

Court says religious knowledge test improper in asylum case

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(RNS) A Chinese Christian should be given another chance at asylum after an immigration judge thought the man couldn't answer "basic questions" about Christianity, a federal appeals court has ruled.

The 9th U.S. Circuit Court of Appeals said on Wednesday (Jan. 19) that Lei Li was improperly denied asylum after the judge was unsatisfied by his answers on whether Thanksgiving is a Christian holiday and the difference between the Old and New Testaments.

Lei became a Christian in 1999 and was subsequently beaten, interrogated by Chinese authorities, and lost his job after hosting church services in his house. He arrived in the U.S. on a tourist visa in 2001.

In 2005, two years after he applied for asylum, an immigration judge ruled that Lei "failed to demonstrate credible evidence that he is a Christian" and made conflicting statements about his residency.

The appeals court ruled that Lei "is in good company" in thinking that Thanksgiving is a Christian holiday, noting that George Washington and Abraham Lincoln cited God in their Thanksgiving proclamations.

Lei said he only knew that the Old Testament was written in Hebrew

and the New Testament in Greek, and his inability to say more was viewed as an "important factor" in calling his Christianity into question.

The appeals court, however, said Lei's answer about the Bible is "scant evidence" for his lack of Christian faith, and his answer about Thanksgiving is "no evidence at all."

According to the ruling, Lei professed his "belief that Jesus came to save people from sin, that he willingly died on the cross, that he rose from the dead on the third day, that 40 days later he ascended into heaven, and that, in this way, he `save(s) our lives.'"

Judge Alfred T. Goodwin, writing for the appeals court, said the immigration judge's "perception of a petitioner's ignorance of religious doctrine is not a proper basis" for rejecting his claims.

The court reversed the lower court's denial of asylum and sent Lei's case back for further consideration.