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Religious groups file brief in support of Amish appeal to Supreme Court

The Jewish Coalition for Religious Liberty and the National Committee for Amish Religious Freedom filed a brief with the U.S. Supreme Court in support of the Amish gray water case.

By Emily Cutts

Duluth News Tribune (11.03.2021) - <https://bit.ly/3rKTUW5> - Two national religious liberty groups filed a brief with the U.S. Supreme Court in support of members of the Fillmore County Swartzentruber Amish community's petition to overturn a Minnesota court's decision that would require them to install septic systems against their religious practices.

The Jewish Coalition for Religious Liberty and the National Committee for Amish Religious Freedom filed a so-called amici curiae brief on March 5. An amici curiae brief allows those who are not directly involved in a case, but would have an interest in the outcome, to submit arguments to the court in support of a party that is directly involved.

Through their attorney Brian Lipford, four members of the Fillmore County Swartzentruber Amish community filed a petition with the U.S. Supreme Court on Jan. 20, 2021, asking the high court to consider two questions under the Religious Land Use and Institutionalized Persons Act: Does the government have a compelling interest in regulating the disposal of "gray water," which includes laundry, bath and dishwasher; and is a septic system the least restrictive method when 20 states allow mulch basin systems?

The petition comes after years of legal battles in Minnesota's courts against the Minnesota Pollution Control Agency and Fillmore County over concerns that the agency and county were requiring the Amish to install wastewater systems for gray water that go against their religious beliefs.

The Minnesota Pollution Control Agency filed a waiver of response with the nation's high court stating it did not intend to respond to the petition. Fillmore County did not respond. Neither party is required to respond to the petition.

The petition is scheduled to be discussed at a judicial conference on March 26. At that point, the high court could grant or deny the petition or ask the government to respond before making a decision.

Amicus curiae brief

The 31-page brief argues that the district court's ruling, and the Minnesota Court of Appeal's decision to uphold it, failed to hold the county and MPCA to their burden under the Religious Land Use and Institutionalized Persons Act.

The act, also known as RLUIPA, was unanimously passed by Congress and signed into law by President Bill Clinton in 2000 and subjects any land-use regulation imposing a substantial burden on religious exercise to strict scrutiny, permitting application of the regulation only if the government demonstrates that the imposition is in furtherance of a compelling government interest and that it is the least restrictive means of furthering that interest.

"From before the Founding, the United States has offered succor for adherents of uncommon or disfavored faiths," the petition reads. "In the United States, practitioners of diverse faiths are not merely 'tolerated,' but welcomed as members of the community and fellow citizens. To be sure, we have at times fallen short of our ideals of religious freedom."

The brief argues that the county and the MPCA failed to show "that their generic interests in public health and environmental protection were so compelling in this specific application as to justify trampling Petitioner's religious beliefs," the brief states.

The brief also notes that the county and the MPCA failed to prove that the mulch basins proposed by the Amish as an alternative, and used in 20 other states, were not an acceptable option.

When strict scrutiny is abandoned or misapplied, the brief states, the results can gravely undermine sincerely held religious beliefs.

"This case presents exactly the scenario Congress anticipated in RLUIPA, and the Court should clarify that RLUIPA strict scrutiny forbids the effective exclusion of the Amish from Fillmore County," the brief reads.

US group appeals for Pakistani woman jailed on blasphemy

By Kathy Gannon

AP News (08.01.2021) - <https://bit.ly/3bvK3hg> - The U.S. religious watchdog appealed Friday for the rights of a Pakistani woman from the country's minority Ahmadis who has been jailed on blasphemy charges, declaring her a prisoner of conscience and urging Prime Minister Imran Khan's government to immediately set her free.

The statement by the U.S. Commission on International Religious Freedom said 55-year-old Ramazan Bibi was jailed last April under Pakistan's draconian blasphemy law that carries the death penalty.

Under the law, anyone accused of insulting Islam can be sentenced to death if found guilty. While authorities have yet to carry out a death sentence for blasphemy, just the accusation of blasphemy can incite mobs in Pakistan.

"The Pakistani government must immediately release Ramzan Bibi, and all others detained for blasphemy," said commission head James W. Carr.

Domestic and international human rights groups say blasphemy allegations have often been used to intimidate religious minorities in Pakistan and to settle personal scores.

"Authorities allowing these laws to be used for personal gain or vendetta are only enabling systematic discrimination based on religious belief," Carr added.

The Ahmadi faith was established on the Indian subcontinent in the 19th century by Mirza Ghulam Ahmad, whose followers believe he was the messiah that was promised by the Prophet Muhammad. Pakistan's parliament declared Ahmadis non-Muslims in 1974. Since then, they have repeatedly been targeted by Islamic extremists in the Muslim-majority nation.

Bibi was jailed after a dispute over a donation she tried to make to a non-Ahmadi mosque in her village in Punjab province. The donation was rejected and when she sought an explanation from her non-Ahmadi relatives, a quarrel erupted followed by an assault on Bibi, according to members of her community.

Mainstream Muslim clerics later alleged she was blasphemous and brought out an alleged witness to corroborate their allegations.

"She is facing imprisonment simply because of her Ahmadi faith," said the U.S. commission.

The Pakistani prime minister's special adviser on religious affairs and religious harmony, Maulana Tahir Ashrafi, said he was not aware of the case but would investigate and promised "justice" for the woman.

"No Muslims will be allowed to hurt the sentiments of people belonging to other religions and no non-Muslim should insult Islam," said Ashrafi.

Blasphemy has been a contentious issue in Pakistan. A Punjab governor was killed by his own guard in 2011 after he defended a Christian woman, Aasia Bibi, who was accused of blasphemy. She was acquitted after spending eight years on death row and later left Pakistan for Canada to join her family after receiving threats.

In just the last year, more than 24 Ahmadis, including their senior leadership have been charged with blasphemy and for referring to themselves as Muslims. Scores of Ahmadis are in jail simply for reciting Islamic prayers or greeting others with a traditional Muslim greeting.

Last year, five Ahmadis were killed in targeted killings in Pakistan, according to an Ahmadi official who spoke on condition of anonymity, fearing for his life.

According to a report last month by the U.S. Commission for International Religious Freedoms, Pakistan recorded the most cases of blasphemy in the world, even though 84 countries have criminal blasphemy laws.

On Friday, an anti-terrorism court in Islamabad sentenced three people — two Sunni Muslims and an Ahmadi — to death in connection with charges that they shared

blasphemous content on social media in 2017. A fourth man, a Shiite Muslim college professor, was sentenced to 10 years in prison for insulting God during a college lecture.

The U.S. commission described the conditions for religious freedoms in Pakistan as continuing to “trend negatively” and urged the government to repeal the blasphemy law.

Pakistan has rejected the commission’s assessment.

The Parliament of the World's Religions calls for invoking the 25th Amendment of the US Constitution to remove Donald J. Trump from office

Parliament of Religions (07.01.2021) – <https://bit.ly/3q3gYxR> – The Trustees of the Parliament of the World's Religions call on the Vice-President and the Cabinet of the United States to transmit to the President pro tempore of the United States Senate and the Speaker of the House of Representatives their written declaration that the President is unfit and therefore unable to discharge the powers and duties of his office, in accordance with Article 4 of the 25th Amendment to the United States Constitution.

Donald J. Trump has forsaken his credibility and demonstrated that he is incapable of discharging the powers and duties of the Office of the President of the United States of America. The Parliament of the World’s Religions is a global institution and recognizes the influence that the President of the United States has on the world. Those with the greatest opportunity and power to affect the world have the greatest responsibility to act with unflinching moral integrity. The Parliament of the World’s Religions remains committed to a culture of non-violence and a life of truthfulness, as agreed upon in our signature document *Towards A Global Ethic (Towards A Global Ethic: A Declaration of the Parliament of the World’s Religions)*:

Persons who hold political power must work within the framework of a just order and commit themselves to the most non-violent, peaceful solutions possible...for the leaders of countries, politicians, and political parties, to whom we entrust our own freedoms. When they lie in the faces of their people, when they manipulate the truth, or when they are guilty of venality or ruthlessness in domestic or foreign affairs, they forsake their credibility and deserve to lose their offices and their voters.

The Parliament of the World’s Religions cultivates harmony among the world’s spiritual traditions and fosters their engagement with guiding institutions in order to achieve a more peaceful, just, and sustainable world. Its origins are rooted to the 1893 World’s Columbian Exposition in Chicago, where the historic first convening of the World Parliament of Religions created a global platform for engagement of religions of the east and west. Headquartered in Chicago, IL, USA, the Parliament of the World’s Religions is an international 501c3 NGO affiliated to the United Nations Department of Public Information.

The Parliament hosts the world’s premier interfaith convening in cities across the globe. Past Parliaments have convened nearly 60,000 people across the world in Chicago, IL, USA; Cape Town, South Africa; Barcelona, Spain; Melbourne, Australia; Salt Lake City, USA; and Toronto, Canada.

USCIRF Commissioner James W. Carr adopts Ramzan Bibi in Pakistan through the Religious Prisoners of Conscience Project

USCIRF (07.01.2021) - <https://bit.ly/35qDU29> - United States Commission on International Religious Freedom (USCIRF) Commissioner James W. Carr today announced his adoption of Ramzan Bibi through the Religious Prisoners of Conscience Project.

On April 30, 2020, Ramzan Bibi, a 55-year-old Ahmadi woman, was detained and accused of making blasphemous remarks during a personal dispute over the return of her charitable donation to a local mosque in Cheleki village in Pakistan's Punjab province. Bibi was charged under Section 295-C of the Pakistan Penal Code, an offence that carries the death penalty. She is currently imprisoned at Central Jail Lahore.

"The Pakistani government must immediately release Ramzan Bibi, and all others detained for blasphemy," said Commissioner Carr. "Authorities allowing these laws to be used for personal gain or vendetta are only enabling systematic discrimination based on religious belief. This is clear in Bibi's case, as she is facing imprisonment simply because of her Ahmadi faith. The Pakistani government needs to repeal blasphemy and anti-Ahmadiyya laws and until this is accomplished, enact comprehensive reform."

A village committee formed in Cheleki to investigate the case concluded that there was no evidence to prove the accusations of blasphemy against Bibi. However, hardline Muslim clerics compelled a non-Ahmadi resident of the village, who was not present during the dispute, falsely testify against Bibi resulting in her incarceration.

Bibi's bail application was rejected by the judge on November 18. An appeal has been filed for the mother of six, who has been waiting in jail throughout the ongoing COVID-19 pandemic.

In its 2020 Annual Report, USCIRF recommended that the U.S. Department of State continue to designate Pakistan as a Country of Particular Concern, a recommendation USCIRF has made since 2002 due to Pakistan's systematic, ongoing, and egregious violations of freedom of religion or belief.

In December 2020, USCIRF published a report on Violating Rights: Enforcing the World's Blasphemy Laws, which examines the enforcement of blasphemy laws worldwide. This report found that the country with the most cases of state enforced blasphemy laws was Pakistan, with 184 cases identified between 2014-2018. In June, USCIRF released a Policy Update on Pakistan that outlines the path for reforming and eventually repealing its blasphemy law.

Along with dozens of NGOs, HRWF signs a letter to President Elect Biden asking him to keep international religious freedom as a high priority

5 January 2021

Dear Mr. President-Elect:

We write as an informal group of organizations and individuals, who are scholars, religious and secular leaders, human rights advocates, and practitioners to urge you to prioritize U.S. leadership in the area of international religious freedom. We ask that your administration affirm and strengthen the governmental structure created by the International Religious Freedom Act of 1998 (IRFA) and the Frank R. Wolf IRFA of 2016. We also ask that you nominate a qualified Ambassador-at-Large for International Religious Freedom and appoint others to key IRF posts as soon as possible.

We are participants in the International Religious Freedom (IRF) Roundtable, which is a multi-faith, inclusive model that has proven it is possible to engage cooperatively and constructively across deep religious and policy differences and to increase mutual understanding, respect, trust, and reliance through joint advocacy actions. Central to our efforts is our non-sectarian, non-partisan approach that identifies problems around the world and builds upon common ground and multi-faith consensus to develop joint initiatives.

Founded in 2010, we have actively supported the international religious freedom initiatives of both the Obama and Trump administrations working closely with successive Ambassadors at Large: Suzan Johnson Cook, David Saperstein, and Sam Brownback. We have also worked with members of Congress on both sides of the aisle and the US Commission on International Religious Freedom and have actively engaged in assisting various executive branch bodies, such as Treasury and USAID, in developing policies responsive to IRF issues. Participants in the IRF Roundtable are currently working to replicate our inclusive model and operationalize a global network of roundtables. ***There are currently 31 religious freedom roundtables and partners in the global network.***

We look forward to working closely with your administration to continue this work that has led to foreign policy wins, including:

- A multi-government campaign that resulted in the release of more than 2,000 prisoners of conscience around the world.
- Increased international awareness and pressure on China due to its campaigns against religious/ethnic minorities and efforts to “Sinicize” all religions.
- Interventions in Syria and Iraq to stop genocidal attacks and war crimes against religious minorities.
- Roadmaps to reform and major legal and policy advances in Kazakhstan, Uzbekistan, and Sudan.
- The launch of the Abrahamic Faiths Initiative, a dialogue led and organized by religious leaders of Judaism, Christianity, and Islam, working together to emphasize the peaceful expression of faith and the renunciation of violence.
- The establishment of the [International Panel of Parliamentarians for Freedom of Religions or Belief](#) (IPPFoRB).
- The creation of the [International Religious Freedom or Belief Alliance](#) with 32 like-minded member states.

While we hold an extremely broad diversity of theological views and political positions, we all agree on the importance of international religious freedom. It strengthens cultures and provides the foundation for stable democracies and their components, including civil society, social harmony, and economic prosperity. As such, it is also an effective counter-terrorism weapon, key to US national security interests, as it pre-emptively undermines religious extremism. History and modern scholarship make it clear that where people are allowed to practice their faith freely, they are less likely to be alienated from the government, and more likely to be good citizens.

Such conclusions are increasingly bolstered by empirical research. Dr. Brian Grim, a noted expert on society and religion, found a strong correlation between government restrictions on religion and religiously-motivated violence.¹ Further, an exhaustive study by academics from Harvard, Notre Dame, and Georgetown found “that religious communities are most likely to support democracy, peace and freedom for other faiths, and least likely to take up the gun or form dictatorships, when governments allow them freedom to worship, practice and express their faiths freely and when religious communities in turn renounce their claims to permanent offices or positions of policy-making authority.”²

The current state of international religious freedom, however, is one of deepening crisis—government restrictions on religion rose to a record high in 2018, while religion-related social hostilities fell slightly but remained near peak levels, according to Pew Research Center’s [11th annual study of restrictions on religion](#).³

Further, situations such as the Rohingya genocide in Burma, mass imprisonment and exploitation of Uyghurs and other faith groups by the Chinese government, ISIS genocide against Yazidis and Christians in Syria and Iraq, religious conflicts and violence in Nigeria, and the spike in terrorist attacks in many parts of Africa only underscore the importance and urgency of expanding and strengthening U.S. international religious freedom policy, engagement, and leadership.

As you recently wrote in [The Christian Post](#), “every person on earth is equal in rights and dignity... It is the same creed that is at the core of our American experiment and written into our founding documents – that we are all created equal and endowed by our creator with inalienable rights... We have to strive harder to come together, and to love our neighbors as ourselves... We must again become a nation that defends the inherent dignity of every human, upholds the blessings of liberty, and provides a haven for those fleeing violence or persecution.”

As you emphasized, we need new approaches to defend and advance religious freedom and we encourage your administration to work on these issues through cooperative engagement with a focus on human dignity and pluralism.

We encourage your administration to work with us in the global movement that is building around religious freedom; to consolidate and expand recent improvements in the US IRF infrastructure, strengthen U.S. IRF policy, and make a major contribution to international justice and stability, fundamental human rights, economic growth, and U.S. national security.

To those ends we respectfully recommend the following actions:

- **Ensure Key IRF Offices & Positions are Filled**
 - **State Department:** Stress the mission and vital role of the IRF Office throughout the U.S. government. Advance IRF as a whole-of-government effort in coordination with USCIRF, USAID, Treasury, DoD, and other agencies.
 - **IRF Ambassador:** Appoint a highly qualified Ambassador in the first 100 days of your administration (someone with visibility and rank, who can

¹ Brian Grim, “The Price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century.” (New York: Cambridge University Press, 2011).

² Monica Duffy Toft, Daniel Philpott and Timothy Samuel Shah, “God’s Century: Resurgent Religion and Global Politics.” (New York: Norton, 2011), p. 18.

³ [Government restrictions on religion around the world reached new record in 2018](#), Pew Research Center.

engage at high levels both domestically and abroad). We urge you to allow the current IRF Ambassador, Sam Brownback, to serve until your appointment to this office is confirmed so this important post does not remain vacant (as we urged the prior administration to retain former Ambassador David Saperstein.)

- **U.S. Commission on International Religious Freedom (USCIRF):** Appoint Commissioners on a timely basis, including the first White House appointment by May 14, 2021. Engage with USCIRF as a valuable resource on FoRB information and policy recommendations to advance religious freedom.
- **Senior Advisor for IRF on the National Security Council:** Appoint a Senior Advisor for IRF on the National Security Council, who serves as the head of the interagency efforts on IRF, in the first 100 days of your administration.
- **Advance Multilateral Engagement on Religious Freedom**
 - **Annual Ministerial to Advance Religious Freedom:** Support and participate in this annual global gathering of governments, faith communities, and civil society. While the U.S. hosted the first two events in 2018 and 2019, Poland hosted the third in 2020 and Brazil has agreed to host the fourth in 2021.
 - **International Religious Freedom or Belief Alliance:** Strengthen and expand the now 32-member multi-lateral Alliance and ensure cooperative engagement and coordination of actions with the Global Network of Religious Freedom Roundtables and the International Panel of Parliamentarians for Freedom of Religion or Belief.
- **Fortify Religious Freedom Frameworks**
 - **National Security Strategy of the United States:** Expand and strengthen the human dignity and religious freedom sections in the National Security Strategy.
 - **Executive Order on Advancing International Religious Freedom:** Expand and implement the plans to prioritize IRF in the planning and implementation of U.S. foreign policy and in the foreign assistance programs of the State Department and USAID.
- **Empower Civil Society Action**
 - **Weekly IRF Roundtable Meetings:** We hope your Senior Advisor for IRF and your Ambassador-at-Large for IRF and their staffs will continue the tradition of regularly participating in our weekly IRF RT meetings along with USCIRF and Congressional representatives. Prior to COVID-19, our in-person meetings were attracting an average of 150 representatives of all faiths and none. Since COVID-19, we have continued to meet virtually every Tuesday and the meeting has become increasingly global in nature. More than 900 people from more than 50 countries, with a wide range of faiths and beliefs, have participated in these meetings.
 - **Annual National Summit on IRF:** Consider supporting and participating in an annual national IRF summit in collaboration with the IRF Roundtable and civil society.

By implementing these recommendations and working with IRF civil society advocates and the growing IRF global movement, you will strengthen your planned foreign policy

initiatives to build strong bilateral and multilateral partnerships, advance global security in the fight against persecution, religious extremism and terrorism, and send a clear message in support of the inherent dignity of every human being.

We stand ready to serve as a civil society partner and resource to help your administration build on the more than two decades of bipartisan tradition of supporting IRF and advance this universal freedom to the next level.

Respectfully,

Greg Mitchell
Chair
International Religious Freedom Roundtable