

future-of-religious-freedom-mixdown

Wed, 1/27 4:31PM 1:01:16

SUMMARY KEYWORDS

religious freedom, religion, people, religious, policies, tribalism, important, religious communities, trump, political, contraceptive mandate, conservatives, christian, point, conversation, issue, community, religious liberty, faith, government

SPEAKERS

Michael Wear, Tricia Johnson, Asma Uddin, Montse Alvarado, Amrith Kaur

T Tricia Johnson 00:09
This is Aspen Ideas to go from the Aspen Institute. I'm Tricia Johnson. Religious Freedom is a rallying cry for many people on the political right, including those who believe their Christian faith justified the January 6 attack on the Capitol in Washington DC. While many Christians feel they need to defend their religion, other religious groups are marginalized and even vilified for their beliefs. Executive Director of the Becket Fund for Religious Liberty Montse Alvarado says Protestant terminology is so embedded in our political and legal system, that efforts to ensure religious freedom for some may end up being discriminatory for others.

M Montse Alvarado 00:44
People can't see beyond that because their view of religious freedom is religious freedom for me and not for me, it's in the application that we lose ground because of our lack of religious literacy. Because we don't actually know what other people believe we are so incapable of seeing that someone would be a good person and disagree fundamentally with us and, and that's hard. And it's particularly hard right now because we're talking about a resurgence of religious violence or even political violence, where we're all on edge.

T

Tricia Johnson 01:12

Aspen Ideas to bring to compelling conversations from the Aspen Institute. Today's conversation is from the Inclusive America Project. Religious freedom as part of the foundation of a pluralistic democratic society. It's the recognition that we may not always agree but religious disagreements can never justify violence. Religious Liberty lawyer Asma Uddin works for the protection of religious expression for people of all faiths. She speaks with Montse Alvarado of the Becket Fund for Religious Liberty, The Sikh Coalition's legal director Amrith Kaur, and religious and political strategist Michael Wear. They discuss the roots of political and religious polarization and tribalism, and how to find a path forward with a common cause combined with equal religious freedom and fairness for all. Their conversation was held January 14. Here's Uddin.

A

Asma Uddin 02:00

There's no doubt that religious freedom in the US has at various points in our history, been applied unevenly to different groups. Today, we're still seeing serious problems and inconsistency in its application. But it is also true that as recently as 1993, we saw broad bipartisan support for robust religious freedom protections, religious and public policy groups across the political spectrum work together to pass the Religious Freedom Restoration Act. Unfortunately, more recent IRS I bipartisan collaboration seems almost impossible to recreate the Supreme Court's 2014 decision and Hobby Lobby v. Burwell, the court ruled that the contraceptive mandate under President Obama's Patient Protection and Affordable Care Act violated privately held for profit corporations right to religious freedom. For many religious believers and especially conservative Christians with strong objections to either or both abortion and contraception. obama's health care mandate ran roughshod over their deepest held beliefs about the sanctity of life, and forced them underpayment penalty to violate those beliefs. While this is what conservatives were feeling their critics had and still have a very different interpretation. And the critics view conservatives use religious liberty simply as a tool to roll back protections for women and LGBTQ individuals. This was the cultural landscape that Trump stepped into in 2016. Over the last four years, he not only responded to the needs of his conservative Christian base, but he also unfortunately exacerbated the cultural divide. He demonized many of his opponents as people who sought to destroy America's religious and specifically Christian character. with Trump in office. The narrative also brought in to pick conservative Christians against not just sexual minorities, or religious and racial ones, too. With Christians and other conservatives challenging church closures during the COVID pandemic. The war in some ways became even sharper. For many critics, anyone insisting on their religious rights in the context of a deadly virus was risking millions of American lives. Things got even worse. On January 6, a violent mob of Trump supporters stormed the United States Capitol in an attempt to overturn Trump's defeat in the 2020

presidential election. It was the ultimate somewhat a predictable manifestation of Trump's four years of spreading disinformation and stoking division. It was political tribalism out of control. Multiple commentators later called the violence a Christian interaction. I'm agreeing about Atlantic detail too many signs, quote, the mob carried signs and flags declaring Jesus saved and God guns and guts made America let's keep all three summer participants in the Jericho March a gathering of Christians to pray March fast and rally for election integrity. After calling on God to save the republic during the rallies at state capitals, and NDC over the past two months, the marches returned to Washington would flourish. on the National Mall. One man waved the flag of Israel above the sign begging passers by, to say yes to Jesus shout If you love Jesus, someone yelled and the crowd cheered. Shout if you love Trump, conservative commentator David French agreed with Greene's assessment. He wrote, quote, we have to be clear about what happened in Washington, DC on January 6, a violent Christian insurrection, invaded and occupied the Capitol. Christian music was blaring from the loudspeakers French himself saw a man carrying a Christian flag into an evacuated legislative chamber. For many January 6 was a clear symbol of Christian nationalism. And it's sometimes the violent underbelly. The violence was a clarion call for conservative white evangelical leaders across the conservative spectrum to repudiate their support for trumpian politics, from Franklin Graham to Albert Mohler to the consistent never trumper Russell Moore, we straw a strong review of the President's actions, it seems with some who had mixed feelings about Trump, we're seeing things a bit clearer. Meanwhile, that same day, another momentous thing happened rubber and Raphael, Warnock who was elected to the US Senate. He's a senior pastor at Atlanta's Ebenezer Baptist Church and a prominent symbol of what many commentators have dubbed the religious left. The religious left consists of American to embrace social justice, viewpoints and uphold the social gospel. As a movement, they seek to counter the idea that only conservatives can be religious, and with Warnock stating that he will continue to preach at his church even after he takes office. We are witnessing the end of strict separation of church and state and the Democrat Party. We now have two religious parties instead of one, and some commentators see it as an increasingly vigorous religious left versus increasingly sclerotic, religious right. One other thing we hope to interrogate today is the Christian focus with a religious freedom debate in this country. With so much of the national discourse fixated on the concerns of conservative Christians or on the inter Christian tension between political liberals and political conservatives, what gets lost are the experiences including the suffering of religious minorities, the dismissal of Muslims rights, were a centerpiece of Trump's 2016 electioneering, we can forget the travel ban, the calls are closed mosques and spy and Muslim communities. In my first book, when Islam is not a religion, I know that there's increasing salience amongst some conservative of the claim that Islam is not a religion. And then Muslims do not have first amendment rights to religious freedom. And in my forthcoming book, the politics of vulnerability, I explain how this movement is intrinsically

connected to tribalism, and a sense that Christians to preserve their own rights have to limit other's rights. In our increasingly polarized society, tribalism is unfortunately a piece of many of our conflicts, and perhaps particularly so when it comes to religious freedom, who defines it and how they define it has become a left versus right issue. And religious minorities become collateral damage in that fight. Let's start with the shift in recent years, from religious freedom being something that was largely bipartisan, a lot of sort of cross ideological cross faith, collaboration on it. And now something that unfortunately, even as religious freedom is seen by eight and 10 Americans as at least somewhat important issue, its purpose and meaning are understood in vastly different ways, depending on one's political leanings. Montse, if you can start us off, how do you I mean, as you understand it, what has religious freedom come to mean in America today? And how do we get to this point? Are there certain cultural, historical political movements that you think have shaped the way that we understand religious freedom today? And perhaps you can also comment a bit on Beckett's recent polling, as I know that the Pakistan has been pulling Americans on their their attitudes about religious freedom.

M

Montse Alvarado 08:22

Thanks so much, Asma. It's great to be here with you talking about this really important issue. And it's something that I've dedicated 12 years of my life to. And so I take a step back, always and try to think about the bigger picture and what has happened culturally, politically. I do think that when I first started, the contraceptive mandate was something that was just beginning and this rhetoric around Christians and religious majorities being threatened and being in you know, targeted was something that had just begun. And we're also we also have to remember that the Twitter reality that we know now wasn't what it what it is now, 10 years ago, a lot of people try to kind of pinpoint what went wrong in the discussion. And I do think that a lot of the siloing that we're seeing in the tribalism, tribalism that we're seeing, which I would attribute to a lot of the lack of civil discourse, is is very much furthered by the isolation that is created through social media channels. Something that was meant to foster dialogue has definitely broken down those lines of communication and allowed people to listen only to viewpoints that they want to listen to. So I think we can put a pin on that, politically, the idea that we would be able to solve religious problems and problems of culture and civil discourse only through political actions would be the second piece of focus on executive orders, which has been used by the right and the left and a desire to weaponize religious freedom. And it also vilify people who believe in religious freedom. Both of those are bad. Both of those extremes. The description that you gave on religious freedom is something that was bipartisan in 1993, when the Religious Freedom Restoration Act was passed, that bipartisan support for religious freedom came from a desire to protect religions that didn't, weren't necessarily mainstream that people didn't really understand, or that for one reason or another were

pinned against the wall. I think that that, that desire is something that we still have. And the religious freedom index, which the Becket Fund launched two years ago, is proof of that Americans continue to say that 70% it was 80%. If you if you look at the numbers by demographics, but I would confidently say 70% of Americans believe that religious freedom is a very important, right, and it's a foundational right for our country. And if you get down into the nitty gritty, it is on young people, Generation Z. Anyone who is not a millennial, like most of us are on this call. I really, they feel like they've been targeted for their beliefs. And I think that anyone that has experienced bigotry in any way, shape or form, which we're seeing more and more of now, in more explicit ways, and a lot of bullying online, as well know what, what it's like, and don't want that for someone else.

A

Asma Uddin 11:13

Michael, can you comment on that? I know, in a recent New York Times piece, you kind of touched on this question of what I call vulnerability, the sense of like grievance, and a lot of Christians are feeling.

M

Michael Wear 11:23

Religious freedom, in my view, needs to be restored in the public imagination as crucial to how we figure out how to live together as we are, as opposed to something that is subject to the kind of political prerogatives of elected officials, religious freedom ought to be a dependable backstop, kind of preventing that or alleviating some of that sense of vulnerability, much like sort of upholding the rule of law, something that makes our political disagreements sort of less existential, as you pointed out in here in your opening. Unfortunately, we've had both political circumstances and political leaders that have taken the opposite approach, and there is much repair that is needed. In this regard, I think the incoming Biden Harris administration is going to have to pay attention to particular communities which have been directly and I mean, that lit literally directly harmed by President Trump's irresponsible rhetoric and actions when it comes to religion in many regards from the travel ban, as you mentioned, to an insufficient response to anti semitism to the narrow focus of religious outreach coming out of the White House, the incoming administration will need to make clear that once again, America is for people of all faiths, and none that the federal government has the backs of those who face hatred or discrimination because of their religion or what others perceive their religion to be. I also think at the same time, it's going to be important for the incoming administration, to Yes, comfort those who have been afflicted, also to make clear that religious freedom is not going to be subject to the, to the sort of political makeup of a religious constituency or a demographic or tradition related to the the current, the current government, that religious freedom is transcendent, that religious freedom actually gives a buffer between

what is accomplished through what can be accomplished what we would want to accomplish through through policy instruments. And as the incoming president has said, religious freedom is a primary area in which we need to lower the temperature. There are ways to do that. We could talk about that we could talk about what's happened in the past. But but but those are, those are my opening comments. There's a responsibility on the incoming administration, as well as leaders on both sides of the aisle. And frankly, all of us religious or not, as citizens have to reject using something as foundational as religious freedom is just another sort of political football, another political pawn.

A

Asma Uddin 14:29

It's worth reflecting on some of these cultural and political movements. I mean, oftentimes, it becomes a very Christian focused conversation. And I know that yours are very much, you know, knee deep and working on very concrete in justices faced by the Sikh community. Can you reflect on that on the question of religious minorities and specifically Sikh Americans?

A

Amrith Kaur 14:47

I think in order to answer your question, I want to go back and think about a point that Muncie brought up related to the Christian majority, and at what point did they feel targeted? I think in the religious minority perspective, the basis of the lack of religious freedom and the lack of a cultural understanding has always been that the Christian, the broader Christian community has felt targeted, and in the manner that they felt targeted, it's kind of really related to the fact that so many religious minorities look different, they might have different articles of faith, they might have different exercises and practices, different foods, you know, different decorations in their homes, obviously, speaking different languages. And I think that for a large group of majority religious groups, that was really scary. And it was a reason to it was a basis essentially, to create a system that was based assigned on a racist, sort of religiously exclusive community. And I think over the course of our country's history, we've seen that evolve. Originally, it was Catholics that were on the outs with the broader religious Christian majority, you know, and then we see that moved down the road with Muslims, with Jews, with Muslims, with Sikhs, with a number of other minority religious groups. And so I think that there's a long standing history of, at least in within minority religious communities have feeling that they have been targeted because the majority Christian groups felt targeted first. And so I just want to kind of bring that home because I feel like that's a really important perspective that a lot of people do kind of hold on to. And when we're talking about what are sort of the, the battles that religious minorities, for example, the Sikh community community that I represent, feel, I think religious freedom, especially for sex and other minorities is really

focused on acknowledgement and intentionality in order to get to a place of reconciliation. And what I mean by that is, I think there needs to be an acknowledgement of the fact that there has been this system in place that didn't allow for religious freedom for all within this country. And that's step one, once we've acknowledged that there needs to be intentional activity, leading towards creating freedom and inclusivity, for all. And then step three, is the reconciliation of that the reconciliation of the acknowledgement, coming up with the steps to move forward. And then bringing all of that together. We've seen cultural wars that result from a lack of religious freedom. You know, obviously, we've seen this intersectionality of culture and religion in ways that turn religion into ethnicities for many groups. And I think that there's a big dispute amongst religious minorities as to whether that's an acceptable path forward or not, as my when we spoke the other day, what you brought up an interesting topic, Islam is religion, Muslims, are not the religious group. Right. And I think there's sort of a, a disenfranchisement there, because people get confused between what the religious exercises are and what the cultural exercises are. And I think it's really important for all of us to understand that when we have these movements, that sort of pick culture, and religion, and politics, and so many other facets of the world that we live in today against each other, we are inevitably going to get to a place where freedom doesn't exist, especially religious freedom. And I think because religion is such a divisive topic, it's also the easiest topic for people to disagree on, and decide that they're not going to budge, and they just really dig in their heels. So I kind of view the the minority religious experience as one of just really at this point in 2021, trying to move into the conversations that we want to have related to acknowledgment. And and getting to the point of restoration, reconciliation, in how do we start those conversations over again, because to your point earlier, there's been so much divisiveness, that it seems like the conversation might have been at different levels in years past, but there's been a breakdown now and we have to start over.

A

Asma Uddin 19:38

Yeah, absolutely. I mean, the question about just being acknowledged, is pretty critical. I mean, in my forthcoming book, I talk about you know, I work a lot with the sort of focus on Muslims as the minority that I'm researching and writing about, but ultimately, the questions about, I'm talking about are really sort of a microcosm for much bigger issues. And the phrase that I use in the book is I'm this once I've essentially become clear lateral damage. And our current is essentially a proxy for much bigger issues and ideological battle between conservatives and liberals. And so when you kind of talk about this question of acknowledgement, it's just like, Can we just see Muslim six on a range of other minorities or people who sort of don't fit neatly into this Christian versus something debate as for who they are for their actual substantive beliefs, and experiences and suffering in a way that, you know, just, it doesn't just sort of use them, or prove a point on

one side or the other. And, you know, the question of being seen as ethnicity versus our racial minority versus a religious minority. That's absolutely a big part of what I was writing about, and why Islam is not a religion, this idea that even in the defense of Islam, it can sometimes be mutated into something. That's not a religion, right. So we can defend you, but we can defend you on these other terms, as you know, instead of the actual substance, of what of your beliefs. And this question, I think I see, Michael, you're nodding, I think it looks like he has some thoughts on that.

M

Michael Wear 21:02

Well, no, I just think it's, I think it's critically important. It's why, you know, I think we need, you know, it was important near the end of President Obama's time in office, he visited a mosque in Baltimore, which was a significant thing. And I would expect that the Biden, Harris administration, will take care to do this sort of explicit direct recognition, what I would hope that Christians would see is that, by that recognition, makes greater space for the recognition of their religious beliefs that that they're not in conflict. As a matter of fact, I think it's particularly in the in the moment that we're going into if religious freedom is going to be defended, it's going to be defended for people of all faiths, and none or not at all, like successful defense of religious freedom is going to look like different faiths standing up for the religious exercise and freedom of those who share them have a different from their own those who are willing to speak up for the religious expression of those not like them to politicians who may think they could get away with targeting a particular community, depending on what their constituency looks like. Those are the kind of bridges that have to be built. As, as several of you have noted, it wouldn't be unprecedented. We, for those who read the abacus briefs in Supreme Court cases, referring to religious freedom, you'll often find the Southern Baptists amicus brief related to the religious freedom of Muslims, you'll often find

M

Montse Alvarado 22:58

Right into my wheelhouse, and I'm more than happy

M

Michael Wear 23:00

I'd love I'd love to have you have you take over. But I mean, I mean, in large part, that's why I think your work is so important, because you do. Beckett is responsible for defending the religious freedom of so many different kinds of groups and therefore sending an important message about what religious freedom can be an opt to be not just as a legal principle, but as something that could actually promote social cohesion, as opposed to something that pulls us apart. Yeah, I

M

Montse Alvarado 23:32

I agree with you, Michael. And I think there's two things something you said and something Amrit said so I'm going to parse those out. So if you don't mind, um, one thing is, I'm getting lumped in as conservatives, because you're religious, I think that's a really important point to remind people that seeing religion as something good for society as a pillar of civil society as a path toward human flourishing is something that a lot of people don't like. So I think that's the first hurdle is what's your understanding of religion is a social good, or religion is something that can be used as a partnership with the government or in partnership with community building exercises, that kind of further tying people together rather than pulling them apart. And this idea that you can stand alongside someone that you fundamentally disagree with? That I think that's the hard part. religions that kind of are similar, you know, Catholics and Christians together, or people have the book together are Jews, Muslims, Catholics, Christians, whatever all of us together, Madrid, religious minorities then added in when you think about that broad diversity, and the fact that there are things that we fundamentally disagree on, and that we should be using religious freedom much more as a door opener than anything else. All it does is open up that door and allow you to have this conversation. But then it's what you do with the conversation, which is the second piece that's on Earth. You say this all the time you talk about. I'm so glad you went and visited my house of worship, what are you actually going to do with what I need? How are you actually going to manifest that To policy solutions or religious freedom decisions at the Supreme Court, Justice Alito last summer said something said something that I thought was so interesting in a case about religious freedom for schools and their right to choose their teachers. He said, some of our terminology is so Protestant, that we think that we've given freedom to someone when we create this great ruling at the Supreme Court, but when it's actually interpreted in itself, it's discriminatory. And people can't see beyond that, because their view of religious freedom is religious freedom for me and not for me. And so it's in the application that we lose ground, because of our lack of religious literacy. Because we don't actually know what other people believe we are so incapable of seeing that someone would be a good person and disagree fundamentally with us. And, and that's hard. And it's particularly hard right now, because we're talking about a resurgence of religious violence, or even political violence on where we're all on edge. We've all been home for the past year, we're all struggling financially, physically, mentally. And then on top of that, we're trying to get along. And so I think that the hurdles and what you were saying in terms of a call to unity from the vitamin administration are real, but I think that even more so because, um, because the administration, that is that they're coming out of leaned into some of the divisions that were created by the contraceptive mandate litigation, that was a huge issue, the fact that we're still litigating the the issues of nuns and contraceptives, that exemption has been there forever, we should, that's one of those things that could lower the temperature could really be an opportunity to say, Hey, this is not something that we

need to continue to fight over, we fought over it for 10 years, let's find a solution and move on, on and that solution can't be squashing people's religious liberty, squashing the religious objector cannot be the solution to that.

A

Amrith Kaur 26:51

You said something that was so true, when you're talking about sort of the the neutral policies that have these disparate impacts on communities. As my when we talk about religious freedom, that is probably one of the biggest issues and the biggest hurdles, that religious groups across the board, minorities and majority groups feel when you have these policies that create this impact that disproportionately affects people of various religious groups, and don't allow them to practice or exercise or live their daily lives in the way that, you know, they would need to to really fully achieve their religious goals. I think that's so important. And, Michael, to your point, I do hope that the administration thinks about those types of policies and really reviews them and the Department of Justice and the different agencies that we have in our government are going back and looking at those policies and making sure that they are willing and ready to represent people in you know, religious liberties cases where we have this disparate impact.

M

Michael Wear 27:56

Yeah, I mean, just just that, I think, I would hope the one thing that the last four years have shown us and, frankly, this is for folks, sort of my side of the aisle, I think some hold the idea that sort of the best way to approach religion in an increasingly pluralistic society is to sort of try and downplay it to sort of try and ignore it as a force. I think the last four years have shown us that religion is still extremely salient. And if you are you not to speak sort of quick, but you know, you have to be on the field. And that's particularly true when it comes to religious freedom, sort of ignoring religious freedom, trying to downplay it is just not going to be trying to only say what it is not, and not advance a positive vision for religious freedom, even if that's not even if your positive vision is not the same as others positive vision, I think we need to have a forward thinking, leaning approach when it comes to identifying the role that religion continues to play in millions and millions of Americans live and in our society. The alternative, again, sort of downplaying it, thinking that by muting religion, it helps people come together. That's just not the world we we live in. It's certainly not the country, you know, we live in.

A

Asma Uddin 29:28

Well, this idea of a selective understanding of religious freedom. And even as we've talked, we talked about this idea of what even constitutes a valid religion for purposes of this

conversation about religious freedom. We have a pretty big issue, right? It's a very concretely impacts people's actual human rights and their day to days or ability to engage in the practices are so deep to their identity. You know, so there's a couple of different aspects here. I mean, so So, one, I'd be interested in getting your take whoever wants to speak on this on the way that this has played out even internationally and international policy. Michael, you mentioned the travel ban. I know that even the first iterations of the travel ban, we're very hungry, we are very explicit about which persecution mattered in which minorities mattered, right? So, so often, again, this conversation, I think it was a lot subtler in many ways before Trump in the sense that, yeah, we're kind of talking about religious freedom, but we have a very specific group in mind and a very specific group that we are going to make sure not to think about. And then that became very, very explicit during Trump's term. And so I'd like to hear a little bit from you on that. And then I also want to throw out the horrific thing that that we all witnessed at the US Capitol last week. And this, that's, I think, another extreme manifestation of this, right, like when the various parts that I quoted from David French, and I'm agreeing, this conflation of religion, and tribe, and specifically, that this is what America is, and this is an American tribe is defined in this way. That's another way that we can say it's very sort of explicit exclusion of other groups and other conceptions of religion, even even other interpretations of Christianity, that a Christianity that doesn't sort of line self up in this way, with nationalist interest is somehow not the one that's being that's that's true to America's character and American identity. So just throwing those two out, there are two pretty different angles here. But you guys take them.

M

Michael Wear 31:27

Yeah, I'll just offer a few quick thoughts on the on the international side. And and I do have thoughts about January 6, I would love for others to jump in there first, but just I think you're, you know, to begin his administration, with with the travel ban, was incendiary. And I think set the tone for so much of what would follow over the last four years, I will say I do think you serve continuing to do really important work during the Trump administration. I do want to acknowledge Ambassador Brownback, I think worked hard to prove his attentiveness to various religious communities, not just persecuted Christians. And I think some of the proof of that just shows up in his in his in his travel and where he was spending his time. So I do think that there were, there were some moments, some some aspects of, of continued progress on International Religious Freedom, it's really important for folks to understand religious persecution is hit all time highs in the last decade. This is not a this is not a sort of, there's not a golden age for religious freedom as a human right. Religious Freedom around the world is increasingly pressured in, in profound ways. A few comments about the Obama administration. First, I just say, you know, I think the handoff to go from Ambassador David Saperstein, who in my view was

was excellent. In his role to Ambassador Brett, we've had two very good ambassadors. significant effort was made to make his point, significant effort was made to increase religious literacy among foreign diplomats. really extraordinary resources. I know that we have folks from the organization Frank Wolf founded in the last year, President Obama's time in office, he signed the bill named after Frank Wolf, which increased some of the powers of user increased some of the levers at the disposal of the federal government to advance religious freedom around the world. And so there have been some substantive policy changes under Obama, a office for a faith based office at state was created, which again, sort of greatly enhanced throughout the State Department of religious literacy and sensitivity to religious communities around the world and the way that that interacts with American foreign policy, that that is a work that needs to be strengthened, that needs to be expanded. I do think that their significant work and i think i think the incoming administration has the people in place, particularly as we saw ambassador, Samantha Power, just named to lead, USA. I think we're going to see an administration that reasserts the that human rights are integral to American foreign policy, that that, that we don't just have a transactional foreign policy. I think all that to say there is positive work over the course of both the Trump and the Obama administration's that can be built on the incoming administration, much like acid you domestically has to be sure to send the message That human rights, that religious freedom, and the religious freedom of all is, is valued by the United States and won't be overlooked. I mean, just one more. One more thing I just feel like I have to mention is, you know, the religious freedom challenges around the world range from what is, unfortunately become sort of routine, just institutional discrimination. But then also just extraordinarily historic tragedies like what we're seeing in China right now. Like what we're seeing in particular hotspots around the world and, and those can't fall off America's conscience, either the conscience of the American people or of our government. And that's going to be that's gonna be critical moving forward.

M

Montse Alvarado 35:56

I'm happy to jump in on Earth, you're an attorney. And so you are to full disclosure, I am not, even though I've been at a law firm for 12 years. And and I will say, Michael, I'm with you on what you serve did, and on the religious literacy literacy endeavors, they were, I think, outstanding, on and innovative in a moment where we really didn't have solutions for what we could do. I heard something on an NPR last week, as I was, you know, struggling to figure out what we were supposed to do, it was a really hard moment for our team, we are based in DC, our offices blocks away from from the Capitol. And, and, and you sit in, you reflect what kind of a shift in society could create that kind of violence and that kind of unrest, and that kind of really seemed like soul searching, you know, for an identity, but also for for answers. And anyone who thinks that religion is is not a is not

solace there on I think, is kind of hitting at the at the answer the wrong way. I do think that people were looking for something, especially after that, a moment of silence, a call to unity for to whatever God you believe in, to figure out who we are, and what that means, and what a path forward looks like. And I didn't see anyone do that. Um, and I would have wanted to see some, you know, people in leadership, religious leaders, in particular call out for something like that, to bring us together, not relying on the government to do it. Because the government isn't always going to have the solutions most of the time it doesn't on it, but calling on the people to turn around and self reflect. So I will say to me, that's what I was looking for. That's what I wanted to see on a moment of unified reflection. Um, but I do think that it also comes from this, this idea that if we export religious freedom, it's because we believe that religion is something positive. And it's because we believe that there are there are places around the around the globe that don't have the proper understanding of what freedom looks like for the individual. And why religious freedom is the bedrock bedrock of a true democratic society, and a society that allows its individuals to flourish within it and to disagree with government, which we know doesn't happen around the globe. And so getting back to the comment that I heard on the radio is how does the United States expect to export these ideas if it doesn't have them itself? And I thought that was great commentary. And it should bring us to reflect both for the past administration and this administration, what we want to how we want to be perceived and what we want that to look like, again, going back to the point of tribalism, when we look at the travel ban cases and how they were litigated on the idea that the government was establishing religion by kicking certain people out or or looking at targeting certain people as it was described, right. That's what those that's that's how the press covered those cases, from a litigation perspective on the Becket Fund wanted to see people look at this as a restriction on free exercise, a restriction on our ability to actually do what we do once we discover what religion is. Religious Freedom is our your ability to search for God and then do something with it, not just find him and stay in your house, but do something with it. And so that's what those cases were really about. But no one talked about them in that way. No one litigated in that way. And so we didn't see what could What could have been a truly crystallizing moment for people who say that they defend religious minorities and defend the Muslim community in the United States. And people who want to come here to have this freedom and longed for it. I'm an immigrant. I'm all for coming to this country and wanting to have the good things we've got here. Okay. But um, but then we have to understand what it is we're actually looking for. And I think that was the major failure for advocates of religious freedom who wanted to see something different in those cases.

A

Amrith Kaur 39:46

But I feel like what we saw from the Muslim ban cases and then further a few months into

the Trump presidency was a complete sort of decimation of refugee and resettlement program by so many standards. Essentially, when we talk about how do we create challenges and culture, World War, culture wars based on religion, when religion should be completely left out of it, and what is our place internationally on that train ride, I think just the complete failure to really understand and distinguish between long standing issues that the United States might have had with the Middle East or different parts of the world. And then conflate those issues with specific religious groups, and then further decimate our refugee and resettlement program for religious groups that are actually being targeted in those regions, or people that are being targeted, that did need an escape route, because they were being so persecuted, kind of, to me really push forward this divide that we have, and this sort of people again, digging in their heels on being anti religion or anti certain religions. And I think as at a global level, when we as the country failed to acknowledge that there were actually people being religiously persecuted in other parts of the world, number one, and number two, fail to understand that there is a difference between policies, long standing policies that we might have had on cultural fronts, on business, and socio economic fronts, that should be separated out from religion, and just sort of put all of that together in one bucket, and created really terrible policies that further discriminated and persecuted against these groups. What we told the rest of the world, I think, is that we don't care about these global human rights movements that also have a religious bent to them. And we in fact, further inflamed the religious zealots, in some cases, and in other cases, inflamed sort of individuals that wanted to have really negative impressions about religion in general. And now what we end up with is people that, again, are digging in their heels, either. They're the belief of none, and they don't want to listen to the religious roots of the fact that other people do have a belief in religion or exercise a certain religion, or they're really staunch about their beliefs and don't see, don't see the common ground between the fact that there is a push, and there should be a push, and there is a constitutional basis for individualized practice of religion and respect for religion, even if we're a secular country. And, you know, as far as your original question on, where do we stand on a global level, and what of our policies done, I think that's what they've done, they've completely failed to recognize what these human rights movements have been on a global level, and how that impacts religion, whether it's majority groups or minority groups, and they brought that divide into the US by failing to recognize that the US is a country that resulted from people of persecuted faiths, you know, at our inception. So I think that was sort of one of the big issues and then leading to January 6, what you've got is unresolved people that have just taken a stand, you know, right or wrong. And, obviously, I disagree strongly with the actions that occurred on January 6. I also recognize that it didn't happen in a vacuum. It happened over four years of terrible policies and a failure to recognize that there are diverse, there's a diverse group of diverse groups of religious groups in this country and across the world, all of which require some level of acknowledgement as to their ability to be practicing their faith and

exercising their faith in a manner that best fits them. And I don't think that January 6, was at all a surprise. I mean, I was surprised that they were able to get into the Capitol. But I think that the fact that we had people that are angry enough and disillusioned enough to go there, I think shouldn't be a surprise that has that is just the culmination of four years of policies that failed to recognize the distinction between religion and policies and cultures, and just sort of jumbles everything together into one pot.

A

Asma Uddin 44:39

So what struck me about what each of you guys said, is this idea of like a transactional nature to our understanding for the government's understanding of religious freedom, right. So Michael, you can't use that phrase. When talking about International Religious Freedom kind of like well, how can religious religion and religious freedom be used to sort of benefit the us and our interests and when it doesn't matter? To say that we are, but it might be problematic for our interest and maybe something that we should ignore. And similarly, I'm kind of getting that sense also about in the domestic context, context, I think if you use the word transactional, you can under begin to understand even what happened with religious freedom over the last four years. I think it was very explicit at many times, that the way that Trump administration and Trump specifically was thinking about these things, was that if I do something for this, these people who are my base, you know, for their religious interest, what will I get in return? And, and many commentators kind of talked about that. So that he himself is not very religious, but he'll certainly put on that facade, and talk about the importance of religion for the purposes of serving his own his own power. You know, it's interesting, when I think about solutions, what I propose in the past is almost a transactional issue as well, like I think about this idea that a number of you have touched on that religious freedom as a legal concept as a philosophical concept only works if it's for everyone. And so if you're going to actively try and limit it for another group, all you're really succeeding in doing is limiting it for yourself, because that's just the way the legal jurisprudence in the President's work. And I know that the Becket Fund talks about this a lot in just the intern Lincoln myth of our rights. And so you know, and a lot of people are like, that's so transactional in nature to be saying that we have to come through collusion, and no, you have to heal on the basis of self interest. But ultimately, I think that's the starting point, especially in a context, like the one we have now where there's so much cynicism, and so much tribalism, in our response to the other side. some thoughts on that.

M

Montse Alvarado 46:42

I mean, the idea that no religion is an island sounds transactional, but it's really not. Again, it's opening that door, if you start having these conversations, and under, I mean,

under the Obama administration, you have the know your neighbor campaign, if you start having these conversations with people, and you get to know them, they're not as scary. I think a lot of that is that lack of literacy, you have a lot of people who say, well, oh, you're religious, you scare me get to know them, gets it, that actually is on you, that responsibility is yours, to get to know that person and what they believe in why they're scary. And that goes for everyone, you know, and so if you're, you, you have a very large religious community, you probably need to know get to know people who don't understand, or who don't agree with you, or who believe something completely different, just to be a good human. No, but um, but I also think that it's it's part of our history, it's part of our, our heritage, and finding this big narrative, zooming out and thinking about the bigger picture of who we are, as Americans means going back thinking about our history, obviously, recognizing the horrible parts of it, but also the beautiful parts of it, and what we've been able to create, and how unique we are, and finding the kind of the hope in it. Right now, we're really sitting on the negative aspects of certain things that have happened in our past on both sides. And I think it's really important to try to move forward with a little bit of hope that allows us to have these conversations and lower the temperature in a positive way and to extend that dialogue, that friendly dialogue, and eventually, friendship. It's all about it really is about friendship. It really is about these kind of basic principles, not just of respect and tolerance, I talked about tolerance all the time as being the minimum tolerance is not the answer to anything, you're tolerating someone, you don't actually care about them. It's moving into the next step where the other person's flourishing and the other person's life actually matters to you. And you don't want them harmed, and you don't want them hurt, not because of the golden rule, I don't do it to you, because you're not going to do it to me, but because it would be wrong to do that to you. And that you can recognize that in yourself and in someone else. Um, and I think that the other the other issue that that has come about that I would love to see change is this issue of lumping everything into religious liberty. Everything isn't religious liberty. Religious Liberty is a very important thing that we all should know and understand. But it doesn't encompass everything. And trying to figure out how to shift the dialogue there to where we can recognize its importance and the critical nature of religious freedom, but also then look at other things for what they are not everything is religious discrimination thumb, some things are just really bad policy that hurt people on for other reasons. And I think that would help us to kind of lower the temperature on this and get get to the other side.

A

Amrith Kaur 49:19

Yeah, I agree that building bridges is definitely the the foundational starting point. I think a big part of being able to do that to Monty's point is getting to know your neighbor actually being intentional about having discussions and seeking out people in your midst that are different from you and come from diverse backgrounds from your own, and just

getting to understand who they are. You might not become best friends, but it's an opportunity to get to know somebody and to sort of break down the preconceived notions and the stereotypes that you might have had of somebody that looks like them. You know, whether it or speaks in an accent the way they do or comes from a country. Like they do, I think that's sort of step one. And then also along the lines of building bridges is doing a real sort of in house internal gut check on policies, procedures, you know, whether that's us as a nation, and our federal agencies doing it, whether it's a state government, whether it's private industry, whether it's individuals in their own home, just sort of doing this internal, like in house check on where you are at, and whether the, the thought processes and policies and procedures that you live your lives by and you operate your industries by are, are, in fact inclusive, inclusive for people of religion inclusive for people of no religion, and what does that mean. And also, I think part of that is doing a balancing test on, on whether the religious is sort of the the system that you have in place is fair to people of religion, no religion, and also to people that for what you know, needs to be protected for other reasons, other vulnerable communities, I think all of that sort of like comes into the bucket of what this building bridges looks like. And then I think one thing that really needs to happen, again, is a stakeholder consultation, I think it's so important that you're bringing people of diverse communities to the table to discuss what sort of policies and procedures need to be implemented moving forward. I think as a as a nation, we are hit or miss on that topic. And I'd love to see this new administration kind of implement a process by which stakeholder consultation really sort of is at the forefront and a big part of moving forward in in just the working notions. And I think that's going to result in access. And to me, coming to a place of reconciliation is really about allowing access for people, whether it's religious majorities, minorities, people have no faith, I just want to see us in a spot where we are, we are atoning for what's happened in the past in ways that provide access and equal access to different groups. And finally, I think one of the biggest, one of the most important aspects of any solution is going to be offering transparency, you know, and this kind of feeds into consulting with stakeholder groups, but we need to have transparency so that as a society, we feel like our elected officials, our community leaders are all being held accountable. And I don't think that there's going to be any sort of reconciliation until we have accountability. I mean, my background as a prosecutor is about the justice system. And that's what justice is, it's holding people accountable. And that is the only way that people who have suffered at their hands are ever going to feel acknowledged, and feel like they can sort of wipe the slate clean and move forward. So I kind of see all of that as the path forward to the solutions.

M

Michael Wear 53:12

I just so many important points were just made, I just want to pull out two. But But really, if that was that was really rich. You indicated, at least what I heard was this indication,

which which I believe really strongly, which is that, in the 21st century successful, at least successful religious freedom advocacy is going to be accompanied by a sort of civic sensibility, a civic awareness of the way that religious freedom interacts with, with society. And as you mentioned, that is a burden that the government needs to bring, it's also a burden that individual actors need to bring. What What does, if religious freedom is about is an important piece of how we live together, then religious freedom has to be thought of in the context of community. So I just think that's absolutely critical. And then this idea of transparency. I do I do have to say, and I may be opening, opening up something here, but I think it's important to say I, I think there have been some elected officials and some local and state governments who have done that have done great jobs. I do think there have been others who have made a determination internally to Emirates point that made a determination internally about the kinds of public health protocols that are necessary during over the course of this last year. And to the extent that those have applied to religious communities figured you know, we could just put this all out and it's all under the banner of science and public health. And if restaurants and if bowling alleys have to abide by the rules, then religious communities just have to abide by them as well. I think that there's been a lacking appreciation for the role that religion plays in citizens lives. And the lack of that consultation and too many elected officials have approached religious communities, not as partners, but as problems to solve. When I am convinced that had religious stakeholders in some of these states, and some of these localities been engaged positively, if they hadn't been sort of top down, but actually been invited to be joint stakeholders, joint sort of civic leaders in saying this is what we need to do as a community to be healthy. That, that some of the conflicts, some of the sense of embattlement that we've seen, would have been alleviated. And and I think that's a that should be a chief priority of the incoming administration to sort of hit the reset button on the way that governments have been approaching religious communities, because this is really going to be an all hands on deck situation. And if if faith communities aren't a part of dealing with the fallout of COVID and keeping folks safe, then any strategy is going to be incomplete and perhaps, you know, flawed in a, in a really detrimental way. amorous, I really appreciate it. I think you hit on so many important important points there. Michael, I

M

Montse Alvarado 56:46

would add to you to your issue of, you know, religion as essential in in the pandemic. Also with racial and civil unrest. I think that it's really important. Those are places of dialogue, religious houses of you know, houses of worship, religious communities, or places that foment dialogue. And also, from the partnership perspective, I will tell you that the immigrant community was the number one community that suffered, because these are the places where they go to get information that they trust, and from some of the people that we represented, you know, at the Becket Fund, we waited before we weighed in on on

the issue on the legal issues associated with the lockdowns and, and it did become untenable. it and it was clear that these government officials were not having any kind of conversations with religious leaders who had partnered with them on a million other things. But on this, they just didn't want to talk, because they didn't want what was perceived as a liability, I would assume. But I think there are a million other reasons why mostly because they're a thorn in their side. And that's the wrong way to approach religion. But because they didn't realize just how powerful religion can be as a solution. And the one anecdote that I thought was crazy is an archbishop saying that he wanted to be able to open the church so he could host not just on a, an Alcoholics Anonymous seminar, so that he could stop domestic violence that he knew could happen, but also getting information to the community of undocumented immigrants that he had, that couldn't, that you didn't have access to this information because they didn't have TVs, they don't have radio, they don't have cars, they use the busing system, like there is so much there. And so many layers of our communities and people who are unnoticed, and who go completely underneath the shadows that no one wants to recognize, and the government can't reach. And they refuse to reach out to the religious partners who actually go out of their way to find those people and get them the information they need. So I agree with you that that is a a hard point that I don't think any politician has really found a solution to or done well with, in the in the time that I've been working on this issue. The lack of sensitivity to what religion actually does, on is is astounding,

A

Asma Uddin 59:00

thank you, amorous and Michael and manface. Thank you. First for really digging deep into the details and providing concrete solutions to a number of these thorny questions that we discussed today. Thank you also for emphasizing the importance of focusing on religion as religion for religion in terms of its substance, but for the deep spirituality that that there's a center of so many people's lives and not as a tool for instead of using abuse for political ends, as we discussed today. That is how religion is being used on both domestic and international fronts. And I think it's conversations like this, especially the way you all modeled conversation across difference that's hopefully going to help us get back to the substance and away from the abuse.

T

Tricia Johnson 59:48

Religious liberties lawyer Asma Uddin works for the protection of religious expression for people of all faiths in the US and abroad. She focuses on freedom of expression such as religious garb and parochial school rights. In addition to her legal work, Uddin writes and speaks on Muslims and gender, Executive Director for the Becket Fund for Religious Liberty, Montse Alvarado works on public policy and campaigns related to the

contraceptive mandate and protecting the free speech of crisis pregnancy centers and campus religious groups. The Wall Street Journal called her a defender of all religion on the frontlines of America's culture wars. Amrith Kaur is Legal Director of the SEC coalition. She works to protect the civil rights of all Americans targeting issues like hate crimes, workplace discrimination and religious rights. Michael Wear is a strategist working at the intersection of faith, politics and public life. He directed faith outreach for President Obama's 2012 reelection campaign, and served on the White House faith based initiative during Obama's first term. Make sure to subscribe to Aspen Ideas to go wherever you listen to podcasts. Follow us on social media at Aspen Ideas. Listen on our website [Aspen Ideas.org](https://www.aspenideas.org) today's show was produced by Shanna Lewis it was presented by the Aspen Institute's inclusive America project led by Zeenat Rahman. Our theme music is by Wonderly I'm Tricia Johnson. Thanks for listening.