

Assessing the Impact of Religious Registration

ROGER FINKE 
Department of Sociology and Criminology
Pennsylvania State University

DANE R MATAIC 
Department of Sociology and Criminology
Pennsylvania State University

JONATHAN FOX
Department of Political Science
Bar-Ilan University

Religious groups often rely on a registration process to receive the legal status needed to operate openly. Yet, the registration process has become a recent source of controversy. This research uses case studies, trend data from three global collections, and fixed effects models using 19 waves of data to test for the consequences of introducing registration requirements within a nation. The case studies help us to understand the controversies and to identify how registration requirements have been used to increase restrictions on religions in the past, while the trend data document the increasing use of these requirements for discriminating against religions. Finally, the fixed effects models find that introducing registration requirements within a nation was followed by increased religious restrictions, especially for minority religions.

Keywords: *religious freedom, religion and state, religious discrimination.*

INTRODUCTION

Many organizations rely on legal recognition from the state to operate and religious organizations are no exception. Legal status is typically required for basic operations, including the ownership or renting of property, the employment of staffs and entering contracts, the paying or not paying of taxes, and the operation of educational, health-care- and humanitarian institutions, as well as public worship and a long list of public practices associated with religious organizations. As a result, obtaining this legal recognition is both practical and vital. Without this status, religious organizations are restricted in how, where, and if they can operate. In short, gaining a legal entity status is typically required for the long-term growth and survival of any religion (Durham 2004).

How this legal status is awarded, however, has been a recent source of controversy. A growing number of nations are relying on some form of a registration system, but the criteria required, the methods used for granting approvals, and the privileges awarded to this legal status vary widely from one country to the next. Despite being at the center of many of the recent religion and state controversies, the relationship between religious registration requirements and religious freedom is still poorly understood.

The following research explores this relationship in greater detail, offering both descriptive overviews and trends as well as testing the impact of implementing registration requirements within a country. First, building on previous research and theory we lay the groundwork for

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Correspondence should be addressed to Roger Finke, Department of Sociology and Criminology, Pennsylvania State University, 211 Oswald Tower, University Park, PA 16802. E-mail: rfinke@psu.edu

explaining how and why registration is used as a mechanism for reducing religious freedom. We propose that states often hold strong motives for restricting religions and that registration requirements offer an effective avenue for monitoring and controlling religious groups. Second, we review a few of the most prominent, well-documented, and frequently cited cases where registration practices have been associated with reduced religious freedoms. These reviews illustrate how the registration process can contribute to the denial of freedoms for some or all religions. Third, moving beyond the high-profile cases and using data for virtually all countries and from multiple data collections, we document the increased use of religious registration and the increase in discrimination associated with this requirement from 1990 to 2012. Finally, using longitudinal data and fixed effects models we find that the introduction of religious registration increases restrictions on all religions in a nation, with the increases being especially sharp for the minority religions.

REGISTRATION AS A MECHANISM FOR REDUCING FREEDOM

Previous research has established that the state holds many motives for restricting religions. Relying on his most recent Religion and State data collection, Fox (2016:33–57) identifies a long list of motives for religious discrimination, including religious ideology, the desire to maintain a religious monopoly, nationalism, objections to the practices of religious minorities, overlap between religion and ethnic conflict, and the perception of religious minorities as a security or political threat. While these types of motivations and considerations would seem to be ones that ought to be common primarily in nondemocratic countries, he found that they are, in fact, also common in democracies (Fox 2015).¹

These motives are similar to those identified by a growing group of scholars using religious economy models (see Finke and Martin 2014; Gill 2008; Grim and Finke 2011; Koesel 2014; Yang 2012). They explain that when the state forms an alliance with a dominant religion(s), the state faces strong pressure from the religion to curtail the activities of unwanted competitors and the established religion(s) faces increased demands from the state. But even when these alliances collapse, or are never formed, the state and the dominant religions still hold motives for restricting religious groups that offer competing religious, political, or cultural alternatives, or groups that represent a foreign influence. Because religious groups often form strong institutional bases and have proven effective at mobilizing political and social support, they are viewed as a threat to the state. A growing body of research on state security suggests that when a group is perceived as an existential threat, responses to these groups can be lifted from normal politics in an effort to address the threat.²

When this research and theory is applied to religious registration, registration is viewed as a tool of the state that can be withheld, revoked, or used to control the operations of religious organizations and can be administered with a wide range of discretion (Gill 2008:13–15; Grim and Finke 2011:36–40; Koesel 2014:18–21, 64). Even when registration is granted, the requirements can increase costs and withhold rewards for select groups. Baradaran-Robison et al. (2005:896–97) explain that “states have raised the burden of competing in some countries through registration requirements” and they note that arguments in favor of economic and religious protectionism are similar. This is particularly true when the restricted religions are perceived as foreign. Dominant religions, it is argued, increase social stability by legitimizing the state and often preserving a national identity and culture, while minority religions can disrupt stability or even threaten national security through deviant behavior and political activity. The

¹Flere (2010:101–08), for example, documents the many Western countries requiring religions to register.

²See Buzan et al. (1998:23–33) for a discussion on the relationship between perceived threat and what they define as securitization.

registration requirements also are promoted as protections against “fraud and unscrupulous promoters” such as “cults” and other religions that are charged with engaging in “fraud and deception” (Baradaran-Robison et al. 2005:901–25).

Because the registration process is often the gatekeeper for religious groups securing a legal entity status, and because obtaining this status is often essential for the operation of religious organizations, recent religious freedom controversies have often centered on registration issues. Indeed, a series of recent historical events have highlighted how the registration process can be entangled in debates over religious freedoms and the treatment of minority religions. In her 2005 annual report, the U.N. Special Rapporteur on Freedom of Religion and Belief, Asma Jahangir, stated that “registration appeared often to be used as a means to limit the right of freedom of religion or belief of members of certain religious communities” (2005:17). She offered similar assessments in reports that followed (Special Rapporteur on Freedom of Religion or Belief 2011).

When reviewing sources of religious repression, Sarkissian (2015:34) found that registration requirements are a common method for repressing minority religions because they constitute “a less obvious way of restricting religious groups than banning or otherwise making them illegal.” She goes on to explain that “because such requirements have the veneer of following the rule of law they can be manipulated to target specific groups.” Moreover, Sarkissian and others find that even when registration is granted, the requirements for maintaining registration are often onerous and are applied differentially to minority religions (see also Koesel 2014:64–65). However, Sarkissian focuses only on repression in nondemocracies and does not systematically analyze the impact of registration on other religious restrictions.

On the surface, asking religions to register with the state is a seemingly benign and harmless practice and, in many states, the process is relatively simple and few applications are denied. When reviewing large quantitative collections on religion and state relations, Fox (2015:97, 141, 148) and Grim and Finke (2011:36–39) find that registration requirements can be benign or repressive depending upon how they are applied (see also Kolbe and Henne 2014). They note that the requirements can represent a government recognition that religious organizations are different from other types of nonprofit organizations and require a routine registration; or, they can be used to bestow tangible benefits to some religions and increased restrictions on others. Indeed, they find that some countries use registration requirements to effectively bar all new religions. In Egypt, for example, “non-registered religious organizations are illegal and members of such religions are subject to detention, prosecution, and jail.” But no group has successfully registered since 1990 (Fox 2015:148).

Despite the apparent relationship between religious registration and reduced religious freedoms, however, few studies deal with the issue directly or in detail and none provide a systematic quantitative analysis of the relationship between registration and limits on religious freedom. Most deal with the issue of registration in passing and when registration is discussed there is a tendency to focus on nondemocratic states even though religious registration laws are also common in democracies. This research utilizes case studies, longitudinal data, and fixed effects models to understand the relationship, chart the trends over time, and test the causal ordering between registration and religious freedoms within countries. We test the hypotheses that the introduction of religious registration requirements will increase the level of discriminatory restrictions placed on religions.

Finally, the fixed effects models will include a series of measures that offer competing or related explanations. The religious economy models, for example, suggest that increased state support often comes with a price of increased demands and regulations. Therefore, we test for the consequences of increased state funding for religion. Recent studies have found that democratic governance measures, such as independent judiciary and open elections, are associated with reduced restrictions on religion (Finke and Martin 2014; Finke, Martin, and Fox 2017). Rather than testing the relationship between democratic governance measures and religious restrictions, as past studies have done, we test if the implementation of these democratic measures is followed

by reduced restrictions. In addition, we also control for the religious, demographic, and economic context of the nation, including controls for religious diversity and the percentage of the population that is Muslim.

EXPLORING THE REGISTRATION PROCESS IN FIVE COUNTRIES

We begin by taking a closer look at the process of religious registration in five countries. Drawing on countries from multiple regions of the globe and with different dominant religions, we try to understand how and why religious registration often is associated with controversies over religious freedoms.

Russia

Russia offers an example of how the registration process can be used to curb or attempt to eliminate the activities of select religions. After Russia abandoned the official Soviet ideology of scientific atheism and passed legislation guaranteeing that all religions were equal before the law in 1990, the door was opened for a host of new religious groups, including a flood of evangelical and Pentecostal Christian groups. But as the new groups' audience and membership rapidly grew, support for allowing virtually all groups to register began to wane (Froese 2008; Koesel 2014; Sarkissian 2015; Shterin and Richardson 2000; Wanner 2004).³

In 1997, the Russian Parliament passed a complex and ambiguous law "On Freedom of Conscience and Associations" by a vote of 358 to 6. Religious groups were now divided into traditional religious organizations (*religioznaia organizatsiia*) and nontraditional religious groups (*religioznaia gruppy*), with the nontraditional groups receiving far fewer legal privileges and facing the requirement of an annual registration. Along with being cumbersome and time consuming, this registration procedure proved highly restrictive. The requirement that groups must exist in a community for 15 years before they can qualify for registration quickly disqualified the rapidly growing new groups. Plus, many regional authorities within Russia passed even harsher legislation against the "new" sects and stricter requirements for registration (Froese 2008; Koesel 2014; Wanner 2004). The unregistered groups were denied the rights to open a bank account, own property, issue invitations to foreign guests, publish literature, or receive tax benefits, and they faced restrictions on where worship services could be held. Even after receiving approval, the nontraditional groups were granted few privileges beyond conducting religious rites and religious education on the property designated for their group (Fagan 2013).

When a 1999 amendment to the 1997 law required all groups to reregister or be dissolved, the Ministry of Justice dissolved approximately 980 groups by May 2002.⁴ Following the 1997 law and the 1999 amendment, Muslims, Jehovah's Witnesses, Salvation Army, Church of Scientology, Seventh-Day Adventists, Mormons, Pentecostals, and Catholic monastic orders all faced extensive challenges, with several requiring court action to avoid "liquidation." Even a successful re-registration, however, was no guarantee that it would not be revoked in selected locations. After multiple attempts, the Jehovah's Witnesses were reregistered, but in 2004 the Moscow Golovinskiy Intermunicipal District Court found Jehovah's Witnesses a "threat to society" and revoked their registration in Moscow. Not only did this ban their activities in Moscow, it also resulted in landlords across Russia revoking rental agreements with Witnesses.

³For evidence on the growing interest in religion during the early 1990s, see Greeley (1994, 2002).

⁴The Ministry of Justice claimed that all dissolved groups were defunct, but members of the groups claimed otherwise in the *International Religious Freedom Report* (U.S. Department of State 2006).

In recent years, the most promising sign for change to Russia's registration policies has come from the rulings of the European Court of Human Rights.⁵ In a series of unanimous decisions, the Court ruled in favor of many groups denied reregistration (Richardson 2015). Yet, questions remain on how effectively these rulings will be implemented at the local level and the level of commitment at the national level. A law passed in July 2016 banning all evangelizing outside of registered places of worship raised concerns that changes will be slow (Shelnett 2016).

France

Whereas Russia used the requirement of registration as a tool for curbing the activities of targeted groups, the registration process is voluntary in France. Yet, groups that fail to register do not qualify for tax-exempt status and they do not hold official recognition by the state. It is difficult for a group to operate without being registered because it is not allowed to use or rent public buildings, open checking accounts, publicize events, or complete many other routine organizational activities.

The government offers two main options for registering with the local prefecture. The first is used by a wide range of cultural associations (e.g., music, sports, etc.) and is not tax exempt. The second option is for worship associations, is tax exempt, and is strictly for worship and spiritual instruction. Religious groups have the option of applying for both of these options, and frequently do. Yet, even when these two registrations are approved, religious organizations are limited in the activities they can openly sponsor. A third registration option, *utilité publique*, allows religious groups to engage in humanitarian aid (U.S. Department of State 2013). This option, however, is far more difficult to receive and most religious groups do not hold this status.⁶

The recent history of France is filled with debates over which religious groups should be allowed to register or even exist (Kuru 2009; Palmer 2011). After members of the religious group Order of the Solar Temple committed mass suicide in 1994, strong anti-cult movements arose within France and the National Assembly quickly appointed a commission headed by Alain Gest to address the perceived dangers. The Gest Commission's 1995 report failed to offer a definition for sects, but it was clear about the 173 sects it considered dangerous. The list included the third largest Christian group in France—Jehovah's Witnesses—as well as Soka Gakkai, Scientologists, and multiple evangelical, Adventist, and Pentecostal groups (Gest and Guyard 1995). Although the criteria for defining dangerous sects remained vague, and official use of the list of 173 groups was eventually dropped, the desire to regulate them remained. Indeed, the 2001 About-Picard law placed increased restrictions on "cult-like movements" and eased the process for dissolving such groups (Duvert 2004; Jahangir 2007). Despite simplifying the requirements in 2010, the laws and rulings related to registration continue to change frequently.

Along with the vague and frequently changing standards for what constitutes an appropriate religion, the process for approval also contributes uncertainties for religions registering. Approvals for registration are conducted by a local prefecture and the local officers have substantial discretion in who is approved. The 2001 *International Religious Freedom Report* on France stated bluntly that "[l]ocal authorities often determine the treatment of religious minorities." The threat of local prefectures violating religious freedoms also was recognized by the U.N.'s Special Rapporteur on Freedom of Religion. In her 2007 report, Asma Jahangir called for the state to be more vigilant in monitoring state-sponsored agencies and activities that threatened to violate religious freedoms.

⁵Following the collapse of the Soviet Union, many Central and Eastern European nations joined the Council of Europe, placing them under the watch of the European Court of Human Rights (Richardson 2015).

⁶Although vague about the registration status being discussed, the 2005 *International Religious Freedom Report* (U.S. Department of State 2005) on France stated that the Ministry of the Interior reported that only 109 of 1,138 Protestant associations, 15 of 147 Jewish associations, and approximately 30 of 1,050 Muslim associations were granted this status in 2005.

Once again, the European Court of Human Rights provided support for minority religions, ruling in 2011 that the tax authorities of France were attempting to bankrupt the Jehovah's Witnesses and other minority religions by requiring undue tax payments for contributions to their congregations. Wright and Palmer (2016:224) caution, however, that the Jehovah's Witnesses are one of the few groups that "have the resources needed to wage costly legal battles" in international courts. Moreover, the registration practices reviewed above, including the vague and ever changing requirements, continue to be practiced at the local level and supported by national agencies.

The case of France illustrates that even when registration is not a formal requirement it can be a practical necessity and can remain a powerful influence on how and if groups can operate.

China

In China the registration process is clearly used as a mechanism for government control. As reviewed in detail by Fenggang Yang (2012:85ff), the relationships religions hold with the government roughly fall into three categories: the five patriotic association groups *officially registered* with the government (red market), the underground religious groups *officially banned* by the government (black market), and a large group of religious organizations and practices with an *"ambiguous legal status* (gray market)." The officially registered groups are granted government approval and the freedom of public worship, but they face sharply increased government regulations and monitoring. In contrast, the unregistered groups avoid the restrictions of the registration process, but they operate without any legal recognition and the officially banned religions incur the additional costs of concealing their activities to avoid punishments and forced closure from the state. The most well-known example is Falun Gong. When 10,000 Falun Gong adherents surrounded a Beijing leadership compound in a silent protest on April 25, 1999, the government response was swift and far reaching. By February 2000, the movement was labeled as an "evil cult" and an estimated "35,000 practitioners had been detained, 300 jailed, 5,000 sent to labor camps, and 50 committed to mental hospitals" (Richardson and Edelman 2004:368).

The five patriotic association groups approved by the government are required to register with multiple state agencies, such as the State Administration for Religious Affairs, the United Front Work Department, the Ministry of Civil Affairs, and the Public Security Bureau. However, the procedures for registering and the policies on what constitutes a "normal" religion are noticeably vague (Koesel 2014:48). Once registered, religious groups must continue to meet requirements, gain additional approvals, be open to inspections, and demonstrate support for the Communist Party. Even the content of the teachings is monitored, with a Protestant pastor reporting that the "Religious Affairs Bureau has given me hints against preaching or teaching on topics like the doomsday, the final judgment, and the creation of the world" (Huang and Yang 2005:51). The level of monitoring and the tolerance for policy violations, however, varies by the demands of the local agencies and by the level of religious tension at the national level. Sometimes, local officials overlook violations and conduct little monitoring; other times, the regulations of the state are strictly enforced.

Whereas registered groups are confined to fixed locations where they can more easily be monitored, the unregistered groups are frequently moving even when they are not banned by the state. Seldom permitted to own or rent property and often attempting to avoid the attention of the state, many are forced to relocate on a regular basis. Moreover, charity groups affiliated with these groups are not allowed to raise funds, hire employees, open bank accounts, or own property (U.S. Department of State 2013). Once again, the levels of restrictions placed on these groups and the state's attempts to curb their activities vary over time and by location. Some unregistered groups are openly tolerated or even tacitly approved by local authorities; others are forcibly shut down. All of the groups, however, know that tolerance is tentative.

Azerbaijan

Azerbaijan is one of several former members of the Soviet Union that holds high registration requirements for religions. Despite constitutional promises that “[a]ll religions are equal before the law” and assurances from President Ilham Aliyev in 2012 that “[f]reedom of religion, freedom of conscience have been fully established in Azerbaijan,” the registration process has proven far more restrictive for groups defined as nontraditional.⁷ *International Religious Freedom Reports*, Forum 18 News Service, Human Rights Without Frontiers, and other human rights organizations have documented a long list of religious groups that have been denied registration. “Non-traditional Muslims,” Shia Muslims, and groups considered foreign, such as the Baptists, Jehovah’s Witnesses, Baha’i, and Seventh-Day Adventists, face the most resistance, but even Muslim groups that are members of the state-backed Caucasian Muslim Board have had their registrations revoked.

Administered by the State Committee on Work with Religious Associations (SCWRA), the registration process uses many avenues for blocking and revoking registrations. Because the requirements are complex, vague, and sometimes contradictory, the SCWRA has broad discretion in how the standards are applied.⁸ When the European Court of Human Rights ruled on the case of *Islam-Ittihad Association v. Azerbaijan* on November 13, 2014 it noted that the “lack of any definition of the term ‘religious activity’ made it impossible for the applicants to foresee what constituted ‘religious activity’.” The ruling further noted that “domestic authorities were thus given an unlimited discretionary power in that sphere.”⁹ When this administrative discretion is combined with a Law on Religious Freedom that has been amended 14 times between 1992 and 2014, there are few clear standards for how registration can be ensured.

Along with being complex, vague, and ever changing, the registration process requires ongoing approval at multiple levels and for multiple activities. Even when approved, groups face an ongoing scrutiny for retaining approval and must be cautious about the activities they support, the publications used, and the contacts they hold with groups outside of Azerbaijan. If registrations are revoked, the groups are forced to disband and in some cases their worship centers are demolished.¹⁰

Although the registration decisions of the SCWRA can be appealed to the state’s courts, success has been limited. Wary of corruption in the court system and fearing that it will result in increased attention from police, most groups avoid this option even when registration has been unjustly denied. Indeed, the SCWRA often turns to the local courts to suspend a religious group’s activities. Even when groups are successful in their appeals to an international court, it often comes at a great cost and offers few assurances of sustained protections. For example, the Islam-Ittihad Association’s victory in the European Court of Human Rights mentioned above took 11 years. In the case of Azerbaijan, the registration process denies some groups the legal right to exist and serves to control and monitor the activities of all others.

⁷For a review of the Azerbaijan constitutional articles on religion, go to the ARDA.com: http://www.thearda.com/internationalData/countries/Country_16_6.asp. President Ilham Aliyev’s quote is taken from Forum 18’s April 17, 2012 report “Azerbaijan: Religious Freedom Survey”: http://www.forum18.org/archive.php?article_id=1690

⁸See the series of articles in *Human Rights Without Frontiers*, 2009. http://www.hrwf.net/index.php?option=com_content&view=article&id=179:news-2009&catid=38:freedom-of-religion-and-belief&Itemid=90

⁹European Court of Human Rights, Case of *Islam-Ittihad Association v. Azerbaijan*, November 13, 2014, [http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-147866#\[“itemid”:\[“001-147866”\]\]](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-147866#[“itemid”:[“001-147866”]])

¹⁰Forum 18 offers a long list of examples: <http://www.forum18.org/archive.php?country=23>.

Austria

While Austria does not significantly limit most nonregistered religions except perhaps for a few small sects the country considers dangerous,¹¹ those religions that do register receive considerable benefits. Austria has a hierarchical system of recognizing religious groups: religious societies, confessional communities, and legal associations as defined in the 1998 Federal Law on the Legal Status of Religious Confessional Communities. Groups applying to be recognized as religious societies are required to represent a minimum of .2 percent of the population (approximately 16,000 individuals) and to have existed for 20 years, at least 10 of which were as a confessional society. Religious societies receive government funding through a state religious taxation program, offer religious education in public schools, and are exempt from property taxes. Confessional communities can be recognized only if they have at least 300 members and differ significantly from previously recognized religious societies and confessional communities. This is particularly important as it limits the ability of sects to break away from an existing religion. Confessional communities receive few benefits other than legal recognition. In particular, they may not teach religion in public schools, receive no government funds and are not exempt from property tax. Groups not qualifying as religious societies or confessional communities may apply for status as legal associations, which have similar rights as confessional communities but are not officially conserved religious bodies and cannot convert their status to that of a religious society (Miner 1998).¹²

While the Austria case is different from the others discussed here in that it does not generally restrict nonregistered minorities, it demonstrates the significance of differential benefits. Religious societies have considerable benefits denied to other religions in Austria. We argue below that these types of benefits or their denial can significantly impact the health of a religion in a country. This case is also important because it is representative of a less discussed but common type of policy in democratic countries.

Registration and Denying Freedoms

These high-profile cases identify several ways that the registration process can be used for denying freedoms. The first and most obvious is that registration can be limited to only select groups, denying or restricting the legal entity status of all others. Second, the criteria used for groups obtaining legal status are often complex, vague, and ill-defined, granting the bureaus and agencies registering religions broad discretionary powers. This allows state agencies to effectively block select religious groups or greatly inhibit their ability to survive. Third, the approvals for registrations are often granted by local authorities who are swayed by the social and religious pressures of their local area. Indeed, some have concluded that local administrative action rather than national legislation often is the greater deterrent to religions meeting registration requirements (Podoprigora 2004). Fourth, the broad discretionary powers and local influences result in religious minorities facing far greater challenges in meeting registration requirements, a problem that is sharply accentuated when there is a lack of legal recourse for the minorities (Finke and Martin 2014; Finke, Martin, and Fox 2017). Finally, though attention is often focused on how registration increases the operating costs of religions, it also hampers the group by withholding rewards. Whether they are legal rights, financial incentives, or cultural legitimacy,

¹¹U.S. Commission on International Religious Freedom *Western Europe 2014 Annual Report* <http://www.uscifr.gov/sites/default/files/Western%20Europe%202014.pdf>

¹²Federal Law of Austria Concerning the Legal Status of Religious Belief Communities viewed on Religion and Law Research Consortium online at <http://www.religlaw.org/common/document.view.php?docId=427> (in German); http://host.uniroma3.it/progetti/cedir/cedir/Lex-doc/At_1-98.pdf (in English); U.S. Department of State, *International Religious Freedom Report for 2013*. <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

failure to receive a favored registration status can deter the growth or even survival of a group. Yet, questions still remain on how extensive these registration requirements are across the globe, if they are increasing, and how they are related to religious freedom more generally.

PATTERNS AND TRENDS IN REGISTRATION

Since 2000, three major data collections on religion and state relations have been completed: the Religion and State Project at Bar Ilan University, the Pew Research Center, and the Association of Religion Data Archives (www.theARDA.com) at the Pennsylvania State University. Although the collections vary in the sources used and the specific topics measured, their religious freedom measures are highly correlated and have produced very similar results (Finke and Martin 2014; Grim and Finke 2011). The Religion and State collection offers the most detailed collection of measures and covers the widest span of time, with annual measures from 1990 to 2008. This collection was based on the coding of summary reports that used information from human rights reports and academic resources, as well as news media sources such as the Lexis/Nexis database. The Pew Research Center collection also relied on a wide range of sources and conducted annual collections from 2007 to 2012. Finally, the ARDA collection relied entirely on information from the State Department's *International Religious Freedom Reports* and was conducted in 2001, 2003, 2005, and 2008. We will use each of these collections, both to offer a wider range of measures and to replicate findings when they measure the same topics.¹³

Table 1 offers a summary measure from each of the three collections. Although the wording of the responses and the years data were collected varied, from 2005 to 2008 they all asked if there was “no” registration process. The level of agreement was very high. Each found that during this window of time, 16 percent to 19 percent made no formal requests for registration, with approximately 80 percent requesting registration.¹⁴ The remaining responses differed in how they were worded, yet similarities emerged. Whereas, the Religion and State collection initially appears to differ from the Pew collection on the percentage of countries that discriminate against unregistered groups (19 percent vs. 32 percent), they are in remarkably close agreement on groups that might face adverse consequences from the registration process, such as the loss of status as a legal entity. When the final two response categories are added for each measure, they agree that religious groups might face adverse consequences in 47–51 percent of the countries.

The requirements of the registration process also appear to be increasing. As shown in Table 2, the requirements of a minimum number of members, a waiting period, submitting doctrines, registering at two levels, and higher requirements for religious minorities all increased between 1990 and 2008. The table also shows that the majority of countries have a registration process that is different for religious groups than for other nonprofits and this percentage is increasing, from 55 to 63 percent. In a summary table not shown (see Appendix A), we also found that none of the global regions were exempt from using registration to selectively target minority religions or religion more generally, but that registration is most frequently required and most frequently denied by former members of the Soviet Union and by nations in the Middle East/North Africa region. Clearly, the regional location, the majority religion, and the governance used in a nation hold an association with the registration process being used as a tool of discrimination.

¹³For more information, go to Fox (2008, 2015) for the Religion and State collection, the Pew Research Center (2014) for its collection, and Grim and Finke (2006, 2011) for the ARDA collection.

¹⁴As illustrated earlier by the example of France, there is often a fine line between requiring and requesting groups to register. The Religion and State question used the word “requirement,” the Pew Research Center’s phrase was “ask groups to register for any reason.” This minor difference in wording might explain the difference (16 vs. 20) in the percentage not requesting groups to register.

Table 1: Level of religious registration requirements and government discrimination, 1990–2008

Religion and State	1990	2008
Impact of Registration	<i>N</i> = 116	<i>N</i> = 155
No registration requirement	28%	19%
Registration is not required, but is allowed or encouraged and may include benefits	32%	34%
Officially required to register; unregistered are not restricted, but may be denied status as a legal entity	26%	28%
Government enforces registration requirements and discriminates against unregistered groups	15%	19%
Pew Research Center	2007	2012
<i>Ask groups to register for any reason, including tax benefits</i>	<i>N</i> = 155	<i>N</i> = 155
No	15%	10%
Yes, but in a nondiscriminatory way	34%	32%
Yes, and adversely affects some religions	19%	13%
Yes, and the process clearly discriminates against some religions	32%	45%
ARDA	2005	
<i>... does the government require religions to register for any reason?</i>	<i>N</i> = 152	
No	16%	
Yes, but in a nondiscriminatory way	45%	
Yes, in a discriminatory way	39%	

Nevertheless, it is equally clear that they are neither necessary nor sufficient for explaining how the registration process is used.

The most consistent and dramatic findings of Tables 1 and 2 are the increasing percentage of countries requesting groups to register, the increased requirements for securing registration, and the increasing percentages openly discriminating against unregistered groups. The Religion and State collection found that governments discriminating against unregistered groups increased from 15 to 19 percent between 1990 and 2008. Between 2007 and 2012, the Pew Research Center reported an even more rapid increase. It found that whereas “the [registration] process clearly discriminates against some religions” in 32 percent of the countries in 2007, it jumped to 45 percent in 2012. Moving to the other end of the responses, it is equally clear that the number of countries with “no” registration requirement is falling sharply. Whereas the RAS collection found that 28 percent of the countries had no registration requirement in 1990, the Pew collection found that the percentage had dropped to 10 percent in 2012.

So, what are the consequences of this increased use of religious registration? Is the implementation of registration requirements followed by increased restrictions and decreased religious freedoms? We address this question with fixed effects models that use data from 1990 to 2008 to assess within-country changes that occur over time.

Table 2: Requirements and actions of the registration process, 1990 and 2008

Religion and State	1990	2008
<i>The registration process requires . . .</i>	<i>N = 116</i>	<i>N = 155</i>
A minimum number of community members	16%	32%
A waiting period, or religions must be present in a country for a certain amount of time	8%	10%
The submission of the religion's doctrine	13%	18%
Groups to register both nationally and locally in order to operate legally	5%	9%
Minority religions (as opposed to all religions) to register in order to be legal or receive special tax status	37%	47%
<i>The registration process for religions is . . .</i>		
A multiple-tiered registration system with different tiers getting different rights and privileges	6%	10%
In some manner different from the registration process for other nonprofit organizations	55%	63%
Required but sometimes denied	22%	27%

TESTING THE MODELS

The models tested rely on measures from multiple international data sources, including the Religion and State collection reviewed above. Nations with a population greater than 500,000 are included in the final models.¹⁵ Using measures from 19 periods offers two important advantages for our analysis. First, it provides more measurement points than previous approaches to international religious restrictions. Second, having the same measures over time allows us to use longitudinal models to test various within-country determinants of international religious restrictions. We now turn to a discussion of the measures and data sources included in our models, followed by an overview of our analytical method.

Dependent Variables

We measure government restrictions on religion using two indexes from the Religion and State collections (Fox 2015). Our first, a modified version of the Indicators of Restrictions on Minority Religions Index, is an additive index of 27 items on minority religions only, with values ranging from 0 to 65. Our second, a modified version of the Indicators of Restrictions on the Majority Religion or All Religions Index, is composed of 18 items including restrictions on all religions, with values ranging from 0 to 38. The items in the indexes include restricting or denying of religious freedoms in many areas, such as public religious speech, sermons, worship, religious education, clergy, foreign support, and the operation of religious organizations. Indicators were omitted from the original indexes constructed by Fox (2015) if they overlapped with the political activity of religious groups, included a measure of registration processes, or corresponded with

¹⁵In addition to those excluded due to their population, we also excluded the following countries from our analyses because of missing data over 19 waves for one or more measures: Hong Kong, Kosovo, Macau, Myanmar, North Korea, Palestine, Serbia, Taiwan, and Tibet.

measures similar to our key predictors. Each item in the indexes had four potential values, ranging from “not significantly restricted for any [religion]” to “the activity is prohibited or sharply restricted.” These additive indexes represent the number of government restrictions on religion, where higher index values correspond with higher levels of restrictions. See Appendix B for the measures included in these constructed indexes.

Independent Variables

In order to test our primary hypotheses, we use a dichotomous measure for religious registration. Recoded from the Religion and State collection, a “0” signifies that the country had no registration requirement and a “1” signifies that there is a requirement. This measure corresponds with our primary research questions and allows us to test the consequences of implementing registration requirements within a nation.

Both the religious economy theory and past research argue that increased support for religion is often followed by increased restrictions on all religions (Finke and Martin 2014). Indeed, Fox (2015:65) has argued that support for religion and control of religion are “inexorably intertwined.” We include a government favoritism index derived from the Religion and State collections. This additive index includes 11 binary items on the presence or absence of a specific type of government funding. Values for the index range from 0 to 10. Countries with higher values correspond with higher levels of government funding for religions, and subsequently higher levels of favoritism. See Appendix B for the measures included in this constructed index.

We also include two governance measures that have held strong relationships with government restrictions on religion in past research: (1) judicial independence and (2) free and open elections (Finke and Martin 2014). These measures are derived from the Cingranelli-Richards (CIRI) Human Rights Data project (Cingranelli and Richards 2010), which we dichotomized. A judicial system is coded as “1” if it is generally independent from external control or influence by other branches of government or the military.¹⁶ The measure for free and open elections is a “1” when a country either has partially or generally free and open elections.

Finally, we included additional measures that have been associated with religious freedom in past research. Our first measure is the log of each country’s gross national income per capita in current U.S. dollars as reported by the World Bank (2015). Second, we include two measures of a country’s religious makeup derived from the Religious Characteristics of States Dataset (Brown and James 2015) and is downloaded from the Association of Religion Data Archives (theARDA.com). The first religious demographics measure addresses the proportion of the population within a country that is Muslim. Our second corresponds with the level of religious diversity within a country. We constructed the religious diversity measure by adding the squared proportion of each religious group within a country and subtracting this value from 1. Higher values correspond with greater levels of religious diversity. See Table 3 for a complete list of summary statistics and correlations for our measures included in the models.

RESULTS

Our analyses use fixed effects OLS regression models, allowing for a direct test of changes within countries for our variables of interest (Allison 2009; Argue, Johnson, and White 1999).¹⁷

¹⁶The measure includes all levels of the judiciary, but appears to weigh the national courts more heavily. The measure does not include international courts such as the European Court of Human Rights.

¹⁷We also ran separate random effects OLS models. Following the random effects models we used a Hausman specification test and a test of overidentification using the `xtoverid` command in Stata 14 to determine that the individual effects are not adequately specified by the random effects model (Schaffer and Stillman 2010; StataCorp 2013), reinforcing our use of the fixed effects models.

Table 3: Summary statistics and correlations

	Mean	SD	Min	Max	1	2	3	4	5	6	7	8	9
1. Restrictions on Minority Religions	8.08	11.23	0	65									
2. Restrictions on All Religions	4.05	6.60	0	38	.66								
3. Religious Registration Requirement	.49	.50	0	1	.12	.29							
4. Gov. Funding of Religions	2.39	2.30	0	10	.39	.30	-.18						
5. Free and Open Elections	.75	.43	0	1	-.41	-.42	-.23	.01					
6. Independent Judiciary	.74	.44	0	1	-.26	-.28	-.28	.06	.37				
7. Log GNI per Capita	7.60	1.62	4.38	11.38	-.02	-.03	-.44	.29	.23	.34			
8. Proportion of Muslims	.26	.36	0	1.00	.42	.46	.21	.24	-.35	-.25	-.25		
9. Religious Diversity	.38	.24	.01	.98	-.07	-.04	.04	-.11	-.01	-.02	.01	-.33	
10. Year	1999	5.42	1990	2008	.06	.05	.05	.05	.03	-.17	.14	.03	-.01

Note: Summary statistics from 158 countries with an average of 16.7 observations per country, resulting in 2,645 observations across 19 waves.

Table 4: Fixed effects regression models predicting government restrictions

	Restrictions on Minority Religions		Restrictions on All Religions	
	Model 1	Model 2	Model 3	Model 4
Presence of registration requirement	2.556 ^{***} (.270)	2.498 ^{***} (.272)	.368 [*] (.166)	.289 (.168)
Government funding of religion	.053 (.124)	.015 (.123)	.285 ^{***} (.076)	.277 ^{***} (.076)
Free and open elections	-.291 [*] (.116)	-.0336 ^{**} (.115)	.165 [*] (.071)	.144 [*] (.071)
Independent judiciary	.285 [*] (.119)	.289 [*] (.118)	-.172 [*] (.074)	-.177 [*] (.073)
Log gross national income		.044 (0.129)		-.087 (.080)
Proportion of Muslims		11.786 ^{***} (2.511)		.916 (1.555)
Religious diversity		-2.786 ^{**} (.901)		-1.761 ^{***} (.558)
Year	.097 ^{***} (.007)	.087 ^{***} (.009)	.024 ^{***} (.004)	.028 ^{***} (.006)
Constant	-186.392 ^{***} (13.320)	-168.637 ^{***} (16.890)	-45.239 ^{***} (8.199)	-51.473 ^{***} (10.462)
sigma u	10.847	9.892	6.206	6.090
sigma e	1.665	1.651	1.025	1.023
rho	.977	.973	.973	.973

Note: * p <.05; ** p <.01; *** p <.001. Each model has 158 countries with an average of 16.7 observations per country, resulting in 2,645 observations across 19 waves.

Specifically, the fixed effects approach allows us to test if introducing registration requirements between waves has an impact on government restrictions on religion in the following wave. Because a fixed effects approach only addresses the variation within countries over time, time-invariant measures (e.g., region) are controlled for automatically and are not included in the models (Allison 2009).

Relying on 19 waves of data for 158 countries (2,645 country-wave observations), the fixed effects models in Table 4 allow us to assess the consequence of states introducing religious registration requirements.¹⁸ Models 1 and 2 present the results when predicting government restrictions on minority religions and Models 3 and 4 predict government restrictions against all religions.

Predicting Government Restrictions on Minority Religions

Models 1 and 2 of Table 4 provide strong evidence that introducing registration requirements within a country is followed by increased government restrictions on religious minorities. Even when controlling for all other measures in our full model, the introduction of registration requirements was highly significant and increased the restrictions on minority religions by 2.498 units.

The other measures remained consistent across the two models. The year of the data and increases in the proportion Muslim both resulted in highly significant increases in government restrictions and increases in religious diversity were followed by declines in restrictions against minority religions. The remaining coefficients were modest and often insignificant. As expected, the introduction of free and open elections resulted in a modest decrease (.339) when controlling for all the other measures in the full model. Contrary to our expectations, however, when a country moved to an independent judiciary between waves, the number of government restrictions on religious minorities were expected to increase by .289 units in the full model. Finally, we found

¹⁸While changes in registration requirements were limited to 13 nations over the 19 waves, the high number of country-wave observations allows us to be confident that when predictors are significant, as changes in religious registration are for restrictions on minority religions, the predictors are changing the levels of governmental restrictions in the years following. In short, the findings suggest they are causal.

that increases in the level of government favoritism of religions and increases in national income were not significant predictors of change in government restrictions on minority religions.

Predicting Government Restrictions on All Religions

While the implementation of registration requirements had a strong significant effect when predicting government restrictions on minority religions, the results were less convincing when predicting government restrictions on all religions. The direction of the coefficients remained positive, but implementing registration requirements was not a significant predictor of increased government restrictions on all religions in the full model (Model 4). When compared to the results for minority religions, two of the most important changes are that increases in the proportion Muslim is no longer a significant predictor and government funding for religion is now a strong and highly significant predictor. We found that each additional unit increase in the number of government funding of religion between waves was associated with a .277 unit increase in the expected number of restrictions. The finding on government funding is in line with the religious economy proposition that increased funding is often accompanied by increased demands and restrictions.

The remaining results were similar to those reported in Models 1 and 2 for minority religions. Increases in religious diversity are followed by reduced restrictions, national income was insignificant, and the year of the data remained a significant predictor of increasing restrictions for all religions. Once again, the governance measures had modest effects, but this time the directions were reversed. The introduction of an independent judiciary was followed by fewer restrictions and the free and open elections were followed by an increase in restrictions. Both were significant at the .05 level.

CONCLUSIONS

This research has found that state requirements for religious registration are sharply increasing, are frequently involved in debates over religious freedoms, and are a strong predictor of increased restrictions on religions, especially for minority religions. To offer a closer inspection on how the registration process might be related to fewer freedoms, we selected five countries where religious registration has been a source of recent debate and controversy. To provide a global review and to document trends, we turned to three cross-national collections that included multiple measures on the requirements and consequences of religious registration. These global collections allowed us to offer a descriptive overview of how the process is used as well as chart trends in the use of religious registration from 1990 to 2012. Finally, our use of longitudinal data and fixed effects models allowed us to assess the consequences of introducing registration requirements.

The five countries selected for closer review had different majority religions and came from multiple regions of the globe; yet, these cases identified at least five ways that the registration process can be used for denying freedoms: (1) deny or restrict the legal entity status of religious groups, (2) use complex and poorly defined policies and procedures, (3) submit to local religious and cultural pressures, (4) impose higher standards for minority religions, and (5) deny privileges and rewards granted to other religions.

When we moved beyond the high-profile cases and used three different collections to offer a global overview, we found that registration requirements increased sharply from 1990 to 2012. Whereas 27 percent of all the nations had no registration requirements in 1990, the percentage dropped to 10 in 2012. Along with an increase in the use of religious registration, we found that there was a consistent increase in the requirements for registering and an increase in the discrimination shown against religions during religious registration, with minority religions being the most frequent targets.

Finally, when using fixed effects models to test for impact of changes within a country from 1990 to 2008, our initial models found that introducing a religious registration requirement was a strong predictor of increased restrictions on minority religions, even when controlling for a bevy of competing explanations. Time was also a consistent significant predictor of increased restrictions in all models, the proportion Muslim was a significant predictor of increased restrictions on minorities, and government funding of religion increased restrictions on all religions.

The findings offer some important implications and challenges. The results for government funding suggest that increased financial support for religion is often followed by increased restrictions on all religions. Consistent with the expectations of the religious economy theory and past research (Finke and Martin 2014; Fox 2015), even the majority religions sacrifice some freedoms for increased state support. The governance measures, however, beg for additional research. Whereas past research using cross-sectional tests found that religious freedoms held strong relationships with open and free elections and especially an independent judiciary, our use of fixed effects models found that the introduction of these governance measures within a country were weak and inconsistent predictors of the religious freedoms that followed. In part, this unexpected finding might result from the delays that occur in implementing these changes, but our initial efforts at introducing lagged measures did little to change the results. Another concern with the measure for judicial independence is that regional courts receive less attention than national courts and the international courts available for appeal are completely ignored by the measure. As demonstrated by the case studies, the European Court of Human Rights is having an increasingly influential role in nations joining the Council of Europe.

The most significant and consistent findings from our research are that the use of religious registration is increasing and it is increasingly used to place more restrictions on religion. Moreover, the fixed effects models suggest that the relationship between registration requirements and increased restrictions is a causal one. Although registration is typically proposed as a benign necessity, the consequences have been reduced religious freedoms.

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