an election – and yet to contain low levels of religious freedom, sharply and at times violently restricting the worship, practice, and expression of dissenting Muslims and religious minorities. Religious freedom, then, captures qualities of political tolerance and human rights that democracy alone does not necessarily capture.² In this sense, religious freedom is

¹ See, for instance, Alfred Stepan and Graeme Robertson, “An ‘Arab’ More Than a ‘Muslim’ Electoral Gap”, *Journal of Democracy* 14(3) (2003), 30; Alfred Stepan and Graeme B. Robertson, “Arab, Not Muslim, Exceptionalism”, *Journal of Democracy* 15(4) (2004), 140; Charles Kurzman and Ijlal Naqvi, “The Islamists Are Not Coming”, *Foreign Policy* (2010).

² There is a definitional issue here: What is democracy? If democracy means primarily elections and the rule of the legal apparatus surrounding elections, it is perfectly reasonable to say that there can be democracy without religious freedom. Other theorists, however, would define democracy so that it also includes religious freedom and other civil liberties and minority rights. See, for example, Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (1996). In this case, the claim must be more nuanced: the religious freedom dimension captures something important about tolerance that a more generalized definition of democracy does not adequately specify.

a good indicator through which to assess the qualities of Islam that are so hotly debated today. Further, in contrast with the existing research on Islam and democracy, scholars have conducted little comparative research on Islam and religious freedom.³

The importance of religious freedom in Islam extends beyond debates among westerners. In *God's Century: Resurgent Religion in Global Politics*, Monica Duffy Toft, Timothy Samuel Shah, and I argue that religious violence and religious wars are caused in important part by the marginalization and suppression of religious minorities, dissenters, and at times even religious majorities at the hands of political regimes. This problem occurs disproportionately in the Islamic world. By contrast, we argue, democracy and stability are sustained by what political scientist Alfred Stepan has called the “twin tolerations,” that is, the toleration by the state of religious actors, and the religious actors’ reciprocal willingness to “play the democratic game” of respecting the freedom of members of other religions and fully respecting the rule of law within constitutional liberal democracy.⁴ Religious freedom is at the heart of the twin tolerations, as corroborated by the research of sociologists Brian Grim and Roger Finke, who demonstrate that government restrictions on religion result in violent religious persecution.⁵ Terrorism, civil war, democracy, and stability, then, are all connected to religious freedom. All of these connections suggest that the Islamic world itself has important stakes in religious freedom.

Ultimately, the value of religious freedom is a moral and theological question the answer to which depends on one’s view of human dignity and the goods that fulfill the person, of the nature of the search for religious truth, the character of religious and philosophical truth, and the relationship of these matters to the shape of a just society. Muslims, like members

³ For a few exceptions, see Brian J. Grim and Roger Finke, *The Price of Freedom Denied: Religious Persecution and Conflict in the Twentieth Century* (2011); Jonathan Fox, *A World Survey of Religion and State* (2008); and Paul A. Marshall, *Religious Freedom in the World* (2007).

⁴ Monica Duffy Toft, Daniel Philpott, and Timothy Samuel Shah, *God's Century: Resurgent Religion in Global Politics* (2011), 82-173; Alfred Stepan, “The World’s Religious Systems and Democracy: Crafting the ‘Twin Tolerations,’” in *Arguing Comparative Politics* (2001), 213-253; Mohammed Hafez, *Why Muslims Rebel: Repression and Resistance in the Muslim World* (2003).

⁵ Brian J. Grim and Roger Finke, *supra* note 4, 61-87. Grim and Finke also show that religious freedom correlates with other freedoms and measures of well being, for example, freedom of the press, percentage of GDP spent on public health, lower inflation, and higher income for women. They acknowledge, however, that these are correlations and make no claims about the causal relationships involved.

of other religions, have debated these questions for many centuries and have returned various answers to them. One of the key issues is whether religious freedom erodes or supports a social environment in which Islam will flourish.

Although the present paper resolves none of these larger issues – the character of the Islamic faith and jurisprudence; the relationship between religious freedom, violence, and democratic stability; and the value of religious freedom – it is based on the belief that progress on all these issues can benefit from answers to certain empirical questions. First, to what degree does religious freedom exist in the Islamic world? Second, what are the patterns of its violation? Third, what, in particular, is the relationship between religious freedom and democracy? In answering these questions the paper offers a descriptive landscape of religious freedom in the regimes of Muslim-majority societies. In the conclusion I return to the implications of these answers for the larger issues.

First, we must ask what religious freedom is and whether the definition is a universal one. I mean universal in a moral sense, not in an empirical one: Are there grounds for thinking that religious freedom is a morally valid concept for all humanity, even if, empirically speaking, religious freedom is not universally endorsed or ensconced in certain political regimes? The latter question is important because, although the central aim of the paper is an empirical landscape, it would manifest a strong bias if religious freedom is only a western norm. It would then, in effect, ask: How much religious freedom exists in a part of the world that does not accept or even similarly understand religious freedom in the first place? Such a bias would not wholly invalidate empirical inquiry, but if it exists it ought to be named and acknowledged.

2. What Is Religious Freedom? Is It Universal?

One of the most thorough definitions of religious freedom, which I adopt here, comes from the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief adopted by the UN General Assembly in 1981. Despite the document's long-winded title, it offers a remarkably thorough and deeply grounded account of religious freedom. "Everyone shall have the right to freedom of thought, conscience, and religion," begins Article 1, continuing to clarify that "this right shall include freedom to have a religion or whatever belief of his choice, and freedom, either individually or in community with others and in public

and private, to manifest his religion or belief in worship, observance, practice, and teaching.” The document affirms several vital dimensions of religious freedom, perhaps most important of which is that the freedom being protected is not simply an inward, private, mental act of “worship” but a phenomenon that is enacted both individually and in groups, privately and publicly, through a wide range of activities. Subsequent articles prohibit various forms of discrimination against religious believers and by religious groups against non-members. Article 5 goes into remarkable detail in prescribing religious freedom in the family, especially the right of parents to raise and educate their children in their religious beliefs. The declaration closes with a detailed enumeration of freedoms entailed in the right of religious freedom, including the freedom to establish places of worship, publish literature, raise money, choose leaders, celebrate holidays, and maintain communication among members and with outsiders.

To this thorough enumeration can be added one other dimension of religious freedom, which even its advocates often overlook. It is the freedom of religious groups and parties to participate in a democratic process and to advocate religiously informed goals in the political realm as long as these goals are compatible with human rights. It is this more corporate version of religious freedom, paralleling what is called “*libertas ecclesiae*” in the western tradition, that was denied when the Turkish government intervened repeatedly, for decades, to overthrow the government leadership of a party that advocated broadening religious freedom for Muslims. This freedom was strengthened when an Islamic party achieved a dominant position in a coalition government, as well as the prime ministership, in 2002. This version of religious freedom was also denied by the Suharto dictatorship in Indonesia between 1965 and 1998, but was realized when Suharto yielded to an electoral democracy that allows Islamic parties to compete for power.

Is this definition of religious freedom a western project and a western imposition? There is evidence for a culture clash between Islam on one hand and the West and the “international community” of human rights activists, international lawyers, and officials of international organizations on the other over the question of religious freedom. In 1981, the Islamic Council of Europe adopted the seemingly oxymoronic Universal Islamic Declaration of Human Rights, and in August 1990, the Organization of the Islamic Conference, meeting in Cairo, promulgated a document, “Human Rights in Islam,” asserting that human rights could be endorsed only in concurrence with Islamic law and interpreted according to it. The document maintained that where human rights and Islamic law conflict, Islamic law must hold sway. Several interpreters have argued that both documents

grant a right of religious freedom that is more restrictive than what is found in international law.⁶ Furthermore, the views of contemporary Muslim jurists and the laws of numerous Islamic regimes contain broad definitions of apostasy and blasphemy, and stiff punishments for it.⁷

Nevertheless, there are good arguments in favor of the universal validity of religious freedom, which strengthen the case for its promotion in the Islamic world. For one thing, religious freedom is deeply lodged in the international legal tradition, the landmark documents of which have been signed by virtually all Muslim-majority states. It appears in Article 18 of the 1948 Universal Declaration of Human Rights, then in Article 18 of the International Covenant on Civil and Political Rights of 1966, and was spelled out extensively in the 1981 Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. Although it would be a mistake to infer too much reflective assent from the signing of international legal documents, it would be equally mistaken to infer too little: such documents are the closest approximation to explicitly declared universal values.

Second, philosophers have defended religious freedom on the grounds of natural law. If their arguments are valid, religious freedom rests on a foundation of reason, grounded in goods and capacities intrinsic to the human person. One of the most influential strands of natural law argumentation identifies the roots of religious freedom in the dignity of the human person as a seeker of truth about ultimate questions. To violate religious freedom is to violate this dignity. Although natural law arguments are far from being universally accepted, they offer a set of reasons for religious freedom that appeal to human beings everywhere and that are grounded in traits that all human beings share, regardless of their cultural context.⁸

Third, religious freedom finds champions from within Islam, including the arguments of Abdullah and Hassan Saeed, Abdullah An-Na'im,

⁶ Donna E. Arzt, "The Treatment of Religious Dissidents under Classical and Contemporary Islamic Law," in J. Witte Jr and J. van der Vyver (eds.), *Religious Human Rights in Global Perspective: Religious Perspectives* (1996), 396-397; Ann Elizabeth Mayer, *Islam and Human Rights: Tradition and Politics* (1995).

⁷ With respect to jurisprudence, consider, for instance, the views of Yusuf al-Qaradawi, *The Lawful and the Prohibited in Islam* (2003). For an overview of apostasy and blasphemy laws in Islamic regimes, see Paul Marshall and Nina Shea, *Silenced: How Apostasy & Blasphemy Codes Are Choking Freedom Worldwide* (2011).

⁸ Natural law arguments for religious freedom, although found prominently in western Christian thought, are nevertheless natural law arguments, rooted in reason. For examples, see Christopher Tollefsen, "Conscience, Religion, and the State", *American Journal of Jurisprudence* 54 (2009) and John Finnis, *Natural Law and Natural Right* (1980), 89.

Abdulaziz Sachedina, AbdolKarim Soroush, Khaled Abou El Fadl, Mustafa Akyol, and others.⁹ Some of their arguments overlap strongly with natural law arguments situated within the western Christian tradition. Others, such as the defense of Saeed and Saeed, are rooted in the Quran. Saeed and Saeed argued that the imperial rulers during the first centuries of Islam, a time of conquest, established the tradition of restricting the religious freedom of non-Muslims. The contemporaneous *hadith* that mandate death for apostasy are rooted in these rulers' political interests and reflect the claim that apostasy was tantamount to rebellion against the political community. Saeed and Saeed seek to develop Islamic thought in order to recover its original Quranic foundations. They also find arguments for religious freedom in the writings of Islamic intellectuals of the past century, including those of Sayyid Qutb, one of the founding fathers of modern Islamic revivalist thought, who was executed by Egypt's Nasser in 1966. In a passage that is striking for its appeal to universal humanity, Qutb writes, as quoted by Saeed and Saeed: "freedom of belief is the first human right, which gives the attribute of '*insan*' (humanity) to the human being. *Whoever robs a Human being of freedom of belief in fact robs him of his humanity.*"¹⁰

Reasoning along similar lines, Mustafa Akyol also finds the origins of Islamic laws and practices that harshly restrict the religious freedom of minorities and dissenters in the early centuries of conquest, not in the Quran. Akyol argued that although a "traditionalist" strand of thought may have won out in the first five or six centuries of Islam, it was challenged all along by a "rationalist" strand far friendlier to religious liberty. In the past several centuries, strong doctrines of religious freedom have emerged among intellectuals. To some degree, these were reflected in laws, regimes, and movements, for example, in the Ottoman Empire of the mid-19th century, in liberal Islamic movements in Egypt and Iran around the turn of the 20th century, in the thinking of Said Nursi and his followers in Turkey in the 20th century, and, as Akyol might have added, among Muslim intellectuals of the past generation living in the West.

⁹ Abdullah Saeed and Hassan Saeed, *Freedom of Religion, Apostasy, and Islam* (2004); Abdullahi Ahmed An-Na'im, *Islam and the Secular State: Negotiation the Future of Shari'a* (2008); Abdullahi Ahmed An-Na'im, *Toward an Islamic Reformation: Civil Liberties, Human Rights, and International Law* (1990); Mustafa Akyol, *Islam without Extremes: A Muslim Case for Liberty* (2011); Abdulaziz Sachedina, *Islam and the Challenge of Human Rights* (2009); Abdolkarim Soroush, *Reason, Freedom, and Democracy in Islam: Essential Writings of Abdolkarim Soroush*, trans. Mahmoud Sadri and Ahmad Sadri (2000).

¹⁰ Sayyid Qutb, *Fi Zilal al-Qur'an*, vol. 3 (1996), 291, quoted in Saeed and Saeed, *supra note* 10, 75.

The thinking of Muslim intellectuals, and more generally, the moral universality of religious freedom deserve far more consideration than I have offered here. I have cited lines of reasoning supporting the universality of religious freedom and also ones pointing in the opposite direction. Even if the case for universalism requires more development, though, any easy assertion that universalism is being imposed by the West is forbidden. From the assessment of the moral universality of religious freedom we now turn to the question of its empirical universality: How widespread is religious freedom in the Islamic world?

3. The Global Landscape

An important gauge for measuring religious freedom within countries is found in the work of sociologists Brian Grim and Roger Finke and in the report of the Pew Forum on Religion & Public Life, “Global Restrictions on Religion,” of which Grim and Finke’s measurement index forms the backbone.¹¹ One of Grim and Finke’s important innovations is the division of violations of religious freedom into two categories: a Government Restrictions Index (GRI) and a Social Hostility Index (SHI). The division reflects the insight that religious freedom is violated in two complex ways. The first consists of restrictions on the practice and expression of religion that are propounded through the laws and policies of governments. In the Islamic world, for example, many regimes have enacted laws, often carrying harsh penalties, prohibiting apostasy and blasphemy. But restrictions on religious freedom come not only from governments but also from “acts of violence committed by private individuals, organizations, or social groups” directed against members of a particular religion. This is the second form of restriction, which Grim and Finke termed social hostilities. Grim and Finke cited the example of the Ahmadiyya minority sect of Islam in Indonesia, which has been the victim of violent hostility at the hands of other Muslims. In 2007, the Indonesia Council of Ulamas declared the Ahmadiyya to be heretical, leading other groups to attack Ahmadiyya mosques, including the second largest Ahmadiyya mosque, found in West Java. Both scales, the GRI and SHI, take into account manifold dimensions of restriction. The GRI score is based on 20 questions, the SHI on 13 questions. Both GRI and SHI

¹¹ Brian J. Grim and Roger Finke, *supra note 4*; Pew Forum on Religion & Public Life, *Global Restrictions on Religion* (2009). For other important measurement scales, see also Marshall, *Religious Freedom in the Modern World*; and Fox, *A World Survey of Religion and State*.

are scaled from 0 to 10, with 0 being the lowest level of restriction and 10 the highest level. Furthermore, both scales group countries into more descriptive categories based on levels of restriction, including “very high,” “high,” “moderate,” and “low.”

What does the landscape of religious freedom in Muslim-majority countries look like based on these measures? Table 1 ranks 47 Muslim-majority countries according to GRI, using the dataset found in the Pew Forum Report, “Global Restrictions on Religion,” of 2009.¹²

The resulting profile shows that, broadly speaking, religious freedom suffers a troubled fate in Islam. Only a minority of 12 out of 47 Muslim-majority countries rank in the “low” category of restriction, while 27 out of 47, or more than half, rank in the categories “very high” or “high.”

In their book *The Price of Freedom Denied*, Grim and Finke corroborate the fact that restrictions on religious freedom are more common in Muslim countries than elsewhere. For example, a moderate-to-high level of religious persecution can be found in 62% of Muslim-majority countries, compared with only 28% of Christian-majority countries and 60% of all other countries. A sharper comparison shows that 78% of Muslim-majority countries have high levels of government restrictions, compared with 43% of all other countries and 10% of Christian countries, and that 83% of Muslim-majority countries have high levels of social restrictions, compared with 30% of all other countries and 16% of Christian countries.¹³ An analysis based on the Religion and State Dataset compiled by political scientist Jonathan Fox produces a similar conclusion. Fox used the variable “official restrictions” to approximate religious freedom. The variable ranges from 0, the least restrictive rating, to 5, the most restrictive one, which corresponds to regimes in which all religions are illegal. A comparison of country scores on this variable for the period 1990–2008 shows an average of 2.6 for the 47 Muslim majority countries, compared with the global average of 1.77 and an average of 1.36 for Christian countries.

¹² It would also be useful to rank them by SHI, which I do not do here. I choose GRI because it most directly describes regimes and laws, which is my main interest here. Note also that the 2009 report data predate the Arab Spring. At least Egypt and Tunisia will probably turn out to be quite different in their levels of religious freedom than they were beforehand, but in this paper I analyze the data based on the situation before these events.

¹³ Brian J. Grim and Roger Finke, *supra* note 4. The comparison with Christian-majority countries is worth making because Christianity is the other world religion that is in the same league as Islam both in its population (2 billion) and in being spread among numerous countries across the globe (compared with, say, Hinduism, which despite being populous is concentrated largely in two countries, India and Nepal).

Table 1: Religious Freedom and Democracy in Muslim-Majority Countries

Muslim-Majority Countries Worldwide Arranged by GRI Score									
Country	Population ^a	Muslim % ^b	GRI ^c	Ranking ^c	SHI ^c	Ranking ^c	Polity IV ^d	Label	Label
1 Saudi Arabia	28,686,633	100%	8.4	Very High	6.8	Very High	-10	fully institutionalized	autocracy
2 Iran	66,429,284	98%	8.3	Very High	5.2	High	-6	autocracy	autocracy
3 Uzbekistan	27,606,007	88%	8.0	Very High	3.1	Moderate	-9	autocracy	autocracy
4 Egypt	78,866,635	90%	7.6	Very High	6.5	High	-3	anocracy	anocracy
5 Maldives	396,334	100%	7.2	Very High	2.8	Moderate	No Info	No Info	No Info
6 Malaysia	25,715,819	60.4%	6.8	Very High	1.4	Low	6	democracy	democracy
7 Brunei	388,190	67%	6.7	Very High	2.9	Moderate	No Info	No Info	No Info
8 Indonesia	240,271,522	86.1%	6.6	High	7.8	Very High	8	democracy	democracy
9 Mauritania	3,129,486	100%	6.5	High	1.3	Low	-5	anocracy	anocracy
10 Pakistan	174,578,558	95%	6.5	High	8.4	Very High	5	anocracy	anocracy
11 Turkey	76,805,524	99.8%	6.4	High	4.9	High	7	democracy	democracy
12 Algeria	34,178,188	99%	6.2	High	4.4	High	2	anocracy	anocracy
13 Turkmenistan	4,884,887	89%	6.0	High	1.2	Low	-9	autocracy	autocracy
14 Libya	6,324,357	97%	5.6	High	2.2	Moderate	-7	autocracy	autocracy
15 Sudan	41,087,825	70%	5.6	High	6.8	Very High	-4	anocracy	anocracy
16 Tajikistan	7,349,145	90%	5.5	High	1.7	Low	-3	anocracy	anocracy
17 Jordan	6,269,285	92%	5.3	High	4.3	High	-3	anocracy	anocracy
18 Afghanistan	28,395,716	99%	5.3	High	8.1	Very High	-66	anocracy-backed	anocracy-backed
19 Morocco	31,285,174	99%	5.3	High	2.9	Moderate	-6	autocracy	autocracy

20	Syria	21,762,978	90%	5.2	High	5.4	High	-7	autocracy
21	Tunisia	10,486,339	98%	5.1	High	3.1	Moderate	-4	anocracy
22	Azerbaijan	8,238,672	93.4%	5.1	High	2.4	Moderate	-7	autocracy
23	Kuwait	2,692,526	85%	5.0	High	2.8	Moderate	-7	autocracy
24	Yemen	22,858,238	99%	4.9	High	6.2	High	-2	anocracy
25	Iraq	28,945,569	97%	4.8	High	9.4	Very High	-66	anocracy-backed by foreign force
26	Oman	3,418,085	100% ^b	4.5	High	0.3	Low	-8	autocracy
27	Somalia	9,832,017	100%	4.5	High	7.4	Very High	-77	anocracy-central gov't collapse
28	Bangladesh	156,050,883	89.5%	4.4	Moderate	7.5	Very High	-6	autocracy
29	United Arab Emirates	4,798,491	96%	4.1	Moderate	0.4	Low	-8	autocracy
30	Bahrain	728,709	81%	4.0	Moderate	2.4	Low	-7	autocracy
31	Comoros ^b	752,438	98%	3.9	Moderate	5.6	High	9	democracy
32	Chad	10,329,208	53.1%	3.9	Moderate	3.3	High	-2	anocracy
33	Qatar	833,285	77.5%	3.9	Moderate	0.3	Low	-10	fully institutional- ized autocracy
34	Kyrgyzstan	5,431,747	75%	3.7	Moderate	5.5	High	3	anocracy
35	Nigeria	149,229,090	50%	3.6	Moderate	5.8	High	4	anocracy
36	Kosovo	1,804,838	90% ^b	2.0	Low	2.8	Moderate	8	democracy
37	Lebanon	4,017,095	59.7%	1.8	Low	4.9	High	7	democracy
38	Djibouti	724,622	94%	1.6	Low	2.2	Moderate	2	anocracy
39	Niger	15,306,252	80%	1.6	Low	1.5	Low	6	democracy
40	Albania	3,639,453	70%	1.3	Low	0.4	Low	9	democracy

(Continued)

Table 1: (Cont.)

	Country	Population	Muslim %	GRI	Ranking	SHI	Ranking	Polity IV	Label
41	Guinea	10,057,975	85%	1.3	Low	0.9	Low	-1	anocracy
42	Guinea-Bissau ^b	1,533,964	50%	0.9	Low	0.4	Low	6	democracy
43	Mali	13,443,225	90%	0.9	Low	0.3	Low	7	democracy
44	The Gambia	1,778,081	90%	0.8	Low	1.1	Low	-5	anocracy
45	Burkina Faso	15,746,232	50%	0.7	Low	2.0	Moderate	0	anocracy
46	Senegal	13,711,597	94%	0.4	Low	0.0	Low	8	democracy
47	Sierra Leone	5,132,138	60%	0.3	Low	1.7	Low	7	democracy

Notes

^a Field Listing: Religions - <https://www.cia.gov/library/publications/the-world-factbook/fields/2119.html?countryName=&countryCode=®ionCode=z>. Populations do not include figures for migrants, which may well change the proportion of Muslims in a country. It is difficult to obtain data on non-nationalized migrant populations for the countries in question.

^b Mapping the Global Muslim Population - <http://pewforum.org/newassets/images/reports/Muslimpopulation/Muslimpopulation.pdf>.

^c Global Restrictions on Religion - <http://pewforum.org/docs/?DocID=491>.

^d Polity IV Country Reports 2008 - <http://www.systemicpeace.org/polity/polity06.htm>.

Table 1 also shows, however, that restrictions on religious freedom are not the whole story. Although the 12 Muslim-majority countries with “low” restrictions on religious freedom constitute a minority, they are significant enough to establish the possibility, the plausibility, and indeed the reality of religious freedom in Muslim-majority countries. Note that all but one of these countries are outside the Arab world, corresponding to the 2009 finding of the Pew Forum Report that Middle East-North Africa is the region of the world with the highest restrictions on religious freedom.¹⁴ Nevertheless, in the aggregate, there are significant cases of religious freedom.

4. Patterns of Restriction

There is another reason to refrain from hastily ruling out religious freedom in Islam based on the global landscape presented in Table 1. If low levels of religious freedom predominate in Muslim-majority countries, this does not mean that Islam itself is the reason for restrictions on religious freedom. That is to say, regimes based on Islamic law, or *sharia*, are not necessarily responsible for the low levels of religious freedom. A closer look at the Muslim-majority countries with “very high,” “high,” and “moderate” levels of restrictions on religious freedom reveals two categories of regimes that restrict religious freedom in distinctly different ways and for distinctly different purposes. These may be called, respectively, “Islamist” and “restrictive secular.” Table 2 lists the countries in each category, showing 21 countries (60%) with Islamist regimes and 14 countries (40%) with restrictive secular regimes.

Islamist regimes are those that restrict religious freedom on the basis of a strongly traditional form of *sharia* law. Such regimes prohibit apostasy, heresy, and blasphemy, often with harsh punishments, restrict the practice of minority faiths, restrict dress so that it conforms with *sharia*, sharply control the practice of Islam in accordance with *sharia*, and grant Islamist religious leaders strong control over areas of political life such as the courts, which in the West would be placed in secular hands. Among those whose religious freedom is restricted in these regimes are the population at large, members of non-Muslim religions, and, it is important to stress, Muslim minorities like the Ahmadiyya in Indonesia and the Ahmadiyya and Shii in Pakistan. Among the most restrictive Islamist regimes are Saudi Arabia,

¹⁴ Pew Forum on Religion & Public Life, *supra* note 12, 2. On the Arab comparison, see Stepan and Robertson, *supra* note 2.

Table 2: Two Types of Regimes among those with Higher than “Low” Restrictions on Religious Freedom

Islamist (21)	Restrictive Secular (14)
1. Saudi Arabia	1. Uzbekistan
2. Iran	2. Egypt
3. Maldives	3. Turkey
4. Malaysia	4. Algeria
5. Brunei	5. Turkmenistan
6. Indonesia	6. Libya
7. Mauritius	7. Tajikistan
8. Pakistan	8. Jordan
9. Sudan	9. Morocco
10. Afghanistan	10. Syria
11. Kuwait	11. Tunisia
12. Yemen	12. Azerbaijan
13. Iraq	13. Chad
14. Oman	14. Kyrgyzstan
15. Somalia	
16. Bangladesh	
17. United Arab Emirates	
18. Bahrain	
19. Comoros	
20. Qatar	
21. Nigeria	

Iran, Malaysia, Indonesia, Pakistan, and Sudan. The galvanizing historical moment for these regimes was the Iranian Revolution.

But if 60% of religious freedom-restricting regimes follow the Iranian Revolution, the other 40% follow policies towards religion modeled by the French Revolution. To invoke the French Revolution as an analogy is not to say that such regimes protect the Rights of Man, because they are typically authoritarian, but rather that they seek to use state power to manage religion, and to do so on behalf of an agenda of modernity involving social equality, nationalism, and economic development. These regimes seek not to promote Islam but rather to control, contain, and, if possible, privatize it – and in this sense they can be called secular. Restrictive secular regimes in Muslim-majority countries are typically not as harshly secular as most Communist regimes have been, which have sought to eradicate religion. Usually, their rulers call themselves Muslim and perhaps practice Islam;

their constitutions may even proclaim that they are an Islamic state; and at times they pass laws repressive of the religious freedom of dissenting Muslims and non-Muslim minorities. But these are concessions to the population, expected to be temporary, as modernization steams ahead. The common pattern in these countries is that the government supports and officially establishes, while at the same time co-opting and sharply regulating, a moderate form of Islam that is compatible with the regime's ruling purposes while suppressing and marginalizing more conservative and traditional forms of Islam. An indicator of a restrictive secular regime is the existence of a Ministry of Religious Affairs.

Typically, restrictive secular regimes justify their management of Islam with the argument that the alternative to their rule is radical Islam. "It's me or the Muslim Brotherhood," Egyptian president Hosni Mubarak told a succession of U.S. presidents. Were their regimes to disappear, these rulers imply, a repressive Islamist regime would emerge. Are they right? Or would Islamic parties, if allowed to operate freely, come to support a liberal democratic framework with abundant religious freedom for minorities? This is the most important question at stake in the Arab Spring. Unfortunately, the answer to this question is not clear yet and will not be so for some time. In the present paper, my task is limited to identifying restrictive secular regimes as a form of government that suppresses religious freedom in Muslim countries.

The standard bearer of restrictive secular regimes is the Republic of Turkey, founded in 1924 by Kemal Atatürk, whose determination to modernize Turkey led him to regulate sharply the speech, practice, leadership, and even dress of Muslims in Turkey. Today, the Turkish Government controls the leadership and activities of mosques, even composing a weekly Friday prayer to be read there, prevents Sufi and Alevi Muslims from constructing places of worship, controls the teaching of religion in schools and universities, curtails the rights of non-Muslim minorities to associate and to construct places of worship, and even oversees the redaction of the *hadith*, some of Islam's holiest texts. After World War II, Turkey served as a model for religion-state relationships in Arab and other Middle Eastern countries. The Shah of Iran sharply repressed traditional Muslim leaders and generally kept religion under strict control. Restrictive secularism was also the pattern in Egypt. After President Gamal Abdel Nasser came to power in 1954, he banned all independent political groups, and those that survived were forced underground. The same sort of denial of religious freedom and management of religion took place in Algeria, Tunisia, Morocco, Syria, Jordan, Iran under the Shah, Iraq under Saddam Hussein,

elsewhere in Middle East, and in Indonesia under the dictatorship of Suharto until 1998. Secular-restrictive Muslim-majority states can also be found among the post-Soviet Central Asian republics.

The category of secular-restrictive regimes makes any judgment about the dearth of religious freedom in Islam a complex one. It shows that religious freedom is restricted not only by regimes that promote Islam but also by those that wish to control it.

5. Religious Freedom and Democracy

If we allow that a significant number of Muslim-majority countries grant religious freedom, and that among those with limited religious freedom secularism competes with Islam as the source of the restriction, we may be tempted to conclude that the story of religious freedom in Muslim-majority countries is a story of democracy. According to this logic, some Muslim-majority countries have succeeded in becoming democracies, and because religious freedom is a component of democracy, religious freedom can be expected to be found where democracy is found.

Is this conclusion correct? The last column in Table 1 shows the type of regime in each of the 47 Muslim-majority countries, based on the respected Polity IV scale, ranging from -10 for the most autocratic regimes to +10 for the most democratic ones: -10 to -6 are considered autocracies; -5 to +5 are considered anocracies; 6 to 10 are considered democracies. The table shows a clustering of democracies among the countries with low levels of restrictions on religious freedom and a concentration of autocracies and low scoring anocracies among the countries with high levels of restrictions. Thus, religious freedom and democracy go together.

But again, this is not the whole story. The scatterplot in Figure 1 arrays the Muslim-majority countries according to their democracy scores, which range along the vertical axis, and their religious freedom scores, which range along the horizontal axis.

There is a strong correlation between democracy and religious freedom, reflecting the fact that religious freedom is indeed a common component of constitutional democracies. The countries cluster around the diagonal line running from the upper left corner of the chart to the lower right corner. But there are more than a few outliers, which fall into two categories.

The outliers in the upper right side of the chart are countries that score high on democracy but low on religious freedom, like Pakistan, Turkey, Indonesia, and Malaysia. These countries have achieved notable success in establishing electoral democracies but pursue policies of various types that

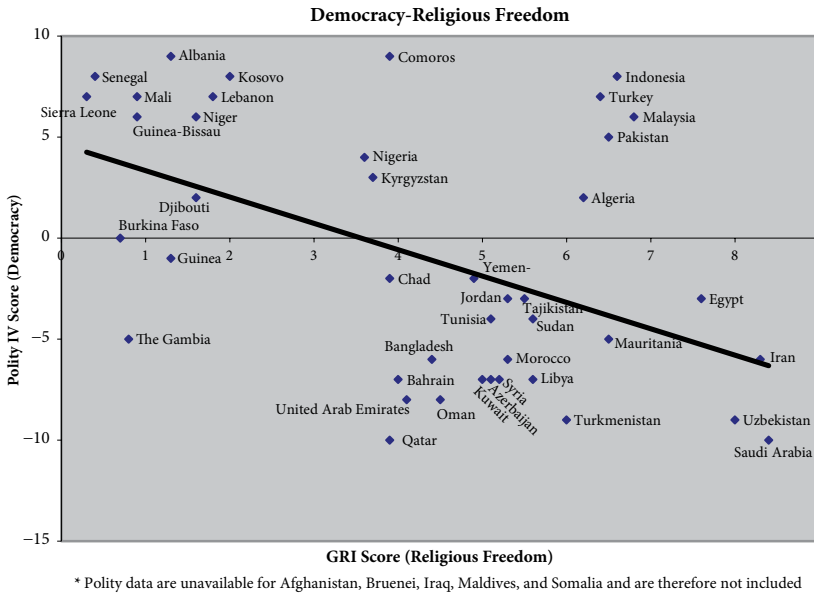


Figure 1. Correlation between democracy and religious freedom.

restrict religious freedom. In Indonesia, two large Islamic movements, the Nadhlatul Ulama and the Muhammadiyah, were instrumental in overthrowing the three decade-long Suharto dictatorship in 1998 and establishing a robust electoral democracy in the state with the world's largest Muslim population. But largely because of pressure from Islamist civil society groups, the regime proscribes religions that are not one of the five main "recognized" religious bodies; strongly restricts proselytism; has outlawed the Ahmadiyya sect; and has done little to stop attacks on Muslim minority sects and on Christians. In Turkey, too, the main Islamic party, the Justice and Development Party (known as the AKP according to its Turkish initials), has helped extend democracy and make it friendlier to religion since 2002, when it gained the dominant position and the prime ministership in a coalition government. But little has changed in the strong control of the Kemalist republic over the conduct of religion, guaranteed by the army and the judiciary, the guardians of the republic. The government also continues to treat minorities harshly, including Sufi and Alevi Muslims and Christian. Malaysia, too, has long enjoyed a robust electoral democracy, at the same time imposing laws that restrict conduct on religious grounds and curtail the rights of Muslim sects and Christians. Pakistan's electoral democracy

has been interrupted by staccatos of emergency rule, but the country has remained open and competitive for most of its history, its restrictions on religious freedom are strong.

The outliers on the lower middle-to-left side of the chart are authoritarian regimes in which the government nevertheless allows some degree of religious freedom. This category is less crisp. As may be expected in authoritarian regimes, even a liberty like religious freedom is shaky. According to Polity IV, for example, Qatar is at the top of the autocracy scale, a dictatorship among dictatorships. But according to the Office of International Religious Freedom in the U.S. Department of State, the constitution of Qatar provides basic freedoms. Both Sunni and Shia Muslims practice their faith freely. Christians, Hindus, and Buddhists worship freely and are generally not harassed. Religious freedom, however, is restricted to a right of private worship. Non-Muslims are not allowed to worship in public or to proselytize. Nevertheless, countries like Qatar show that an authoritarian government can allow some degree of religious freedom. Furthermore, authoritarian religious freedom and democratic religious restriction combine to show that religious freedom is not simply a matter of democracy.

6. Conclusion

Do the above findings support the hawks or the doves in the fierce debate raging in the West? The answer is neither and both. Clearly, the broad landscape reveals a dearth of religious freedom in Islam. But if religious freedom is relatively rare in Islam, Islam is not necessarily the reason for the scarcity. A closer look at the contours of the landscape shows both that regimes with religious freedom exist in the Islamic world, and that where they do not exist, in a significant number of cases it is secularism, not *sharia*, that is responsible for the absence of religious freedom.

What difference do these conclusions make? First, they help refine broad stereotypes of Islam in the West and reveal greater complexity. Second, they ought to be of interest to Muslims worldwide who argue for and against religious freedom according to the definition that I articulated above. Advocates of religious freedom, for example, can point to the minority of regimes that deny religious freedom on the basis of Islam to argue that religious repression is far from being the natural form of political regime for the Islamic world today. Third, the complex relationship between democracy and religious freedom in the Islamic world counsels against any settled confidence that democracy in the Muslim-majority

countries spells the end of repression. It is quite possible for a regime to exhibit many core features of democracy yet lack religious freedom. Fourth, by showing that religious freedom is both possible and existent in Islam, the landscape creates both the confidence and the evidentiary platform to ask further questions about promoting religious freedom. Where religious freedom exists, what are the conditions that enable it? Are there common historical trajectories by which it came about? Do these conditions and trajectories suggest pathways to religious freedom in places where it does not yet exist? From an understanding that religious freedom exists in Islam flow insights about how it can be increased. As new scenes unfold in the drama of the Arab Spring, such insights become all the more valuable.