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The Specific Vulnerability of Religious Minorities

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2020

document version

Publisher's PDF, also known as Version of record

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citation for published version (APA)

Petri, D. P. (2020). *The Specific Vulnerability of Religious Minorities*. [PhD-Thesis - Research and graduation internal, Vrije Universiteit Amsterdam].

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3. Strengths and shortcomings of religious freedom assessment tools from a human security perspective

In the preceding chapter, I presented some of the most relevant theories that provide interesting lenses for the observation of the vulnerability of religious minorities. In this section, I look at a number of religious freedom assessment tools (RFATs), which are the analytical frameworks that come closest to assessing the vulnerability of religious minorities. After a critical evaluation of these tools (3.1), I justify why the human security perspective provides a more comprehensive framework to observe the vulnerability of religious minorities than the former two types of frameworks and how it can complement their shortcomings (3.2), provided it takes the multidimensionality of religious freedom into consideration (3.3). I end with a few concluding remarks (3.4).

3.1 Evaluation of religious freedom assessment tools

In this evaluation, I first present the origins of the RFATs (3.1.1). I then review the methodologies of the main scholarly RFATs (3.1.2). Based on this review, I evaluate these tools in relation to their pertinence for the objectives of this dissertation, discussing their main analytical contributions to the understanding of the vulnerability of religious minorities (3.1.3) and their shortcomings (3.1.4). I end with a synthesis of the value of RFATs for my research (3.1.5).

3.1.1 Origins

Before discussing RFATs, it is necessary to say a few words about the concept of religious freedom because of its relevance for my research. The legal conception of the multidimensionality of religious freedom can be derived directly from article 18 of the Universal Declaration of Human Rights:

“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”

Matthias Koenig speaks of a “polyphony of religious freedom”, referring to the plurality of uses of this concept in different legal traditions throughout history (2017, see also Fox 2016; Joustra 2018). My understanding of religious freedom is specific to this research and others may use the term differently. I view religious freedom as a broad and multidimensional concept (more in section 3.3). Indeed, my understanding of religious freedom is much broader than what it is commonly accepted (Gill 2008; Gómez Chico Spamer, González Alvarez, Perera Calzada, Porras Sánchez 2018; Johnson & Koyama 2019). Specifically, I posit that religious freedom should not be restricted to the separation of church and state or to freedom of worship, as it involves many more dimensions. To illustrate this point, the Religion and State dataset elaborated by Jonathan Fox describes government involvement in religion through 132 variables, which can be complemented by 9 detailed variables measuring certain religious policies; for the description of actions taken by societal actors 37 separate variables were developed to complement the Grim & Finke’s Social Regulation of Religion Index. A booklet by the Swedish Mission Council (2010) entitled *What freedom of religion involves and when*

it can be limited enumerates seven specific dimensions of religious freedom: freedom to have, choose, change or leave a religion or belief; freedom to manifest a religion or belief; freedom from coercion; freedom from discrimination; the right of parents to give their children religious and moral education in accordance with their own beliefs; the right to conscientious objection; freedom to practice one's religious belief in the workplace.

The growing interest in documenting and measuring religious freedom led to the development of a variety of RFATs. These tools differ in their objectives and methodological approach but share a number of common features. Most of these tools are quantitative instruments which seek to describe the level of religious persecution – violation of religious freedom – at a particular moment in time, providing a snapshot of the degree of religious persecution in a country and comparing different countries with each other. In most cases, these tools are used to produce rankings of countries or scales of religious freedom violation.

When reviewing the origins of the interest in documenting and measuring religious freedom, four phases can be distinguished. RFATs were first developed by faith-based organizations who had an interest in documenting religious freedom violations to inform their strategic planning. Some civil society organizations later integrated religious freedom into their monitoring instruments. In the 1990's, public and multilateral institutions gained interest in religious freedom and started developing monitoring instruments. In the 2000's, religious freedom increasingly became an object of scholarly attention, leading to the development of several new tools.

Faith-based organizations

The first RFATs emerged within faith-based organizations involved in advocacy and mission. The earliest example is the assessment of the global situation of religious freedom by the International Missionary Council by Bates in 1945 (Sauer 2012). The first edition of the *World Christian Encyclopedia* by David Barrett (1982) includes a "Religious Liberty or Persecution" score for each individual country. The Christian relief organization Open Doors International started publishing an annual persecution index, known as the World Watch List, in 1993. This index was initially intended as an internal system for planning purposes, but quickly became a tool for the organization to raise awareness to its constituency and the broader public about its work. The second edition of the *World Christian Encyclopedia* included a *Christian Safety Index* (Barrett Kurian & Johnson 2001), which has been continued in the World Christian Database (Johnson & Zurlo 2018) and in the World Religion Database (Johnson & Grim 2018).

At present, Christian advocacy agencies such as Voice of the Martyrs, Christian Solidarity International, Christian Solidarity Worldwide (CSW), Aid to the Church in Need, the Religious Liberty Partnership of the World Evangelical Alliance and the Observatory on Intolerance and Discrimination against Christians in Europe have developed basic instruments to describe the religious freedom situation in different countries, and graphically publish them in maps for information and awareness raising purposes (Sauer 2012). In 2012, the methodology of the World Watch List of Open Doors International was comprehensively revised. Sauer summarizes the specificity of the World Watch List as follows:

"In comparison to the above instruments, the World Watch List by Open Doors (OD) has the following combination of features: It appears annually ten weeks after the completion of the period under consideration, it is restricted to

Christians, it is mainly based on grassroots sources from the Christian, missionary and advocacy community, and its interest is pragmatic rather than scholarly, primarily serving the purpose of strategy planning and mobilisation of support for persecuted Christians from a missionary perspective.” (2012:22)

In general, RFATs developed by faith-based organizations do not have an academic vocation but are primarily destined at informing the constituencies of these organizations and for internal planning purposes. Therefore, these tools have limited value for this research. A noteworthy exception is the World Watch List of Open Doors International, which since its methodological revision in 2012, seeks to comply with academic standards including honesty, fairness, objectivity, reliability, skepticism, accountability and openness.

Civil society organizations

Beyond faith-based organizations, religious freedom has received relatively little attention by civil society organizations. Human rights organizations such as Amnesty International, Human Rights Without Frontiers International and Human Rights Watch do not explicitly monitor religious freedom, although they do include references to specific cases of religious freedom violations in their annual reports. It could be argued that religious freedom assessments are less useful to human rights practitioners than to organizations working in advocacy. Human rights practitioners, particularly those working in the field of asylum and refugee protection, generally focus on documenting specific cases and are therefore less interested in cross-national comparative indexes (Rempell 2013).

There are, however, some noteworthy exceptions. The best known is the Religious Freedom Rating developed by religious freedom advocate Paul Marshall of the Center for Religious Freedom of the Hudson Institute (formerly part of Freedom House) which provides short roundups of the religious freedom situation in over 100 countries. Although it is a very rudimentary RFAT, it has received widespread media attention. Paul Marshall’s books attracted wide attention (Marshall & Gilbert 1997; Marshall & Shea 2011; Marshall, Gilbert & Shea 2013), and were instrumental to the inclusion of religious freedom in particularly US domestic and foreign policy. Civil society organizations like Freedom House, the Bertelsmann Foundation and Fund for Peace also include one or more questions about religious freedom in their instruments.

Public institutions

The inclusion of religious freedom as a policy theme on the agenda of both multilateral and national institutions is relatively recent. In the past decade more and more states have created religious freedom divisions or have in another way integrated the theme into their activities. However, the United States State Department is the only public institution that has developed a comprehensive RFAT in the form of its annual (since 2004) *International Religious Freedom Report*, a qualitative information collection instrument.

At the multilateral level, the United Nations Commission on Human Rights had appointed a “Special Rapporteur on Religious Intolerance” in 1986 with the mandate “to identify existing and emerging obstacles to the enjoyment of the right to freedom of religion or belief and present recommendations on ways and means to overcome such obstacles.” In 2000, the mandate title was changed to “Special Rapporteur on Freedom of Religion or Belief.” The normative

instrumentarium of the Special Rapporteur includes article 18 of the Universal Declaration of Human Rights and the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, amongst others. As part of his duties the Special Rapporteur performs fact-finding country visits, transmits appeals to States “with regard to cases that represent infringements of or impediments to the exercise of the right to freedom of religion and belief” and submits annual reports to the Human Rights Council and the UN General Assembly. Although the Special Rapporteur produces reports on specific cases, his office does not use a (publicly available) RFAT to monitor religious conflict.

The Council of the European Union also put the issue of religious freedom on the agenda by adopting the “EU Guidelines on the promotion and protection of freedom of religion or belief (FORB)” in June 2013 which is integrated into the work of the European Union’s External Action Service.

At the national level, in the United States the International Religious Freedom Act (IRFA) (1998) created an Office of International Religious Freedom within the Department of State, headed by an Ambassador of Religious Freedom with the mandate to produce an annual “International Religious Freedom Report” on all countries of the world. This report, which includes reports from American embassies in all countries of the world except North Korea and the United States itself, is considered the most extensive documentation instrument on religious freedom (Hertzke 2004, 2008, 2013). Next to the Office of International Religious Freedom, the IRFA also created the United States Commission on International Religious Freedom (USCIRF), which is an independent, bipartisan, federal government entity mandated with monitoring the status of freedom of religion or belief outside the United States and providing policy recommendations to the President, the Secretary of State, and Congress.

Other national governments which in the 2010s have created specialized divisions within their ministries for foreign affairs focusing on religious freedom include Norway, Canada, Italy, France and The Netherlands. In addition, several western parliaments have deployed initiatives to promote freedom of religion. The impact of these initiatives varies greatly; some government divisions have since been abandoned or receive less attention, while other governments have stepped up their efforts (Toft & Green 2018; Petersen & Marshall 2019). By contrast, religious freedom is not a policy priority for any Latin American country except for Brazil (Freston 2018) nor for multilateral regional bodies such as the Organization of American States.

Scholarly attention

Encouraged by the increasing interest in religious freedom by public institutions, various academic research projects started to develop RFATs in the 2000’s. Two broad types of RFATs can be identified: general datasets that include some variables about religious freedom and ‘pure’ RFATs. In the general datasets, the treatment of religious freedom in these instruments was generally very basic and did not have the level of sophistication and complexity of the scholarly RFATs that emerged later; they were the earliest examples of data collection about specific dimensions of religious freedom. The most noteworthy examples are the Cingranelli-Richards (CIRI) Human Rights Data Project (1981), the Minorities at Risk Project (1986), the World Values Survey (WVS) (1981)⁴ and in the region, the Latin American Public Opinion Project (LAPOP) at Vanderbilt University. Jonathan Fox, who was a student of Ted R. Gurr,

⁴ Based on the data of the WVS, Norris & Inglehart developed a rudimentary Religious Freedom Index in 2004.

used the Minorities at Risk project (Gurr 1993) as a starting point for the development of his composite measures of religion and state, by adapting and broadening its religious discrimination variables beyond the context of ethnoreligious minorities. Jonathan Fox also collected data on specific religion variables for use with the Minorities at Risk dataset.

Most of the scholarly RFATs I identified use a socio-metric methodology.⁵ The best known is Global Restrictions on Religion, which is an adaptation by the Pew Research Center of the methodology developed by Grim & Finke at Pennsylvania State University (2006).⁶ This instrument includes indices for two dimensions of restrictions of religion for adherents of any religion or belief: “government restrictions” and “social hostilities.” The methodology of the indices is based on the coding of 19 publicly available primary sources, the principal source being the International Religious Freedom Reports by the United States State Department (Grim & Finke 2011).

Following a similar socio-metric methodology, the Religion and State Project directed by Jonathan Fox at Bar-Ilan University “measures the extent of government involvement in religion” (2011). His dataset uses a broader range of primary sources and focuses specifically on “the relationship between religion and the state apparatus.” The dataset developed in the framework of this project includes variables for Official Religion, Religious Support, Religious Restrictions, Religious Discrimination, as well as other topics. Additional variables measure policies including religious education, the registration of religious organizations, restrictions on abortion, restrictions on proselytizing, and religious requirements for holding public office or citizenship. A societal module was added to the RAS dataset in 2017. The variables that measure actions taken by societal actors describe societal discrimination and minority societal actions (Fox, Finke & Mataic 2018).

While developed by a faith-based organization, the World Watch List of Open Doors International can also be considered a scholarly instrument, particularly since its methodological revision in 2012 and its academic validation by the International Institute for Religious Freedom, a network of scholars and universities specializing in religious freedom (Sauer 2012). Input for the World Watch List is provided by qualitative questionnaires which are filled by both staff in the field and a network of external experts. The questionnaire design seeks to give an expression to the degree of pressure experienced by Christians in five spheres of life (private, family, community, national and church life). The questionnaire also includes a sixth block on physical violence which cuts across all five spheres of life.

3.1.2 *Methodological review*

In this section I review the methodologies of the main scholarly RFATs and some civil society instruments based on three criteria: (a) definitions of religious freedom and/or persecution; (b) focus of measurement; (c) methodology to aggregate and analyze data. The review of RFATs allows distinguishing between two broad categories: expert-opinion based tools and socio-

⁵ I leave less known RFATs such as the Herfindahl Index of Religious Pluralism (Alesina 2003), the State Regulation of Religion (Chaves & Cann 1992) and the Government Religious Preference dataset (Brown 2016) out of consideration.

⁶ International Religious Freedom Data developed by Grim & Finke (2006) includes three “international religion indexes” to measure Government Regulation, Government Favoritism, and Social Regulation of Religion. These indexes, which are periodically updated by the Association of Religious Data Archives of Pennsylvania State University, are based on the coding of data in the annual International Religious Freedom Report issued by the US State Department.

metric tools. The Religious Freedom Rating and the World Watch List belong to the first category of tools. Both are based on qualitative surveys which are filled out by experts, similar to the Transparency International Corruption Perception Index and the Bertelsmann Transformation Index. In the case of the World Watch List, these experts include not only academics and analysts, but also staff of Open Doors International working in the respective countries. The answers to the surveys are given a numerical value which is used to calculate scores for the surveyed countries.

The tools developed by the Association of Religion Data Archives, the Pew Research Center, the Religion and State Project at Bar-Ilan University and the Baylor University Institute for Studies of Religion are socio-metric tools, based on the coding of publicly available sources. The coding process does not allow any expert appreciation or judgment on the observed variables. The indices developed by the Pew Research Center are comparable to the ones developed by the Association of Religion Data Archives, which is understandable because they were designed by the same scholars and follow the same methodological outset. The methodology used by the Religion and State Project is also very similar but uses a broader range of sources and more complex coding standards. The Government Religious Preference dataset, a more recent instrument, is inspired by the aforementioned instruments.

As far as their focus is concerned, the indices developed by the Religion and State Project (until 2017, when a societal module was added) and the Government Religious Preference dataset focus exclusively on the relation between religion and the state, which includes both formal codes (laws) and informal practices. Persecution originated from society is monitored by the Pew Research Center through the Social Hostilities Index, the new societal module of the Religion and State Project and by the World Watch Unit through the identification of the societal actors exerting pressure on Christians in each sphere of life. Another distinction that can be made is between tools that focus on all religions and on one religion specifically. With the exception of the World Watch List, which focuses exclusively on Christianity, all reviewed tools cover all religions.

Regarding the definitions used by the RFATs, the socio-metric tools have the most rigid definitions, which can be explained by the needs of coding (quantification). The definitions used in the expert-opinion based tools invite a reflection about aspects such as frequency or intensity, which demand a qualitative appreciation (see annex D for a systematic comparison of RFATs).

3.1.3 Contributions

In 2006, Grim & Finke lamented that “religion receives little attention in international quantitative studies. Including religion in cross-national studies requires data, and high-quality data are in short supply.” At writing, this is not a problem anymore, as increasing amounts of cross-country data on religion have become available (Fox 2011). Of course, each RFAT provides different results depending on its methodology and on what is observed specifically. Still, a major contribution of the presented RFATs is their endeavor to document the situation of religious freedom worldwide.

Documenting religious freedom violations makes data available for cross-national comparisons which give an indication of the scope of religious freedom and religious conflict worldwide. This serves an apologetic purpose: the numerical importance, occurrence and scope of this

phenomenon justifies its analysis (Sauer 2019). By objectively observing the (quantitative) impact of an issue, it can then be considered a “social fact” to use Durkheim’s concept (1893), i.e. an objective social phenomenon which can be an object of research, i.e. “a single reality that is independent of any observer” (Yin 2014:17).

The measurement of the quantitative impact of religious freedom violations at a global scale also allows for an improved understanding of individual cases. It is a means to situate specific cases within a broader context – identifying global trends –, from which comparative results can be distilled. Cross-national comparison allows isolating those variables that tend to have a stronger influence on the development of religious conflict.

The only type of cross-national comparisons in the field of religious freedom that is possible without such data is based on comparative analysis of constitutional and other legal norms. The latter, though valuable, only allows describing the legal-formal dimension of the respect of religious freedom. All reviewed RFATs assume that a comprehensive assessment of the degree of religious freedom cannot be limited to what is contained in constitutional texts but should also consider formal and informal political practices – religious policy –, as well as social-cultural elements.

Each RFAT focuses on different dimensions of religious freedom. The Religion and State Project is limited to the political dimension of religious freedom but integrates both formal (legal) and informal dimensions of the subject (the methodological design covers both legal restrictions on freedom of religion and policies or customs that restrict religious freedom in practice). The Pew Research Center’s Government Restrictions Index also looks at the political-legal restrictions of religious freedom, while the Social Hostilities Index compiles social hostilities that are religiously motivated.

3.1.4 Shortcomings

The relevance of RFATs is not up to debate, but in the framework of this research, their use is limited. The reviewed RFATs offer insight into the extent of religious freedom in countries on various indicators, but I argue they are not designed to observe the specific vulnerability of religious minorities. There are at least four areas in which the data provided by RFATs is insufficient in light of the analytical needs of the present research: they are insufficiently holistic, neglect the local scale, have a state bias and use a restrictive definition of religion.

Insufficiently holistic

My first general critique of the presented RFATs is that they are insufficiently holistic, especially in the case of quantitative (socio-metric) tools. Because of coding requirements, most RFATs simplify reality by focusing on a reduced number of variables. Measuring a fixed set of variables can be useful to make cross-national comparisons and to observe evolutions of these variables over time, however, such approaches do not account for the complex interaction between social-political factors which, under specific circumstances, can lead to situations of vulnerability for religious minorities.

In selecting the variables to observe, most RFATs adopt what can be called a ‘laundry list’ approach. The problem with this type of approach, as Fox analyzes, is that laundry lists are

either so specific – “limited to various aspects or instances of the relationship between religion and violence and revolution” – that they are insufficiently comprehensive, or on the contrary so comprehensive that they have “extensive lists of factors contributing to religious violence and revolution” (1999:443). In essence, laundry lists are subject to what Owen (2003) refers to as a “measurement paradox”: they are never representative (exhaustive) enough but the longer they are the more difficult data collection becomes, particularly if the methodology requires cross-national comparisons. Another problem with the laundry list approach is that they lack explanatory power, as Fox points out: “[Laundry lists] identify many pieces to the puzzle but do an incomplete job of putting that puzzle together” (Fox 1999:442). Moreover, important explanatory factors in particular cases may not have been included in the datasets and risk being ignored in the subsequent analysis.

I am aware that this shortcoming applies to quantitative methods in general. Indeed, any socio-metric model inevitably simplifies reality. However, by focusing on a reduced number of variables to describe religious freedom, RFATs run the risk of overlooking specific human security threats to which religious minorities are vulnerable. As I pointed out in the description of the initial observations for this research in chapter 1, numerous cases of vulnerable religious individuals and groups in Latin American countries are not detected by RFATs.

The negligence of the local scale

Connected with the former critique, the predominant quantitative approach of the RFATs raises an issue related to scale. As they focus on cross-national comparisons, their unit of analysis is the national state. As a result, RFATs give little attention to the local scale. Although the methodologies of most RFATs indicate they take local variations into account when relevant, their primary focus is the national level. In particular the RFATs which are based on the coding of publicly available sources do not realize fieldwork but have a focus that is limited to the global and national scale, i.e. the phenomena that are observable from distance or through written reports. (Localized codings based on the RAS scheme have since been done for Germany and Switzerland by Helbling & Traunmüller, 2016.)

RFATs are macro-level indicators, which as Owen asserts, are aggregates that conceal realities that can only be observed locally (Owen 2004). The negligence of the local scale – which Stein Rokkan refers to as the “whole-nation bias” in political science (2009 [1970]) – implies that the analysis contains a relatively high level of generality, i.e. findings are not nuanced or specified depending on local particularities (Snyder 2001; Høyland, Moene & Willumsen 2012; Glasius e.a. 2018). The local – territorialized – expressions of the vulnerability of religious minorities therefore risk going unnoticed, as I have described in my initial observations in chapter 1.

The state bias

Although RFATs acknowledge that the observation of religious freedom violations should not be limited to the observation of the behavior of the state in this respect, the majority of the variables chosen by most RFATs refer precisely to this aspect. Variables describing restrictions on religious freedom (or persecution of religious groups) by non-state actors are comparatively less used, with the exception of the Pew Research Center’s Social Hostilities Index – considering the broad range of non-state actors, the social hostilities category is too broad for

a single index in my opinion –, the new societal module of the Religion and State Project and Open Doors International’s World Watch List since its methodological revision in 2012.

In general, RFATs tend to focus on ‘traditional’ actors of persecution, but do not consider non-state actors such as organized crime or indigenous authorities, the examples I mentioned in the introduction, as players that can restrict the religious freedom of religious minorities, either by taking advantage of the impunity or by effectively taking over control of government. The “over-attention on the state”, as Owen calls it, makes it difficult to observe the role of non-state actors (2003:10).

The predominant focus on the state can be explained by the following three aspects. Firstly, religious freedom was traditionally approached from a human rights perspective which considers the state as the primary addressee of human rights violations.⁷ Secondly, the historical context in which the first RFATs emerged is the (end of the) cold war period and the time of communist regimes in which religious freedom was restricted mostly by the actions of governments. To be fair, a large portion of restrictions on religious freedom indeed still come from the state in many contexts. Finally, observing social dynamics related to religious conflict is more complex than observing whether religious freedom is respected by the state in law and practice; as a result, the state is the easiest actor to code.

Restrictive definition of religion

A critical element is the way religion is considered and defined in RFATs. In my view, the adopted definitions of religion in the RFATs are too restrictive to account for scenarios of vulnerability of religious minorities that are not (exclusively) caused by a religious motive and/or are related to the behavior of religious minorities, i.e. the way religion inspires the behavior in society of its followers. For example, the approach of religion by the Pew Research Center does not integrate most behavioral aspects of religion, defining a religious brand as “an organized group of committed individuals that adhere to and propagate a specific interpretation of explanations of existence based on supernatural assumptions through statements about the nature and workings of the supernatural and about ultimate meaning.” The Religion and State Project uses Fox’s behavioral definition of religion that I adopted for this research, but nevertheless defines religious minorities only by identity. Currently, it also measures only restrictions on religious practices and institutions by governments and societal restrictions; it does not measure other types of restrictions (economic, political, etc.) by governments on religious minorities.

Moreover, all socio-metric tools only consider organized religious groups, ignoring new forms of religion such as ‘new religious movements.’ Thus, a major limitation of the RFATs for this research is their restrictive definition of religion which does not enable them to observe most cases of vulnerability of religious minorities that result from their behavior rather than from their identity.

In general, the approach followed by RFATs looks at religious identification and its consequences, but not at the role of religion in society, and insufficiently acknowledges the multidimensionality of religious freedom, i.e. the degree to which it is respected in each sphere of society (more in section 3.3). Moreover, the reviewed RFATs place most emphasis on

⁷ Vienna Declaration and Programme of Action (adopted in 1993); Part I; para. 5.

variables related to religious identity (religious affiliation) and some forms of religious behavior (such as church attendance or following certain dress codes), but do not take into consideration how specific behavior of members of religious minorities, inspired by their religious convictions, can create vulnerability. As a result, cases of vulnerability of religious minorities like the ones I described in the introduction are overlooked.

3.1.5 Synthesis: the limited value of Religious Freedom Assessment Tools

As the aim of this research is to gain a better understanding of how the vulnerability of religious minorities can be observed, it makes sense to evaluate RFATs, because they are the most popular instruments that come closest to assessing the vulnerability of religious minorities. The RFATs presented in this section are indeed valuable tools to gain insight into the degree to which aspects of religious freedom are respected in law and practice, describing the degree of government restrictions or social hostilities against religion, all of which constitute aspects of the vulnerability of religious minorities.

However, the RFATs fail to recognize a number of threats to which religious minorities are vulnerable. The main reasons for these shortcomings are essentially methodological (insufficiently holistic, negligence of the local state, state bias and restrictive definition of religion). As I argue in the next sections, these shortcomings can be further overcome by an approach that assesses restrictions on religious expression by sphere of society and the adoption of the human security framework.

3.2 Gaining from the human security perspective

In the previous section I presented the main contributions and shortcomings of religious freedom assessment tools for the analysis of the vulnerability of religious minorities. These frameworks have their place, but because of their conceptual and methodological choices, they also constrain the observation of specific threats to which religious minorities are vulnerable, which is the central aim of this research. The theoretical frameworks discussed in chapter 2 provide relevant interpretations of some aspects of the vulnerability of religious minorities but misjudge others. They are either difficult to operationalize or have a focus that is too narrow. The RFATs I described in section 3.1 are valuable monitoring instruments, but still overlook essential aspects of the vulnerability of religious minorities. Both types of frameworks, however valuable for their intended purposes, thus stand in the way of an open-minded and full observation of mechanisms of vulnerability.

In this section, I argue that the shortcomings of these frameworks can, for a large part, be overcome by adopting the human security perspective which seems more apt to observe vulnerability. I explain that the relevance of the human security perspective for my research resides primarily in its open-ended outlook and in its shift in focus away from the state and towards the individuals or groups that are subject to human security threats. This perspective makes it possible to observe aspects of the vulnerability of religious minorities that are overlooked by the frameworks I reviewed in the preceding sections. First, I elaborate upon the relevance of the human security paradigm in relation to my object of study (3.2.1). Second, I discuss how human security can be operationalized to assess the vulnerability of religious minorities (3.2.2).

3.2.1 *The relevance of human security for the observation of the vulnerability of religious minorities*

The human security paradigm emerged in the 1990s as an alternative to the traditional security discourse in the period following the end of the Cold War. Although it had been used earlier – it has philosophical roots in early liberal philosophical writings (Owen 2003:7-10) –, the term human security was formally introduced in the 1994 *Human Development Report* (UNDP), which Glasius summarizes as follows:

“This document introduced many of the associations that have become central to our understanding of human security: the opposition to state security, the argument that human security is indivisible (and therefore the global rich have not just a moral but also a practical interest in the security of the poor), and the return to Roosevelt’s classic ‘freedom from fear/freedom from want’ formula to capture the two primary elements of human security.” (Glasius 2008:32)

Conceptually, Owen proposes a definition of human security that has the merit of being concrete and specific, while remaining true to its original conceptualization by UNDP. I adopt this definition for my research:

“Human security is the protection of the vital core of all human lives from critical and pervasive threats. Individuals require protection from environmental, economic, food, health, personal and political threats.” (Owen 2003:38)

Although religion is not usually considered in human security literature, human security introduces a new way to consider security and conflict that is particularly relevant for the analysis of the vulnerability of religious minorities. As Owen claims, “the very point of human security is to shift our attention to threats usually not considered, and most likely not measured.” (2004:21) The initial observations I formulated in the introduction suggest that this is the case for several human security threats that religious minorities in Latin America face.

In the following, I discuss the pertinence of the paradigm shifting properties of this concept for the observation of the vulnerability of religious minorities. Two shifts of the concept of human security, as highlighted by Glasius, are particularly relevant for my research. First, by “shifting security”, the state security paradigm which based state sovereignty on its control of a territory is reversed to a view of state sovereignty that is dependent upon the way it serves and supports its people. It puts the focus on the security of the individual citizen and on every human being. It also recognizes the participation of nongovernmental actors in the security field.

A similar analytical shift can be observed in conflict studies. In recent years, acknowledging the fallacies of methodological nationalism, a number of datasets have emerged that geo-code instances of political violence which allow them to take local circumstances and the role of non-state actors into consideration. For example, the Armed Conflict Location & Event Data Project (ACLED) “records the dates, actors, types of violence, locations, and fatalities of all reported political violence and protest events across Africa, South Asia, Southeast Asia, Central Asia, the Caucasus, the Middle East, Europe, and Latin America.” (Raleigh C., Linke A., Hegre H. & Karlsen J. 2010; ACLED 2020)

This shift has implications for the observation of the threats to religious minorities at the pertinent level of analysis, which often is the subnational level. A traditional security focus would not even consider conflicts involving religious minorities before they become manifest. Furthermore, a traditional security focus which looks mainly at interstate conflicts (or inter-ethnic conflicts, in the case of conflict theory), would not take transnational threats or threats against a minority group into account. It is easy to see why this shift is important for the observation of the vulnerability of religious minorities. It opens the door for the recognition of the responsibility of non-state actors for human rights abuses of religious minorities, such as drug cartels or indigenous authorities (chapters 5 and 6), moving away from vertical approaches of security.

Second, the “shift towards the subjects of security” is equally relevant for the observation of the vulnerability of religious minorities because it takes into consideration the notion that ‘fear’ or ‘feeling threatened’ is already a form of vulnerability, whether these fears are materialized or not. More generally, this area shifts the focus to the group that suffers religious freedom violations, which connects to the behavioral definition of religion I adopted. In a way, most theoretical frameworks discussed in chapter 2 focus on the perpetrators of the harm suffered by religious minorities; the human security perspective focuses on the subjects of security, i.e. the victims.

A practical consequence of the shift towards the subjects of security of the human security paradigm is that it views vulnerable individuals and groups not only as victims that require protection, but also as active agents that can be empowered to engage the threats they face (Glasius 2008:44), in line with Rodin (2014). In this respect, Hoogeveen, Tesliuc, Vakis & Dercon (2004) speak of “risk coping”, the capacity of a group to cope with threats and to respond to pressures.

The most relevant feature of this shift, however, is its open-ended outlook. It constitutes an invitation to inventory the human security risks that threaten a religious minority in the broadest possible way. As I explained in the preceding chapters, the main reason why notable cases of vulnerability of religious minorities in Latin America have been overlooked is precisely because existing theoretical frameworks and RFATs are insufficiently holistic, which means they neglect objective facts that were not initially built into them. Most of the RFATs described in section 3.1 are socio-metric instruments that measure the degree of respect for specific indicators of religious freedom. Because of its open-ended feature, the human security perspective is therefore not constrained by any predetermined laundry list of indicators that can be too limiting.

To summarize, the human security perspective is useful for my research because its open-ended character supplements the main limitations for the observation of the vulnerability of religious minorities that I identified in both the interpretative models presented in chapter 2 and the RFATs presented in section 3.1. In the next section I discuss how human security can be operationalized for the observation of the vulnerability of religious minorities.

3.2.2 Operationalization of the human security perspective to assess the vulnerability of religious minorities

Notwithstanding its paradigm shifting features and the considerable resonance among both policy-makers and academics it received, human security remained contested because of its

perceived conceptual vagueness – there is no consensus about the appropriate definition of human security –, which poses a series of measurement and operationalization challenges. Indeed, how can human security be measured if there is no clarity about what this concept entails? (Owen 2003, 2004; Debiel 2005; Werthes & Bosold 2006; Glasius 2008).

I follow Taylor Owen’s approach to human security, which addresses these challenges in a way that is also useful to assess the vulnerability of religious minorities. As mentioned above, Owen defines human security as “the protection of the vital core of all human lives from critical and pervasive threats.” (2003:38) This definition is interesting because it respects the open-ended nature of human security but also makes it possible to operationalize it. In the following, I highlight the most relevant elements from Owen’s approach for the purpose of my research.

First, Owen recommends observing human security at the most pertinent geographical level (the subsidiarity principle), which will often be the subnational level. Borrowing from geography, this scholar suggests conceiving human security as “an analytical concept with a specific meaning in a specific place. Human security in one location means something very different than human security in another.” (2003:1) The relevant human security threats in a particular location must be inventoried (preferably using the input of experts) and data must be collected to describe these threats. Owen recommends that this is done regardless of motive, responsible actor, legal category, or any other variable. Once observed, the threats can be analyzed and interpreted, without predefined analytical categories getting in the way of the observation of human security threats.

Owen thus suggests getting rid of any predetermined sets of factors or indicators (laundry lists) and instead to focus “only on relevant threats, those that surpass the human security threshold” (2003:41), which he defines, following Alkire, as anything that threatens “the vital core of all human lives in ways that advance human freedoms and human fulfillment.” (2003:2)

This is relevant for the observation of the vulnerability to human security threats of religious minorities, because it does not restrict the observation to a set of predefined categories such as the indicators of a RFAT or the variables of a theoretical model. It also does not limit the observation to the national level. Specifically, it allows to observe threats that existing frameworks fail to detect but that nevertheless constitute human rights abuses, such as threats that are the result of religious behavior, threats that do not have a religious motive, threats that are perpetrated by non-state actors, threats that can only be observed at the subnational level, etc. Such an approach inevitably sacrifices the possibility for quantitative cross-national comparisons, but it increases the possibility to observe threats that are usually not considered.

Owen further emphasizes that the data collection process must be flexible; any form of available information, whether quantitative or qualitative, can be used, as long as it is relevant to describe the identified human security threats. Glasius e.a. make a similar point considering the limitations of information gathering in authoritarian contexts (2018:64-66) Again, this is useful to observe the vulnerability of religious minorities, because standardized datasets that describe the specific human security threats to which they are vulnerable are not likely to exist. More often, as I demonstrate in the case studies, by putting together public information from various sources, legal analysis and anecdotal evidence such as interviews and news reports, a picture of the specific vulnerability of a determined religious minority can emerge. In this approach, the insights from the theoretical frameworks I presented in chapter 2 and the data collected through the RFATs I discussed in section 3.1 are far from irrelevant; they can all be used as input for the data collection process.

Owen proposes to apply existing methodologies for hazard identification and risk assessment – commonly referred to as ‘vulnerability assessments’ – as tools for the measurement of human security by borrowing again from geography (as will become clear in the following sections). The notion of hazard implies that threats are no longer interpreted in isolation, but in the framework of a specific societal context. The study of risk integrates a dynamic perspective, by its assessment of vulnerability, which is a combination of exposure to risk and lack of resilience (Cutter, Mitchell & Scott 2000:715-716). This is important for the establishment of causal relationships between different types of threats. The nature of these causal relationships does not have to be defined by a theoretical framework that must be applicable in different local contexts; instead, causal relationships between variables can be considered as dependent upon the particular context of a specific location.

A great number of vulnerability assessment tools (VATs) have been developed in recent years in different academic disciplines and policy fields. Originally, the focus of hazard identification research was on tracking environmental disasters (Barrows 1923; Cutter 1996; FAO 2003; Tresman 2004; UNISDR 2004). The application of this field progressively broadened from physical events to hazards caused by human actions, such as technological failure. Later, VATs have been applied to energy supply systems, transportation systems and communication systems (Makoka & Kaplan 2005). VATs are also used in the field of information technology, to assess the vulnerability of computer systems to security risks.

In a monograph about vulnerability in Cambodia, Owen applies this methodological approach to identify thirteen human security threats that affect the population in general, and then uses a Geographic Information System (GIS) to spatially reference these threats. In this thesis, I do not use GIS, but instead categorize human security threats by sphere of society and by degree of specificity. Also, I do not describe human security threats in general but focus on specific religious minorities. However, I maintain the focus on mapping human security threats in specific locations, following the recommendations to observe these threats at the local scale and the use of expert opinions as the primary method for data collection.

Although, VATs have not been applied to religious minorities, its approach is transposable to my research object. A new trend is the application of VATs to specific minorities, instead of the whole population living in a particular location. In fact, VATs have become increasingly popular instruments to provide comprehensive assessments of the vulnerability of groups of people for specific threats or risks:

“Analyzing the plight of vulnerable groups is part of standard poverty analysis, and much can be learned about them. In many instances though, a comprehensive analysis of vulnerable groups is not presented. Lack of data or other concerns are at the root of this. Vulnerability analysis intends to fill this gap by –in addition to dealing with risk exposure [...], focusing on vulnerable groups.” (Hoogeveen, Tesliuc, Vakis & Dercon 2004:6).

Increasingly, vulnerability assessments are following different approaches depending on “who and what is at risk”, adjusting the scale and unit of analysis: “choosing an appropriate approach for conducting a vulnerability assessment is important because each approach can reveal different vulnerability and identify different courses of action” (Alwang, Siegel & Jorgensen 2001). With the trend of broadening the application of VATs to minorities, it is only a small

step to apply VATs to religious minorities. I come back to operationalization matters in chapter 4.

3.3 The multidimensionality of religious freedom

In order to apply the human security perspective to assess the vulnerability of religious minorities, it is necessary to understand how religion expresses itself in society. I propose to use the concept of spheres of society, which I first present (3.3.1). I then make some comments about connections between key concepts of this dissertation (3.3.2) as well as a few comments on some discarded concepts (3.3.1).

*3.3.1 Spheres of society*⁸

A useful concept to gauge religious freedom is ‘sphere sovereignty’ (*soevereiniteit in eigen kring*), which effectively describes its multidimensionality. This concept was originally developed as a normative theological concept by Abraham Kuyper in 1880 and later expanded by Dooyeweerd (1935-1936). Sphere sovereignty refers to an ideal ordering principle of society, i.e. a structure of social institutions (spheres), each with a distinct nature, purpose and meaning such as the family, the church, the school, the government, etc. (see annex E). Key to the conceptualization of sphere sovereignty is the notion that whilst the societal spheres are interrelated, they are also separated. The concept implies the existence of normative boundaries between each sphere of society which must be observed.

The former implies that the relation between the spheres of society is not hierarchical, but functional. In this vision, the government sphere is a sphere among others, and must respect the autonomy of the other spheres. Each sphere has a specific internal organizational order, and unique relations of authority and obedience. In Kuyper’s thinking, the internal relations within each sphere derive their legitimacy from their own specific meaning and purpose, and therefore spheres have no legitimacy to intervene in other spheres. For example, the government sphere must not intervene in the church sphere, nor must the business sphere seek to exert influence on, say, the government sphere. Kuyper acknowledges that one sphere may intervene in another sphere under exceptional circumstances that justify or require such an intervention. For example, when children in a particular family are being abused, it is justified for the government sphere to intervene in the family sphere to ensure the protection of the children. However, these types of interventions must remain exceptional, and once this situation has been resolved, the authority structure that is specific to the concerned sphere must be restored (Rouvoet 1992).

The theological implications of the notion of sovereignty are not what interest us here but rather the notion of spheres of society. Petri & Visscher propose to use sphere sovereignty as an analytical category to gauge religious freedom, arguing that:

“[Approaching] religious freedom in terms of sphere sovereignty unveils the multidimensionality of religious freedom. Often, the analysis of religious freedom is limited to the legal aspects of it or to the degree of freedom in the church sphere. The proposed framework to assess religious freedom using

⁸ The following paragraphs are an edited excerpt from Petri D.P. & Visscher F. (2015). Revisiting Sphere Sovereignty to Interpret Restrictions on Religious Freedom. *Philosophia Reformata* 80(1): 99-122.

sphere sovereignty as a guiding principle is a way to overcome this reductive perspective of religious freedom. The respect of sphere sovereignty implies not only the autonomy of the church sphere, but also issues such as respect for parental rights in the family sphere, including the right of parents to raise their children according to their own beliefs, or the right to confessional education in the school sphere.” (Petri & Visscher 2015:106)

Beyond the principle of separation between church and state, religious freedom can thus be considered as restricted whenever religious expression is restricted in a sphere of society. As Buijs, Sunier & Versteeg note, the Kuyperian perspective embraces the plural religious order and departs consciously from the theocratic tendencies of the Calvinist tradition (2013). Sphere sovereignty constitutes a practical application of this vision, in which no religious worldviews can be imposed and religious expression, including of disagreement, cannot be muzzled, whether by the state, a particular church, or by any other social institution. Petri & Visscher suggest that restrictions on religious freedom can be reinterpreted as:

“any unjustified restriction on religious expression in any sphere of society.”
(2015:107)

Illegitimate interventions of one sphere in another, aiming at influencing, regulating or restricting religious expression can therefore be interpreted as restrictions on religious freedom. Generally, illegitimate restrictions of religious expression within any sphere can be considered as restrictions on religious expression. For example, Ssenyonjo advocates for “an approach that focuses more on the importance of legitimate justifications for interference” (2009:305) to settle disputes concerning freedom of religion in the education sphere.

Assessing and interpreting the vulnerability of religious minorities is complex, since many religious conflicts involve numerous variables. However, approaching this vulnerability in terms of ‘infringed sphere autonomy’ may bring some clarity into the debate. In many cases, religious freedom is being infringed upon when one sphere illegitimately seeks to intervene in another sphere. For example, in authoritarian regimes, religious freedom is often restricted when the government sphere illegitimately interferes in other spheres of society to regulate forms of religious expression it considers as a threat, or when religious expression is restricted within specific spheres of society.

3.3.2 Connections between key concepts

The different concepts I introduced in chapter 1 and in this chapter come together as the analytical parts of a comprehensive Religious Minorities Vulnerability Assessment Tool that I develop in the next chapter. The human security paradigm shifts the focus of analysis to individual security, within an open-ended and interdisciplinary approach, which makes it possible to observe the vulnerability of religious minorities to human security threats that would otherwise be overlooked or misjudged as I pointed out in my description of the initial observations for this research. In particular, the lens of human security allows making the religious minority the unit of analysis, instead of the state. It also allows taking pertinent elements into account such as the enforcement challenges of religious freedom provisions, the distinct reality of subnational areas with weak rule of law and weak state capacity and the role that is played by non-state actors.

The behavioral definition of religion makes it possible to define religious minorities in new ways, which in turn allows for a more precise observation of the factors of vulnerability of religious minorities. Specifically, it makes it possible to distinguish between vulnerability that results from religious identity and vulnerability that results from behavior inspired by religious convictions. The former is easily recognized by RFATs but is only a small part of the picture of religious freedom in the Latin American context. The latter is rarely understood in relation to religion (and as a religious freedom violation), because behavioral characteristics are not commonly used to define a religious minority. As a result (and perhaps also as its cause), the relation between the behavior of religious groups and their vulnerability to suffer human rights abuses is underexplored.

In fact, all human security threats to which religious minorities are vulnerable can be interpreted as restrictions on religious expression, based on a multidimensional understanding of religious freedom (as expressed in different spheres of society). As I argued, essential dimensions of religious freedom are not considered in traditional approaches of religious freedom, including through religious freedom assessment tools, which generally use a narrow definition of religion (ignoring behavioral aspects) and of religious freedom (focusing primarily on the church sphere – freedom of worship). Another practical use of the multidimensional understanding of religious freedom, in combination with the concept of sphere sovereignty, is that threats to religious minorities can be categorized by sphere of society. This makes it possible to distinguish the spheres of society that are affected by different types of human security threats, improving the understanding of the nature of the vulnerability of religious minorities.

The open-ended approach of human security allows to integrate religion as a factor among others of vulnerability, without requiring religion to be isolated as the single or most important explanatory factor for the religious aspects of the vulnerability to be considered. This connects to the determination of the degree of specificity of human security threats. The vulnerability to some threats may be specific to the religious minority; it may also share the vulnerability to other threats with non-religious groups, but that does not mean that the religious component of this vulnerability is irrelevant. On the contrary, it makes it possible to analyze the role that religion plays as a factor of vulnerability.

The vulnerability of a religious minority to human security threats can be mitigated by a set of coping mechanisms that make it more or less resilient. In line with the shift to the subjects of security that was introduced by human security, vulnerable religious minorities are not just victims, but actors with agency that have the capacity to engage the threats they face, i.e. to implement coping mechanisms to protect themselves.

In sum, the concepts of human security and vulnerability can be interpreted in relation to other analytical variables I described: religious identity and behavior, spheres of society, specificity and resilience. The use of this complex of variables provide a toolkit to observe essential dimensions of the position of religious minorities that complements and overcomes the shortcomings of traditional approaches to religious freedom.

3.3.3 Discarded concepts

In popular and academic literature two concepts are commonly used in relation to religion and religious freedom: ‘religious conflict’ and ‘religious persecution.’ Although I occasionally use

them in this research, for example to refer to the work of others who use these terms, they do not form part of my conceptual framework. As my primary aim is to assess the vulnerability of religious minorities, I am less interested in attaching qualifying labels to the human security threats I observe. Besides, both concepts are subject to an inflationary use, with no real consensus about their definitions.

The term ‘religious conflict’ is widely used in conflict literature, often with the prefix ‘ethno.’ As explained in chapter 2, although insights from conflict literature are helpful to interpret the vulnerability of religious minorities, the term ‘ethno-religious conflict’ is too specific for this research, because it only considers conflicts in which ethnicity and religion overlap, thus excluding conflicts where this is not the case, i.e. conflicts involving religion that are intra-ethnic or conflicts involving religion that are not related to identity but to behavior, as happens inside the Nasa indigenous community in Colombia (chapter 6).

Sometimes ‘religious conflict’ is understood exclusively to refer to conflicts between religions (Freston 2006; Garrard-Burnett 2006), which is also too restrictive for the purpose of this research because it excludes situations in which (non-religious) actors threaten religious minorities with no immediately apparent religious motive like, for example, the drug cartels in Mexico or the communist state in Cuba.

The term ‘religious persecution’ is commonly used by faith-based organizations and by some scholars specializing in religion. As can be observed, the definitions of persecution that are used vary widely, with some, like Grim & Finke (2011) practically equating persecution to physical violence and others using vaguer terms such as ‘hostility’ or ‘hardship.’ To be fair, some definitions are quite broad and include many of the aspects I described in my initial observations, but this is not always reflected in the RFATs that are developed based on these definitions. Moreover, no matter how broad the adopted definition of persecution is, it still lacks the holistic feature that characterizes the approach in terms of human security as I show.

A permanent source of confusion regarding the term persecution is the difference between the – deliberately narrow – legal definition of persecution (for example, Article 7 of the Rome Statute of the International Criminal Court defines persecution as a crime against humanity “when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack”) and the varying popular uses of the term. In addition, it is often implicitly assumed by the wider public that persecution necessarily involves physical violence, is state-sponsored or has a religious motive that deliberately targets religious groups for their religious identity.

By now, I have established that the vulnerability of religious minorities can involve human security threats that do not constitute physical violence. At any rate, ‘violence’ is a broad concept that includes not only physical violence but also non-material forms of violence including discrimination, social exclusion, psychological harm and deprivation. It also includes the concepts of “structural violence” (Galtung 1969) and “symbolic violence” (Bourdieu & Passeron 1970). In my initial observations, I have also established that religious conflicts can involve non-state actors and the actors of religious conflicts do not necessarily have religious motives.

The concept of persecution implies a certain intentionality of the act of persecution, which excludes forms of vulnerability that are caused by non-deliberate acts and circumstances. If intentionality is integral to the definition of persecution, issues such as the fact that the sole

presence in conflict areas can be a source of danger for any member of a religious community, are not considered. For this reason, my approach to the observation of the vulnerability of religious minorities is subject-oriented, rather than object-oriented. Moreover, the definitions of persecution by faith-based organizations often have theological connotations related to notions as ‘suffering’ and ‘martyrdom’, which can lead to confusion.

The terms ‘religious conflict’ and ‘religious persecution’ are therefore only useful in the framework of this research if they are defined broadly enough to include all forms of vulnerability of religious minorities and the multidimensionality of religious freedom. It makes more sense to discard these concepts and take the holistic approach of human security instead. In the human rights world, the term ‘religious freedom violations’ is favored. This is a useful concept, provided that the multidimensionality of religious freedom is fully taken into account, but it can also be too restrictive because at best it describes violations of one or more dimensions of religious freedom, but it does not take into account other types of human rights violations that may affect religious minorities.

3.4 Towards a new perspective

In this section I discussed the main innovations of the human security paradigm in relation to the observation of the vulnerability of religious minorities. I also discussed how the adoption of the human security perspective, thanks to its open-ended feature, can mend some of the shortcomings and blind spots of various theoretical frameworks and RFATs, provided it is complemented by an approach that assesses restrictions on religious freedom in different spheres of society. As indicated, existing frameworks have their value but they also risk clogging the observation, whereas the human security perspective provides a lens that allows for an open-minded observation, i.e. an observation of threats that is not constrained by theories, causal explanations, or laundry lists of indicators.

From a theoretical perspective, the application of the human security framework to the analysis of the vulnerability of religious minorities underlines its broad applicability (Glasius & Kaldor 2006). In order to operationalize human security to assess the vulnerability of religious minorities, I proposed to adopt the VAT methodology. Human security offers the flexibility that is needed to observe all risks that threaten the human dignity of religious minorities. Gaining from human security, in the next chapter I propose a new tool, the Religious Minorities Vulnerability Assessment Tool (RM-VAT).

