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"Iraq's constitution, a failure for the U.S."

Preeta Bansal of the United States Commission on International Religious Freedom advises President George Bush on foreign policy in relation to religion. Formerly Special Counsel to the White House and Solicitor General of New York State, Ms. Bansal oversaw the drafting of the Iraq constitution. She helped prevent India from being listed by the State Department as a Country of Particular Concern in 2004, two years after the Gujarat riots. Sujata Srinivasan, a U.S.-based journalist, interviewed Ms. Bansal in New York on her role as a Presidential advisor in an age of religion-fuelled politics.



**Preeta Bansal: "It is important to spread awareness that human rights is not un-Islamic."
— Photo: Special Arrangement**

Religion drives politics in many regions of the world today. How should government integrate religion and policies?

Religion is increasingly becoming an identity marker for much of the world's population. Any country's foreign policy ignores religion at its peril. For many years, U.S. foreign policy did not expressly take religion into account. We were caught flat-footed by the Iranian revolution and by so much of religion-motivated conflict worldwide. In the late eighties, the U.S. realised that we may not define ourselves along a particular sectarian line, but much of the world's

population does.

In 1998, the legislature passed the International Religious Freedom Act that created our bipartisan commission. We're the only agency in any government charged with promoting religious freedom worldwide. I've been very careful in talking about religious freedom as the freedom of thought, conscience and belief. It's as much the freedom to believe as not to believe. It's the freedom to deflect from state-imposed orthodoxy.

Promoting this worldwide is essential if voices of moderation and pluralism are to emerge in certain parts of the world.

Your commission oversaw the drafting of the Iraq constitution. Yet the final draft is chilling in that it identifies Islam as the basic source of legislation.

The final draft is an incredible blow. We've spoken to President Bush about our concerns. When we met Iraqi officials a few months ago, nobody knew who'd be drafting the constitution and where the ultimate pressure points will be. Our biggest fear was that Iraq would end up with an Iran-like theocracy. That's exactly what's happened. The constitution is a very big failure in U.S. foreign policy. All we can hope is to create public awareness before the referendum on October 15.

The U.S. made headway in the Transitional Administrative Law stage. What happened?

We were very successful at the TAL stage. Then the response we got from U.S. officials was that Iraqis must write their own constitution since the U.S. doesn't view itself as a colonial power.

Our commission was hoping that the administration would be more hands-on in making sure that democracy will be able to function in Iraq.

But they didn't do that. They might not have felt they had the ability — you have so many factions within Iraq.

President Bush has said the Iraq constitution is a great success...

He said that about Afghanistan too, which was also a huge failure constitution-wise. There is an interest in declaring victory...

How does one address growing Islamic fundamentalism?

We published the first comparative study on constitutions in Muslim countries this year and found that many had human rights guarantees that compared favourably with international standards. It's important to spread awareness that human rights is not un-Islamic, and get us out of this cultural relativism that makes everybody shut down when you talk about these issues.

Based on your commission's recommendations, Saudi Arabia and China, top economic partners of the U.S., are blacklisted as CPC (countries of particular concern).

Secretary [of State Condoleezza] Rice and President Bush have made religious freedom an issue

for China, like they did with Saudi Arabia. During a recent trip to China, our commission discussed Tibet as well as Muslim minorities and Christian house churches. But it is unlikely China will turn around right away and say their communist policy towards religion is wrong. In places like Sudan, our recommendations have made a difference.

Your commission recommended the denial of diplomatic visa to Narendra Modi in January.

I got emails wishing my family dead. Inviting Narendra Modi reflected very poorly on Indian Americans and Hindu Americans. It was completely misplaced nationalism. Modi is not my model of a Hindu. Hinduism is a pluralistic religion and this is a man associated with mass slaughter. India values religious freedom and I've supported excluding India from the CPC list last year. By the same token, I believe we should continue to condemn the Gujarat incident. You can be a good Hindu American and condemn Modi. That's what good Hindus should do.

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