

Republican Perspective
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The Shameful, Un-American Religious Test

The Islamic State (ISIS) seeks to rule Muslims, but it seeks to eradicate Christians. Christians who fall under ISIS control are forced to convert to Islam or die. They are beheaded or crucified. Children are not exempt.

In the wake of the attacks in Paris, Jeb Bush and Ted Cruz, among others, suggested that asylum preference among the refugees should be given to the most vulnerable---the Christians.

In response to this suggestion, President Obama offered this: "When I hear political leaders suggesting that there would be a religious test for which a person who's fleeing a war-torn country is admitted, when some of those folks themselves come from families who benefited from protection when they were fleeing political persecution---that's shameful. That's not American. That's not who we are. We don't have religious tests to our compassion."

Really? Either the President (who taught Constitutional law) is unaware of the controlling federal law or he chooses to ignore it, as he does other laws with which he disagrees.

Our government---specifically *the President's* branch of government---is expressly required to take religion into account in making asylum determinations. The controlling law is Section 1158 of Title 8, U.S. Code. It says that an applicant "must establish that...religion [among other things]...was or will be at least one central reason for persecuting the applicant."

Also, to qualify for asylum the applicant must be a refugee. Section 1101 of Title 8 defines "refugee" as a person "who is unable or unwilling to return to...that country because of persecution or a well-founded fear of persecution on account of...[among other things] religion..."

But if the President is ignorant of the law, the State Department is not. Knox Thames, the State Department's Special Advisor for Religious Minorities wrote "Due to the unique needs of vulnerable religious minority communities, the State Department has prioritized the resettlement of Syrian Christian refugees and other religious minorities fleeing the conflict."

Our President's mind occupies a strange and contorted world. He does not see jihadis as Islamic---in fact he does not even see the Islamic State as Islamic. In a prime time address to the Nation on September 10, 2014, he created a stir by uttering "ISIL is not Islamic. No religion condones the killing of innocents..."

Even though the law requires it, the President vehemently opposes a "religious test," and he vilifies those who condone it. Given his track record of defying the law either by simply ignoring it or by executive order, the Syrian Christian asylum seekers---whose situation is dire---may be placed in additional jeopardy.

The President has certainly signaled his intention by calling those who advocate following the law "shameful" and "not American." And by saying "We don't have religious tests to our compassion."