

The right to freedom of religion or belief of minority communities

POLICY BRIEF

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JISRA
Faith communities for peace



Executive Summary

Minority communities occupy precarious positions in a global political system built on nation-states. Historically, many national identities have formed around religion. Policy efforts on the right to Freedom of Religion or Belief have often been focused on protecting the rights of vulnerable religious minorities around the globe. Yet focusing solely or primarily on religious minorities overlooks the needs of other minorities whose rights are also protected by Article 18. Such vulnerable groups include atheists and the non-religious, traditional and indigenous spiritualities, and the LGBTQI community.

KEY FINDINGS

Drawing on data collected in Kenya and Indonesia as part of the Joint Initiative on Strategic Religious Action (JISRA) project, this policy paper highlights five key findings:

1. The primary focus of much interreligious dialogue and peacebuilding work is majority and dominant minority religions – mostly Islam and Christianity.
2. Intra-religious minorities and other smaller minorities receive less attention. Some minorities (atheists, sexual minorities) are excluded altogether.
3. Hostile attitudes towards minority communities persist.
4. Projects that bring diverse communities together contribute to breaking down stigmas and building social cohesion.
5. The way such projects are framed may affect the participation of some in target communities, as a consequence of global, national, and local dynamics.

KEY RECOMMENDATIONS

The paper makes seven key recommendations:

1. Increase attention for non-belief/atheist/humanist, indigenous/traditional religion communities and sexual minorities in FoRB-related interventions.
2. Facilitate activities that build trust and shared identity, that focus on developing practical, feasible solutions for problems facing communities as a whole, rather than explicit emphasis on FoRB and human rights.
3. Projects with a dual PCVE and FoRB focus must address all community members and groups so as to avoid targeting or singling out specific groups and thereby reinforcing rather than reducing social divisions.
4. Be aware of different understandings/interpretations of international human rights law and use context-sensitive terminology.
5. Consider moving away from majority/minority language and use more equal, inclusive categories, for example, “communities”.
6. Utilize the positive, inclusive connotations associated with “diversity” and national identity found in many contexts in policies and projects on minority rights.
7. Invest in contextually sensitive political, legal/constitutional literacy, FoRB literacy, and critical religious literacy.

Introduction

Minority communities occupy precarious positions in a global political system built on nation-states[1]. Nation-states have developed on the basis of specific conceptualisations of identity - one language, one culture, one people. Historically, many national identities have also formed around religion, an aspect that is receiving increasing attention in the contemporary political moment[2]. Minority communities within nation-states automatically do not fit these conceptualisations. The very identification of them as "minorities" immediately highlights their vulnerability in relation to the majority, and can potentially make them more of a target for discrimination and persecution. Consequently, special care and attention is required to foster and protect the human rights and dignity of minority populations.

Policy efforts on the right to Freedom of Religion or Belief have often been focused on protecting the rights of vulnerable religious minorities around the globe. Yet focusing solely or primarily on religious minorities overlooks the needs of other minorities who are also protected by Article 18. Such vulnerable groups include atheists and the non-religious, traditional and indigenous spiritualities, and the LGBTQI community.

Drawing on recent data collected in Kenya and Indonesia as part of the Joint Initiative on Strategic Religious Action (JISRA) project, this policy paper highlights five key findings with regard to the current state of global policy and advocacy on the right to Freedom of Religion or Belief of minority communities:

1. The primary focus of much interreligious dialogue and peacebuilding work is majority and dominant minority religions – mostly Islam and Christianity.
2. Intra-religious minorities and other smaller minorities receive less attention. Some minorities (atheists, sexual minorities) are excluded altogether.
3. Hostile attitudes towards minority communities persist.
4. Projects that bring diverse communities together contribute to breaking down stigmas and building social cohesion .
5. The way such projects are framed can hinder participation of some in target communities. This is a consequence of global, national, and local dynamics.
    a. ***Global*** (PCVE/FoRB Nexus): Islam is constructed as violent/problematic; non-/atheist belief is not given as much attention as religion.
    b. ***National***: Dominant national identities inevitably marginalize minorities, hostility towards what may be perceived as "external interference".
    c. ***Local***: Minorities form majorities in some places, histories of localized violence contribute to persecution.

[1] *Arendt, H. 1951. The Origins of Totalitarianism. London and New York: Harcourt, p270; Kymlicka, W. 1996. Multicultural Citizenship: A Liberal Theory of Minority Rights. London and New York: Oxford University Press.*

[2] *Smith, A.D. 2000. "The Sacred Dimensions of Nationalism" Millennium 29(3): 791-814; Wilson, E.K. 2023. Religion and World Politics: Connecting Theory with Practice. London: Routledge*



In light of these findings, the paper makes seven key recommendations regarding development and implementation of policies and projects on the right to Freedom of Religion or Belief of minority communities:

1. Increase attention for non-belief/atheist/humanist, indigenous/traditional religion communities and sexual minorities in FoRB interventions.
2. Facilitate activities that build trust and shared identity, that focus on developing practical, feasible solutions for problems facing communities as a whole, rather than explicit emphasis on FoRB/human rights.
3. Avoid dual focus on PCVE & FoRB where possible, and especially avoid explicit reference to Islamism.
4. Be aware of different understandings/interpretations of international human rights law and use context-sensitive terminology.
5. Consider moving away from majority/minority language and use more equal, inclusive categories, for example, "communities".
6. Utilize the positive connotations associated with "diversity" and national identity in policies on minority rights.
7. Invest in contextually sensitive political, legal/constitutional literacy, FoRB literacy and critical religious literacy.

The paper first provides background information on the JISRA project and the method of data collection. It then discusses each of the five findings with reference to data from Kenya and Indonesia. Finally it presents the seven recommendations as strategies to address the challenges for the right of freedom of religion or belief for minorities arising from the data.

Joint Initiative for Strategic Religious Action (JISRA)

The research presented in this policy paper was conducted as part of the Joint Initiative for Strategic Religious Action (JISRA) project. This project is a partnership amongst 50 civil society organisations across 7 countries (Mali, Uganda, Iraq, Kenya, Ethiopia, Indonesia and Nigeria), funded by the Dutch Ministry of Foreign Affairs. These civil society organisations come from a variety of religious and secular backgrounds. A foundational assumption of the project is that

> *"Freedom of Religion and Belief and interfaith dialogue are essential and integral to the realisation of peaceful and just societies. In addition, diverse religious actors, including women and youth, can and need to play an important role in this process as change makers."* [3]

In addition to the projects developed and implemented to foster FoRB and interfaith dialogue, JISRA also comprises a Knowledge Agenda that incorporates independent scholarly research on central components of their approach. The knowledge agenda was focused on exploring intra-, inter- and extra- religious pathways for promoting peace, inclusion and conflict transformation. Specifically, the academic research focuses on two key pillars of the JISRA program: 1. the role of religious actors in fostering peace and countering violent extremism; 2. Consistencies, divergences, and contradictions in understandings of the right to Freedom of Religion or Belief across diverse cultural contexts. The research presented in this policy paper was undertaken as part of the second of these two research priorities.

RESEARCH DESIGN AND DATA COLLECTION

The focus on cross-cultural understandings of FoRB required an ethnographic approach, consisting of extensive interviews and focus group discussions with JISRA personnel, staff from local JISRA implementing partners, beneficiaries of JISRA programs and other members of the communities where JISRA is active. Given the time intensity of this approach, it was decided in consultation with the JISRA Coordinating Committee to focus on two countries out of the seven. Kenya and Indonesia were chosen in order to provide geographic and demographic diversity.

Interview questions were developed that explored how actors connected with JISRA understand and communicate about the right to FoRB within, across and outside of religious communities. From Kenya, 109 interviews with religious leaders, staff at civil society organisations and local community beneficiaries, 14 focus group discussion, 11 observation sessions and 2 art workshops with approximately 40 participants in total form the primary data for this policy paper. A total of 8 field sites were visited. Preliminary findings were also shared through a guest lecture with 45 participants, workshops with a university and a civil society organisation, and a conference in Nairobi, allowing local stakeholders to provide input and reflections on the research findings.

In Indonesia, 65 interviews were conducted, along with 18 focus group discussions, 7 observation sessions and 3 art workshops with approximately 60 participants. A total of 10 field sites were visited. Again, preliminary findings were shared via two guest lectures with 300+ participants and three university workshops, providing an opportunity for local stakeholders to give input and reflection on the results.

Data was subsequently coded and analysed by the research team according to key themes of the knowledge agenda and of the JISRA project, namely understandings of and communication about core concepts related to FoRB, and the roles of women and youth. However, the research team also coded for recurring themes articulated by interlocutors as points for attention or concern. This is how the focus on minorities emerged as a key priority for the research.

[3] *JISRA. 2025. "About JISRA" https://jisra.org/ Accessed 18 February 2025.*



BACKGROUND TO THE RESEARCH CONTEXTS

KENYA

Statistical and demographic data on Kenya indicates high rates of religious affiliation and identification in the country. Approximately 85% of the population are considered Christian, with diverse Protestant denominations constituting 33% and Catholics 20%. A further 20% are classified as evangelical, with 7% African Instituted Churches and 4% "other" Christian.[4] Meanwhile roughly 11% of the population identify or are identified as Muslim, with approximately 73% Sunni, 8% Shia and 4% Ahmadi.[5] While Christians are the majority in the country as a whole, this varies across regions within the country. Most notably the Coast region around Mombasa and stretching from the border of Tanzania to the border with Somalia is a Muslim majority area.

Other religious identities and affiliations within Kenya include 1.8% Hindus, Sikhs and Bahais, with a further 1.6% identified or identifying as "none" (including atheists, agnostics and humanists). There is good reason to question these statistics on atheism and non-religion, however.[6]

Religious identity is highly politicised in Kenya and it can be controversial or even dangerous for individuals to publicly identify as atheist or no religious affiliation. The Atheists in Kenya Society (AKS) estimates that the number of non-religionists in Kenya is at least double the reported figures.[7]

There is also a high degree of syncretism in Kenya, with roughly 10% of the population claiming affiliation with what are collectively referred to as "African Traditional Religions", such as Kaya, Oromo, Masaai, or Dini ya Msambwa, alongside affiliation with Christianity and Islam. Careful distinction is made between ATR and Christianity and Islam, however, with people referring to ATR as "culture", whereas Christianity and Islam are "religion". This culture/religion distinction forms an important part of the discourses surrounding minorities in Kenya and the possibilities (or lack thereof) for their full inclusion as part of the national Kenyan identity and community.

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[4] *CIA World Factbook, "Kenya" https://www.cia.gov/the-world-factbook/countries/kenya/#people-and-society Accessed 18 February 2025.*

[5] *2019 Kenyan Census, Pew Research Center, Wangila 2023 - complete*

[6] *Kumar, P. Pratap. 2022. "Atheism in Kenya: Why accurate numbers are hard to come by" The Conversation 17 April 2022. Available at https://theconversation.com/atheism-in-kenya-why-accurate-numbers-are-hard-to-come-by-180705 Last accessed 18 February 2025.*

[7] *Kimeu, Caroline. 2023. "Our biggest challenge is simply to exist: atheist society fights for legal recognition in God-fearing Kenya" The Guardian 28 July 2023. Available at https://www.theguardian.com/global-development/2023/jul/28/our-biggest-challenge-is-simply-to-exist-atheist-society-fights-for-legal-recognition-in-god-fearing-kenya Last accessed 18 February 2025.*

INDONESIA

Indonesia's population consists of 87% who identify or are identified as Muslim. The majority of this population identify as Sunni, with a small minority of Shia and other Muslim sects including Ahmadiyya.[8] While the majority of the country is Sunni Muslim, regional variations exist as a result of syncretism between Islam and local traditions in the different islands.

Approximately a further 10% of the population are Christian (7.5% Protestant and 3.1% Roman Catholic). Hindus consist of 1.7%, with a small 0.8% of "other" religions, primarily Buddhist and Confucian.[9]

The Indonesian state recognises only six official religions: Islam, Christianity (Kristen), Catholicism (Katolik), Hinduism, Buddhism and Confucianism. A seventh category of "Belief" (kepercayaan) was added in January 2024.[10] Bali is the only Hindu majority region of the country. The provinces of Papua, West Papua, Central Papua, Highland Papua, Southwest Papua, East Nusa Tenggara and North Sulawesi are majority Christian. The remaining areas are majority Muslim, though, as noted, with variations depending on local traditions as well as relations with other communities in the regions.[11]



[8] It is difficult to get more precise figures here since the government does not disaggregate the Muslim population in its census.

[9] CIA World Factbook. https://www.cia.gov/the-world-factbook/countries/indonesia/#people-and-society Last Updated 13 March 2025.

[10] Harsano, A. 2024. "A Step for Freedom of Religion and Belief in Indonesia" Human Rights Watch 22 January 2024. Available at https://www.hrw.org/news/2024/01/22/step-freedom-religion-and-belief-indonesia

[11] Our research indicated that Hindu and Buddhist communities in Indonesia are not particularly vulnerable or under threat, a finding that is supported in the wider literature. As such, we do not include discussion of the data on that group in this paper.

KEY FINDINGS

1. The primary focus of much interreligious dialogue and peacebuilding work is majority and dominant minority relations—mostly Islam and Christianity

In both Kenya and Indonesia, the primary focus of interreligious FoRB and peacebuilding efforts is on bringing together people from Christian and Muslim communities. This is logical and understandable, given the legacy of violence between these communities throughout the history of both countries.

There is evidence of a high degree of success in building trust between these two communities, through the activities of JISRA as well as previous projects focused on building the right to Freedom of Religion or Belief in both places.[12]

2. Intra-religious minorities and other smaller minorities receive less attention

Despite the success in building trust and fostering peaceful relations amongst the majority and the largest minority in both places, smaller minorities continue to experience discrimination, persecution, and violence. These minorities often receive less attention as part of projects focused on the right to freedom of religion or belief, or indeed are excluded altogether. This is in part due to the implicit assumption within international relations and global policy contexts, demonstrated by numerous authors, that when the term "religion" is used, it is most often referring to Christianity and Islam.[13] Other religions receive less attention, and communities that are not broadly considered to be "religious" (such as atheists, sexual minorities[14] and indigenous or traditional spiritualities) who nonetheless also hold beliefs specific to their identity that are protected under Article 18, tend to be forgotten or ignored.

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[12] *See Appendix One for quotes from interviews that support this conclusion.*

[13] *See, for example, Hurd, E.S. 2008. The Politics of Secularism in International Relations. New York: Princeton; Hurd, E.S. 2015. Beyond Religious Freedom: The New Global Politics of Religion. New York: Princeton; Fitzgerald, T. 2011. Religion and Politics in International Relations: The Modern Myth. London: Continuum*

[14] *The term "sexual minorities" is used in both Kenya and Indonesia as an alternative to "LGBTQIA+". To be consistent with our interlocutors, we adopt this terminology here, noting, however, that it remains problematic in light of our broader recommendation to avoid the language of "majority" and "minority".*



3. Hostile attitudes towards minority communities persist

KENYA

The focus of FoRB and interreligious dialogue efforts is predominantly on Christian – Muslim relations. Occasionally, representatives from ATR communities are incorporated into the meetings, but often wearing "two hats", as ATR and as members of either Christian or Muslim communities or organisations. Little attention is given to the situation of intra-religious minorities, such as Pentecostals or Ethnic Somalis, two groups within the dominant majority and minority respectively who are particularly vulnerable. Other minorities, including non-/atheist belief communities and sexual minorities, are almost entirely left out.

African Traditional Religions (ATRs)

ATRs are characterised as "witchcraft" amongst some in local communities. Under Kenyan law, persons found guilty of practicing witchcraft may be sentenced to up to 5 years imprisonment. The pervasive socio-cultural perspective is that witchcraft is "evil" and so it is not uncommon that more extreme punishments for witchcraft are enacted by vigilante groups acting outside the law.[15] Accusations of witchcraft play a critical role in intergenerational conflicts. Under the Witchcraft Act, District Commissioners may require persons considered to be practicing witchcraft to reside in a specified place. In some instances, younger generations are accusing elderly relatives of practicing witchcraft in order to inherit land. This is contributing to dispossession and internal displacement of elderly populations. Women are especially vulnerable.

Amongst Christian and Muslim leaders there are contradictory narratives about ATR. Some talk negatively about ATR as backward and traditional, in many ways replicating the views of early colonisers from the UK. Some describe them as morally weak, unable to uphold the standards of the Abrahamic faiths.

Others, however, will speak positively of ATR as part of African heritage to be protected and celebrated. This ambivalence of attitudes may contribute to ATR representatives feeling insecure about participating in inter-religious gatherings. In any event, ATR representatives are often not included in inter-religious activities. When they are included, it is often in a tokenistic way, without a serious role. In their communications, ATR leaders and representatives are careful to emphasise that ATR is a culture rather than a religion. This may be related to the practice of Sufism in Kenyan Islam, which facilitates syncretism, but may also be a strategy to avoid possible clashes and tensions with leaders from Christianity and Islam. The Kenyan government has further been known to utilise the discourse of extremism as a justification for targeting ATR communities[16]. The ATR are seen as a security threat because of the violence that "they provoke" through engaging in their traditional practices. This is a similar strategy to that employed by Pakistan against the Ahmadiyya minority, accusing them of provoking violence by wanting to practice their religion, which the majority objects to.[17]

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[15] *https://www.thinkglobalhealth.org/article/weaponization-witchcraft-laws-kenya*

[16] *Meinema, Erik. 2022. "Witchcraft, Terrorism, and 'Things of Conflict' in Kenya" in Van Liere, Lucien and Erik Meinema (eds). Material Perspectives on Religion, Conflict and Violence: Things of Conflict. Leiden: Brill, pp111-134*

[17] *Matthew J. Nelson. 2019. "Constitutional migration and the meaning of religious freedom: From Ireland and India to the Islamic Republic of Pakistan" Journal of Asian Studies 79(1): 129-154*

"The traditional beliefs are seen like witchcraft, where people who think it's witchcraft, there's some people who don't appreciate it. The issue of belief sometimes is used as a discriminating factor. It's us versus them." (Interview 8)

"Instead of people following their culture, they call an Imam or a pastor to solve the issue. Before, they would go to witch doctors. Today the witches have nothing to gain, because people have been enlightened. A witch doctor tells you that he is going to make you rich, yet he is poor. So people have realized that these people are lying to us. They go back to religion." (Interview 79)

Atheists and non-believers

Interview data and workshop feedback shows that atheism, humanism, secularism and agnosticism are seen by some in Kenya as sources of immorality and corruption. Recent cases, such as the petition filed by Bishop Stephen Ndichu against the registration of the Atheist Society of Kenya, offer a high-profile national level example of attitudes towards non-belief that permeate all levels of society in Kenya.[18]

Those who do not profess any belief or who actively identify as atheist are claimed to be a threat to Kenya's public order, which, under the terms of the Kenyan constitution (and most Articles relating to the right to FoRB globally), provides grounds for limiting the expression of certain beliefs and practices. The second line of the Kenyan constitution also acknowledges "the Supremacy of the Almighty God of All Creation," which some interviewees took to mean a preference for religion over non-religion and atheism.

Specific understandings of "religion" and of the right to freedom of religion or belief in Kenya play an important role here. The right to freedom of religion or belief is often defined in positive terms such as: "being free to belong to a religion", "the right to worship God" or to "worship in the way [they] know best". Sometimes FoRB is explicitly defined in terms of Christianity and Islam. Some interlocutors did explicitly mention atheism as part of FoRB. However, overall the right to FoRB is rarely seen to include the negative freedom to non-belief. Non-religious minorities have been accused of taking advantage of the right to FoRB, or as violating the constitution.

"When we say God we believe in sovereignty of God, we all worship God and there is nowhere in the constitution that tells us to worship other things though it highlights the presence of God. Like in the national anthem we have the name of God." (Interview 64)

"When you look at our constitution you see it acknowledges religion, whereby people can choose religion (whatever religion they want). When you look at our curriculum especially in schools you will see they have given religion a priority, when we sing our national Anthem it recognizes God, our nation is a religious nation, we put religion first, when we start meetings we start with prayers, whenever we start anything we put prayers first. We worship God." (Interview 65)

"The atheists, the people who believe that God is not there…all these things are now coming because they're taking advantage of what? They're taking advantage of the freedom of worship." (Interview 9)

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[18] *Kimeu, Caroline. 2023. " 'Our biggest challenge is simply to exist': atheist society fights for legal recognition in God-fearing Kenya" The Guardian 28 July 2023. Available at: https://www.theguardian.com/global-development/2023/jul/28/our-biggest-challenge-is-simply-to-exist-atheist-society-fights-for-legal-recognition-in-god-fearing-kenya*

Atheism in Kenya is associated with modernity and Western practices, sometimes even referred to by interlocutors as kinds of cults (a term that also carries negative connotations). Interlocutors express concerns over Gen Z's increasing disengagement from religion. Young people are seen as more atheist than previous generations (a concern more frequently expressed within majority-Muslim settings). Some interviewees also expressed the view that atheists should be converted.

Sexual minorities

People identifying as homosexual, transexual, bisexual, or non-binary remain vulnerable in Kenya. Within broader public discourses, these identities are often connected with other marginalised and ostracised communities and with negative external influences. Interviewees would sometimes connect LGBTQI+ identities with "secular humanism", combining the outcast identities of atheism and homosexuality into the one "problem." The pejorative term "sodomy" is also often used to refer to non-heteronormative identities and behaviours. "Sexual minorities" emerged as a more neutral term, one that neither offended proponents of heteronormativity, nor threatened to dehumanise and criminalise people identifying as LGBTQI+.

A widespread assumption that emerged from the interviews is that homosexuality, transexuality, bisexuality and non-binary gender identities are learned behaviours, or even something that people are "recruited" or "converted" into. They are rarely understood as innate characteristics that people are born with. The behaviours are learned from Westerners who come to Kenya and corrupt local youth, or from social media, or "corrupt people" in the local community, often not identified and left ambiguous. Indeed, youth are constructed as especially vulnerable to corruption and promiscuity. Non-heteronormative sexual identities and behaviours are construed as "UnAfrican" by many interviewees, as imports from Westerners or from the big cities, or as demonic behaviours and evidence of spiritual possession. Importantly, contraception and sexual and reproductive health and rights are included in this.

Because of the immense stigma that is still attached to people identifying as LGBTQI+, they are still not able to openly participate in FoRB/intra-, inter-religious activities. This is problematic because:

1. Members of sexual minorities are also often members of religious communities, and their sexuality is part of their beliefs, rather than separate or in opposition to them. They have the right to openly practice their religion without having to hide aspects of their personality that may not fit with how others interpret their religion.[19]
2. Members of sexual minorities also have beliefs around, for example, what constitutes marriage, how many genders there are, who is able to be a parent. These beliefs also fall under the protection of Article 18.[20]

Some JISRA partner organisations encourage religious leaders to be more open to sexual minorities through using religious motivations[21] and have been instrumental in the legal recognition of intersex people, contributing to removing stigmas and marginalisation for this specific group.

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[19] *This is of course provided that this does not harm or impinge on the rights of others. The contested nature of what constitutes "harm" makes this additionally complicated to uphold and enforce.*

[20] *The authors gratefully acknowledge the input of Daniel Cloney from the the Office of the UN Special Rapporteur on the Right to Freedom of Religion or Belief regarding this point.*

[21] *Some of these efforts are still problematic however. While some of the appeals are made in terms of the religious leaders' responsibility to care for the souls of people from minority sexualities, others are made in terms of the responsibility to "convert" them away from non-hetersexual behaviours.*



Muslims and Ethnic Somalis

Despite concerted efforts to destigmatize Islam and build interreligious relationships of trust, pervasive assumptions remain that Muslims are terrorists, extremists, or are described as holding extreme beliefs.

"The security actors, the police, the reinforcement we have here, these are very important people because they are the ones who give strong protection of a certain perception of an ideology. For instance if the security really feels that the Muslims are terrorists and victimize them then it brings a big division there, and also bring trouble here." (Kenya interview 24)

Many Christians interviewed expressed views of Islam as a demonic or corrupted religion. Outside of the Coast region, where Muslims are the majority, there is limited Muslim representation in government institutions and inter-religious organisations.

Muslims expressed feeling marginalized by "up-country" Christians, a distinction made between coastal Muslims and hinterland Christians, which also reflects a sense of disconnection from institutions of national government.

The recent Shakahola massacre has also generated some tensions as a result of the perceived difference in treatment of Christian "extremists" and Muslim "extremists." Pastor Paul Mackenzie, the leader of the cult, allegedly told his followers that they would get into heaven faster if they starved themselves, resulting in the deaths of over 400 people.[22] Mackenzie has been arrested and put on trial for his role in the massacre. The fact that Mackenzie is even still alive has raised scepticism amongst some in the various communities, especially Muslims, who compare Mackenzie's treatment with that of Rogo Mohammed and Sheikh Abubakar Shariff, aka Makaburi, both associated with al-Shabaab, both of whom were shot dead and whose killers have never been brought to justice.[23]

Within the Muslim minority, ethnic Somalis experience acute discrimination as a result of their intersectional Somali Muslim identity:

"You are going to have double trouble in Kenya if you are a Somali and also a Muslim. You know you can move in this country all corners but when you are coming to Garissa, you find there are more police barriers stopping you, checking your ID where you are going, where you are from, who are you with …" (interview 18)

Ethnic Somalis experience discrimination based on their racial/ethnic identity and their (assumed) religious identity. They are on the one hand often described as lazy, fearing education, and as terrorists, yet on the other hand they experience significant discrimination in the job market and don't have access to education.

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[22] *Kiptoo, Robert & Newton Ndebu. 2024. "Kenya starvation cult leader pleads not guilty" The BBC. 12 August 2024. Available at https://www.bbc.com/news/articles/cy84xxd5n08o*

[23] *See Appendix Two for quotes from interviews demonstrating this scepticism*



INDONESIA

While FoRB is legally regulated and granted in the Indonesian Constitution, there are local regulations and practices that deviate from the Constitutional norms. One person referred to these problems as being 'based on political power plays and legal disharmonies,'[24] which describes the gap between Constitutional provisions and lower laws, for example the guarantee of FoRB versus blasphemy acts that are still in power and implemented at local levels. Legal protections for minorities exist, but these are often not consistently enforced, as a result of local adaptations

Current debates on FoRB are entangled with the notions of 'progressive' and 'conservative' interpretations of legal regulations and religious sources on these different levels, linking FoRB to the notion of 'religious tolerance.' This is undergirded by references to both international legal foundations as well as religious sources, such as the task to reinterpret the Koran and the Hadith in a way that promotes tolerance. Due to more 'conservative' interpretations of the holy scriptures in the majority population, 'progressive' understandings and interpretations often do not reach the local level.[25] FoRB and discussions and projects on or about FoRB are also believed to be "Western."

Some people also assume that FoRB means liberalism and pluralism in religious beliefs. This results in resistance against initiatives of FoRB by the more conservative groups (Interview 36, for example).[26]

This gives some idea of what the FoRB debates in Indonesia are primarily about. First, Indonesia's political and legal framework cannot be seen as a coherent system of legal and political rules. It has to be understood in terms of local as well as international discourses. The distinction between 'progressive' and 'conservative' groups shifts the focus towards the issue of agency: Who is perceived as having authority over interpretations and which position is supposed to be strengthened by initiatives on the ground? Second, the notion of religious tolerance as a core theme within FoRB discourses points towards the centrality of religion in Indonesian public and private life, making a focus on legal regulations and political regimes alone too narrow. Attempts to change the situation of FoRB implies a close engagement with people's everyday life. The data collection provided insight into both these spheres that will become apparent in the subsequent sections.

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[24] *Communication 1 and Interview 18*

[25] *Communication 1*

[26] *See also Grüll, C. M. and E. K. Wilson. 2018. "Universal or Particular... or Both? The Right to Freedom of Religion or Belief in Cross-Cultural Perspective" Review of Faith and International Affairs 16(4): 88-101*

Adat/Indigenous Communities

Similar to the situation for Indigenous communities in Kenya, Adat or Indigenous spiritualities are not recognised as "religion" or "belief", but as "culture" or "customary law/tradition." It is not one of the six official religions.

Indigenous peoples experience documented intolerance, marginalisation and stigma[27]. Compared with Kenya, there is more focus on addressing intra-religious tensions, in particular within Islam, through community level projects, though inter-religious tensions, specifically between Christians and Muslims, remain the primary focus. In addition, Indonesia witnesses more inclusion of Indigenous communities in these intra- and inter-religious community projects than in Kenya, although this is dependent on the specific region in question.

In Poso, for example, tribe is more important than religion, which facilitates inclusion of more indigenous groups in FoRB activities. There is a degree of syncretism, in that many indigenous communities also practice one of the six recognised religions, although it is possible that this is for pragmatic reasons in order to make it easier to access ID Cards and official government documentation. With the introduction of the official seventh "belief" category, this situation may change.

In both Kenya and Indonesia, knowledge frameworks about religion have had a significant impact on perceptions of what counts as religion and what doesn't and what practices are acceptable under the label "religion" and what are not. In Kenya this is evident in conceptualisations of African Traditional Religious practices as witchcraft, a target for criminalisation. In Indonesia, respondents highlight that colonial frameworks shaped religious education. European-style definitions of religion were imposed through these systems which contributed to the marginalization of indigenous systems of belief (interview 13).



[27] *https://iwgia.org/images/yearbook/2020/IWGIA_The_Indigenous_World_2020.pdf; https://www.humanrights.unsw.edu.au/research/commentary/indigenous-peoples-indonesia-recognition-respect*

Ahmadiyya and Shia communities

Minority Muslim communities, specifically Ahmadiyya and Shia, continue to be targets of prejudice and discrimination within Indonesia. Petitions to demolish places of worship are regularly circulated. They experience greater difficulties in obtaining legal documents, such as evidence of citizenship, marriage certificates, and services for their children. These groups also experience (threats of) physical violence, which is particularly acute for women. Ahmadiyya and Shia children are also stigmatised by the wider community, to the point of being ostracized in school and other social settings:

"At first I didn't dare say that I was an Ahmadiyya when I was at school there were several people who said don't be close to me because I am Ahmadiyya." (FDG 18)

They also experience intense online harassment. The high degree of societal intolerance contributes to people not being open about identity. This discrimination was widely acknowledged in the interviews. Increasing salafism (understood as a severely strict, highly conservative and pious interpretation of Islam, though not necessarily violent) has been noted in interviews and wider literature as a contributing factor to intolerance for minority Muslim groups.[28]

Christian minorities

Like other minorities, Christians are vulnerable to violence, social stigma and exclusion in Indonesia. Any appearance of proselytizing may put Christian communities particularly at risk. Some areas are explicitly designated as "Christian" or "Muslim" and deemed unsafe for the other community to be in (especially in locations such as Aceh).

"The presence of Christianity in Indonesia is sometimes associated with colonial influences or foreign imposition, which may contribute to the stigmatization of Christian practices as "alien" or not authentically Indonesian." (Interview 13)

"Christian minorities are assumed to require bureaucratic approval to practice their religion, especially when establishing places of worship. This assumption is reflected in the regulation that mandates Christians to gather signatures from followers and neighbors, unlike other religious groups like Muslims." (Interview 3)

Sexual minorities

Views of sexual minorities in Indonesia echo many of those found in Kenya. LGBTQI sexualities are considered almost like religion, as something you convert to. Religious minorities and sexual minorities are treated as social pariahs. LGBTQI individuals face layered discrimination tied to religion, cultural norms, and legal barriers. This compounds their marginalization in both religious and public spheres (Interview 19).

LGBTQI rights are rarely integrated into discussions of FoRB, reflecting broader societal discomfort with these identities (Interview 15). It is important to reiterate, however, that LGBTQI people have the right to both profess and practice their religious beliefs and to freely express their sexual identity and orientation. "All human rights are universal, indivisible and interdependent and interrelated."[29]

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[28] *See, for example, Aidulsyah, F. 2023. "The rise of urban salafism in Indonesia: The social media and pop culture of new Indonesian Islamic Youth" Asian Journal of Social Science. 51: 252-259; Rosadi, Andri. 2022. "Deprived Muslims and Salafism: An Ethnographic Study of the Salafi Movement in Pekanbaru, Indonesia". Religions 13: 911. https://doi.org/10.3390/rel13100911 ; Sunarwoto (2021) "Online Salafi rivalries in Indonesia: between sectarianism and 'good' citizenship", Religion, State & Society, 49:2, 157-173, DOI: 10.1080/09637494.2021.1924014 ;*

[29] *Office of the High Commissioner for Human Rights. 1993. "Vienna Declaration" Article Five. United Nations. Available at https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action*

4. Projects that bring diverse communities together contribute to breaking down stigmas and building social cohesion

Throughout the data collection in both Kenya and Indonesia, interlocutors reiterated the importance of programs such as JISRA in contributing to breakdown stigmas, reducing ignorance, improving relations and promoting inclusive societies. Local CSOs have intimate knowledge of local sensitivities and nuances. Many of them also have decades of experiences with the communities and have built up substantial relationships of trust. They are thus well-positioned to address discrimination, marginalisation, stigma and human rights abuses and deprivations in contextually sensitive and appropriate ways. Supporting and funding these organisations to create and implement programs designed to bring people together across social, cultural and political divides is an effective tool in reducing suspicion and hostilities, contributing to building lasting social cohesion and peace.[30]

5. The way such projects are framed can hinder participation of some in target communities

At the same time as noting the positive effects of these projects, it is important to highlight that the way such programs are conceptualised and framed can affect the participation of some in the target communities and thus reduce their potential impact. Interviewees in Kenya especially observed that FoRB and interreligious/interfaith programs are perceived as extractive by some (predominantly Muslim) communities, taking advantage of their experiences and in some cases of their pain and trauma, without bringing any solutions. This perception has given rise to some resentment towards such projects. In addition, young people interpret the focus on Muslim communities by these programs as an indication that they are already assumed to be terrorists by the project funders, coordinators and organisers. This deters them from participating.

"In Nyeri, they said that if they see a youth participate a lot or contribute a lot in these meetings, they are seen as suspect. Targeted suspects. They are seen as very religious people, so they target them to mislead them."

(Kenya interview 48)

"Those Muslims with strong beliefs sometimes don't want to be reached out to by people looking at them, both in Tana River and Kwale. It's hard because they see as if they are being targeted, and those who reach out to them want to expose them to the government. [...] The number of those who have not been reached out to is large and dangerous."

(Kenya interview 14)

Framing community projects in explicitly religious terms also has the potential to make people (especially Muslims in Kenya) more of a target for harassment rather than less.

In Indonesia, there is evidence that people are deterred from participating in JISRA and other similar kinds of projects because of the associations with European/Western partners.

Global, national, and local dynamics all feed into the way projects are framed, perceived, and consequently engaged with (or not) at the grassroots level.

[30] *See Appendix Three for quotations from interlocutors regarding the impact of JISRA and similar programmes*

I. GLOBAL

- International policy discourse amongst Global North donors often links the promotion of FoRB with PCVE and addressing extremist Islam. This is part of a broader strategy of integrating FoRB in a wide array of projects and topics, including peacebuilding, gender and women's rights and youth rights. Nonetheless, the inclusion of FoRB with PCVE activities is sometimes seen as specifically targeting Islam (and in some cases as an attempt to convert Muslims to Christianity). This perception deters involvement from some communities (especially Muslim youth).
- Representatives from local organisations expressed concerns about language from Global North donors as reinforcing Islamophobia, and framing recipient countries/communities as dangerous/volatile/insecure, a characterisation that reinforces their marginalized and unequal status vis-a-vis Global North countries.
- FoRB is sometimes seen as a project to promote Christianity and end Islam, further entrenching suspicion and antagonism to such projects.
- Confusion over what "FoRB" actually is and what it refers to persists and is widespread in both Kenya and Indonesia. Many interlocutors understood it as a development project rather than a human right. This may also reflect confusion or a lack of clarity/specificity within Global North donor discourses on FoRB, which may refer to a legal right, a project framework, or shorthand for social tolerance and inclusion. There also seems to be a lack of "vernacularisation"[31] - an inability to articulate accurate meanings of FoRB in local dialects, or highlight local practices that exemplify FoRB.
- The very terms of "majority" and "minority" that we use to distinguish between groups reinforces and concretizes power imbalance.

II. NATIONAL

- Dominant national identities inevitably contribute to a feeling of precarity or outsider status for minorities. The challenge remains how to facilitate the development of national identities that are distinct yet can accommodate diverse religious, ethnic, and cultural expressions.
- FoRB projects coordinated and funded by international CSOs located in the Global North may be viewed with hostility because of perceived "external interference" by foreign powers in domestic sovereign state affairs.

Within ***Kenya*** specifically:

- Witchcraft laws still have significant impact
- Close ties exist between the current government and Christian churches, contributing to the feeling of marginalisation and disempowerment of minorities.
- Religious identity remains highly politicised. Kenya is seen by many as a Christian nation because of reference to God in the constitution.
- Yet interlocutors also described diversity as a feature of what it means to be Kenyan.
- The discourse of extremism has been used by the Kenyan government and security forces to target minorities, especially ethnic Somalis, contributing to the suspicion of projects that are framed as addressing the problem of extremism.

Within ***Indonesia***:

- Blasphemy laws have significantly impacted religious minorities in Indonesia.
- Christianity is associated with colonialism, contributing to the precarity of the community
- The national identity is based around Pancasila, but diversity is also considered to be part of what it means to be Indonesian by many.
- Nonetheless, Sunni Islam is also a strong element of national identity for some, and the significance of Islam as part of what it means to be Indonesian seems to be growing. This will have consequences for minorities.
- Devolved governance means while protections for minorities exist in the national law, they are not consistently enforced at the local level.

[31] *Wilson, E.K. 2022. "Blurring Boundaries or Deepening Discourses on FoRB? From Global to Local and Back Again" Review of Faith and International Affairs 20(2): 69-80; Gruell and Wilson, "Universal or Particular or Both?"*

III. AT THE LOCAL LEVEL

- Minorities form majorities in some places, meaning that there is not necessarily a consistent experience across the whole minority group within one country. Local community and grassroots experiences matter. Especially histories of localized violence contribute to persecution of particular groups
- Power imbalances between groups in different localities may not reflect the national level majority/minority breakdown
- Intra-religious tensions may be more severe than inter-religious tensions
- Inequalities in access to education, employment, housing, healthcare and other basic human rights are key factors contributing to tension between different groups, not only prejudices or assumptions around FoRB.
- Partnering with local organisations based in specific locations with experience and trust relations is therefore crucial.



RECOMMENDATIONS

Increase attention for non-belief/atheist/humanist, indigenous/traditional religion communities and sexual minorities in FoRB interventions.

Across both Kenya and Indonesia, these groups were consistently marginalised and neglected in interfaith and interreligious dialogue projects. This is consistent with international level tendencies that predominantly focus on limitations and abuses of the right to FoRB of mainstream religious minorities (especially Christian and Muslim). To truly build inclusive societies with respect for the right to Freedom of thought, conscience, and religion, all forms of belief must be protected and included in projects designed to strengthen respect for this right. At the same time, the inclusion of these groups in any FoRB-related projects must be done in ways that ensure their safety and do not make them potentially more vulnerable to persecution

Facilitate activities that build trust and shared identity, that focus on developing practical, feasible solutions for problems facing the communities, rather than explicit emphasis on FoRB and human rights.

Evidence presented in this policy paper suggests that explicitly emphasising religious identities and FoRB can in some instances deter people from participating or, worse, can exacerbate pre-existing tensions. Projects aimed at building respect for FoRB and just and inclusive societies should focus on issues and challenges that all members of the community face and bring participants together in a safe environment where they can encounter, learn about and build relationships with each other, to overcome stigma, ignorance, misinformation, and prejudice.

Projects with a dual PCVE and FoRB focus should include all community members and groups so as to avoid targeting or singling out specific groups and thereby reinforcing rather than reducing social divisions.

Linking PCVE and FoRB with reference to specific religions or communities can deter individuals and communities from participating in community development projects, especially if they feel those running the projects have already assumed or judged them to be an extremist or terrorist. Projects should be framed in positive terms, with a focus on outcomes that benefit the local community, not on the security or aid goals of the donors.

Be aware of different understandings/interpretations of international human rights law and use context-sensitive terminology.

"Human rights," "Freedom", "tolerance", "religion" can all carry different connotations, good and bad, depending on the context in which a project takes place. Efforts should be made to understand the local sensitivities or opposition to particular terms and, where possible, vernacularise these terms into local language.

Consider moving away from majority/minority language and use more equal, inclusive categories, for example, "communities" .

Given the power inequalities already inscribed in the "majority/minority" terminology, attention should be given to developing and using more inclusive and equal terminology. A challenge persists here with the terminology of "sexual minorities" which is the more acceptable phrasing in Kenya and Indonesia, yet still inscribes the power imbalance.

Utilize the positive connotations associated with "diversity" and national identity in policies on minority rights.

In both Kenya and Indonesia, diversity is emphasised as a positive aspect of the national identity and character. Where relevant, highlighting and reinforcing this positive association with diversity in relation to the rights of smaller communities can be a strategy for encouraging greater inclusion and reducing stigma, marginalization and discrimination.

Invest in political, legal/constitutional literacy, FoRB literacy and critical religious literacy.

In both Kenya and Indonesia, it was evident across different communities that there is a need for improving citizens' knowledge of their own legal and political institutions and rights. Similarly, greater attention should be given to equipping people - including NGO workers - with the capacity to better understand the religion of others, not necessarily through standard World Religion education, but rather through introducing people to critical religious literacy that understands and acknowledges the immense diversity of traditions and beliefs around the world. Developing FoRB literacy amongst local communities, including working to vernacularise FoRB terminology into local dialects and concepts, and also utilising these local dialect terms and concepts in the work of Global North donors will further strengthen respect and inclusion.



Appendix One

Quotes from Kenyan and Indonesian data regarding success of projects such as JISRA in building trust amongst Muslim and Christian communities.

From the Kenyan data:

"The approach here to see the users was so interesting to the people. In the previous dialogue, we have never seen Muslims and Christians interact. Even if it's visiting the worship centers, we have not seen something like that before. But with the introduction of FORB in the JISRA programs in Bura East it has created a platform for both religious leaders from Christian faith and Muslims to interact positively like they are creating common interest. They told me they had some exchanges in a Mosque. The pastor was narrating the story. So, like, he was dreaming, he found himself in the mosque. Actually, he was invited by an imam, a beneficiary for this project. It was something that was not happening there before. And even they are inviting each other during celebrations like this, inviting the Muslims to the Christmas festival. Like what they are doing, they are, the Muslims inviting the Christians to their religious ceremonies. Yes, so they are spreading their terms. So, they are changing this for time. So, they are taking the FoRB positively." (Interview 12)

"According to the education we have been given [by JISRA], right now Christians and Muslims do mix and talk about something and in the end come up with decisions, not like in the beginning. In the beginning, you would even find that there is a village where a Christian can not live, and also a village where a Muslim can not live." (Interview 31)

Interviewer: How is Kakamega after FoRB?

"At least now we are recognized by the leadership because we have some ward administrators, so I feel like there is tolerance in some way, initially Muslims were associated with violence or terrorism activities but at least we can see now Christians talking to Muslims." (Interview 58)

"The day we were launching the project we invited the stakeholders, both Christians and Muslims and we specifically told them we have come up with a project called FORB and this project is to mainly try to bring people who have been having issues based on religious differences. So people came together and we told them, the people who attacked you were not Muslims, not Somalis, these are people who are radicalized a certain group of people that has nothing to do with religion. They said we have been bitter before but now that you came with the Kenya Muslim Youth organization which can talk to the Christians and tell them what happened was not something. It does not include in the religion of Islam they now talk to each other, express ideas and even came together to form a fast force to fight these issues of radicalization in the communities." (Interview 18)

"Back in 2012 we were doing a CVE program and actually, we were just trying to determine the religious understanding from various religions in the country, we realized that there was very low understanding of Islam from Christians, they knew very little about Islam and also Muslims knew very little from Christianity, so we realized that maybe the way our community is designed and maybe our education system and how the community is structured, we realized that there was that… the level of interaction was quite low to the extent that people could not understand what was happening on the other side of the religious divide actually that one… actually the vacuum that was created as a result of that was actually filled with alot of misconception and misinterpretation of what maybe people think the other religious groups are professing. So, I think with FORB in place where actually we are trying to enhance inter-religious harmony among various religious groups, I think when you look at it that maybe we make intervention that allows a Christian to visit a mosque or a Muslim to visit a church." (Interview 23)

From the Indonesian data:

"At that time, I thought that Muslims were murderers. Until Mrs. Lian came to offer joining a Sekolah Pembaharuan, I thought that maybe I would be killed too. But as time went by, we learned together about Christianity, Islam and Hinduism. At first when I took part in the event, I thought all those who wore the hijab were murderers. But after studying their religions, a sense of respect for other religions emerged. Through this Sekolah Pembaharuan, I start to understand that Muslims are not murderers." (FGD 14)

"While studying at the Sekolah Pembaharuan/Renewal School, we Muslims were invited to go to church to learn about Christianity, as well as Christians were invited to go to the mosque to learn about Islam. We hope that this Sekolah Pembaharuan brings us a new era of peace. At that time, we also visited the Tentena area where the majority of the population is Christian and we were welcomed by them. Among women, there are no longer any problems with differences between religious communities. As for children and teenagers, we created a cultural exploration program to learn about each other's religion and other religions, the program is similar to the one organized by the women." (Interview 5)

"There, we were gathered from various religions, such as Islam, Hinduism, Buddhism, Konghuchu, Christianity, and Protestantism. At first, I felt awkward meeting other religions because I had rarely met other religions like that before. but over time, as time went by, we ran several projects together, so we became familiar. I am very happy. Because I can see how the outside world with JISRA is with diversity, we protect the environment too." (Interview 39)

Appendix Two

Quotes from Kenya data concerning different treatment of Christian extremists to Muslim extremists

"With current things and events happening, talking about terrorism and radicalization has now taken a shift to pastor Makenzie and not only on Muslims like before.

We once had a discussion where people were asked to say whether pastor Makenzie deserves to be in jail or not which became a heated discussion whereby a lot of comparison was made that favouritism is being displayed because people feel that if that person was a Muslim then he wouldn't have been left running in different police stations." (Interview 26)

"Most of the youth who have engaged in particular research, they are saying, the same treatment was not inscribed to Makaburi, and Rogo, were government, even before the court listened to that case these two people already guilty. Unlike McKenzie, who has not received the same treatment, the youths also did mention that if McKenzie was Muslim, he would be dead by now. But because he's not Muslim, is alive. And in fact, even his sentence has been limited to just one year. Unlike Rogo, and Makaburi, according to them, who are severally arrested, were severally abducted by government officials. They had their family and children prosecuted, Duress was applied on them, they were threatened kidnapped as well. Well, the same is not prescribed to McKenzie, who is not Muslim. And this to them is discrimination and profiling." (Interview 48)

"It is high time the law makers incorporate (gangs and bandits) as terrorists. We have Eldoret and Kisumu we have a lot of Muslims though we cannot say these Muslims are terrorists. Before terrorism used to be associated with Islam but now they have seen terrorism doesn't pick one ethnicity or religion. A terrorist is a terrorist. Like Shakahola McKenzie is a Christian." (Interview 93)

Appendix Three

Quotes from interviewees regarding positive impact of JISRA and similar programmes

"It's actually a good program. And they involved mostly youth as if they are a generation for the future. I actually feel blessed when participating in the JISRA program. Now I know more about non-muslim, about Ahmadiyah. Because in this program, we share with each other about ourselves so we become knowledgeable. Maybe if I didn't participate in this program, I would be the same as fanatics." (Indonesia interview 24)

"JISRA always puts forward its voice for tolerance towards others. Ahmadiyah itself was embraced by JISRA. Every time there is an issue, JISRA gathers us to discuss and discuss trending topics regarding religious diversity." (Indonesia interview 46)

"Ever since JISRA came, people have been educated in the churches, mosques, madrassas, they visit each other and there are no problems, but in the past people were afraid." (Kenya interview 43)

"Because of FORB, I can accommodate anybody despite his religion. Anybody. I interact with a lot of, a lot of people. Even the Kayas, they are my friends. You will find we meet and greet and laugh together. But previously I would have seen them as a witch." (Kenya interview 5)

"When it comes to JISRA program mostly we used to mingle in interfaith: women, men, sheikhs, pastors… and it worked because every person had the ability to express themselves, including the basic challenges that affected us; where it was difficult for us to express some of these challenges when we were in the Kaya." (Kenya interview 45)



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