

1: Cross Purposes: Should Anti-Discrimination Laws Trump Religious Freedom?

"GOP's 'religious liberty' scam just died" was the headline on Beutler's Salon article, and the claim has been widely echoed. But we do not have much evidence on whether the bill, or.

For more information on this type of discrimination, please see our page on sexual orientation. Who enforces the law? The Equal Employment Opportunity Commission EEOC is the agency of the federal government responsible for investigating charges of job discrimination related to religious discrimination or lack of accommodation in workplaces of 15 or more employees. Most states have their own agencies that enforce state laws against discrimination. For more information, please see question 31 below. Who is protected under the law? Title VII covers all private employers, state and local governments, and educational institutions that employ 15 or more individuals. Title VII also covers private and public employment agencies, labor organizations, and joint labor management committees controlling apprenticeship and training. Under state laws that make it illegal to discriminate on the basis of religion, however, the minimum number of employees needed to bring a claim varies by state. For more information, please see our page on the minimum number of employees needed to file a claim under your state law. Anti-discrimination protections apply to job applicants as well as current workers. If you are a current employee and are fired, not promoted, or paid at a lower rate, you are protected under the law. If you are not hired because of your religious beliefs, you are also protected. It is important to note that the laws intention is to provide protection for a broad spectrum of religious practices and beliefs, not only those aligning with an organized religion. Simply because no official religious organization to which the individual proclaims to belong exists does not determine whether the belief is religious or not. So long as the religious belief is sincerely held, it does not matter if it is logical or comprehensible to others. What should I do, as an employee, to avoid or resolve religious conflicts at work? To do this, an employee should tell his or her employer about any religious commitments or practices at the time the job is accepted or immediately upon becoming aware of the need for the accommodation. Employees must make this clear because vague objections will usually not suffice. Thus, if you request an accommodation, do it in writing. Explain the reason for accommodation and what kinds of accommodation you suggest. Keep copies of everything you send and receive from your employer, as well as copies of information supplied from your church or religious leaders. What can I do if I am being discriminated against or denied an accommodation for my religious practices? If you continue to be denied an accommodation after a reasonable request, you may want to file a grievance. If you are a union member, you may be able to file a formal grievance through the union. Try to get a shop steward or other union official to help you work through the grievance process. Some employers have policies for handling a dispute regarding religious accommodations. You may be able to resolve the dispute at your job internally. However, even if you file a grievance with your employer, the deadlines to file in court or with an administrative agency still apply, so be sure not to miss them. Does my employer, or prospective employer have a responsibility to provide me with an accommodation, when they reasonably know I need one, even if I did not ask for one? In this case, Equal Employment Opportunity Commission v. So even if a job applicant or employee does not inform management about a religious practice, the employer still must make religious accommodations for that applicant or employee if they believe the worker follows a certain religious belief or practice, even if doing so contradicts neutral company policies. However, in EEOC v. Employees who failed to comply with the policy for religious or other reasons were required to wear a face mask or they were placed on unpaid leave, without job protection, until they complied with the policy or the flu season ended, the EEOC asserts. Please check back at a later date for further information. Can my employer prevent me from taking off on religious holidays or my day of worship? You should start by letting your employer know that there is a conflict between your religious observances and your work schedule. Thus, employers are obligated to try in good faith to resolve the religious conflict, or identify an actual monetary or administrative expense. It is important for you to work closely with your employer to find an appropriate accommodation. If the accommodation would impose a burden on the employer that cannot be resolved, the employer is not required to allow the accommodation.

Many accommodations, however, do not require any monetary or administrative burdens. Whether your employer can accommodate your religious practices will depend upon the nature of the work and the workplace. Usually, your employer can allow you to use lunch or other break times for religious prayer. If you require additional time for prayer, your employer can require you to make up the time. This time off does not have to be paid, however. What if workers with more seniority already have my day of worship off? If your employer can demonstrate undue hardship, it does not have to accommodate your religious practices. If this is the case in your workplace, you may wish to speak with your coworkers to see whether someone would trade shifts with you voluntarily, ask your employer whether you can make up the work at other times, or transfer into another position which either does not require that you work on the day of your religious observances. I think I was retaliated against because I asked for religious accommodations. What is considered retaliation, and what should I do? Retaliation occurs if an adverse employment action is taken against an employee because the employee engaged in a protected activity, such as asking for a religious accommodation, or making a complaint about religious discrimination. Title VII prohibits retaliation against employees engaging in protected activities, and this type of claim is the fastest growing complaint. White, U. A potential employer wants to schedule my job interview on my day of worship. Can I ask that it be scheduled at another time? You may either choose to let your potential employer know that this poses a conflict with your day of worship, or you may just wish to tell the employer that you have a conflict and are not available on that day. Employees also bear responsibility to resolve conflicts between job duties and religious needs, so you should let your employer know about any potential conflict either when you accept a job. If you have become more observant of your religion during your employment, and there is now a conflict that did not previously exist, you should let your employer know immediately. In a recent job interview, the employer asked if I could work Thursday through Sunday each week. The law protects both current employees and job applicants against religious discrimination. Since asking job applicants about their availability on specific days tends to screen out employees with certain religious practices who need accommodation, employers should not ask this question during the hiring process. The best way for the employer to gather this information is for the employer to state the normal work hours for the job and, after making it clear that you are not required to indicate the need for any religious-related absences during the scheduled work hours, to ask whether you are otherwise available to work those hours. Then, after a position is offered, but before you are hired, your employer can inquire into the need for a religious accommodation and determine whether an accommodation is possible. Do I have to answer him? If it is an issue, your employer has some room to ask you about your beliefs, to determine that they are sincere and religious beliefs. Religious practices are not just those required by church or other religious group, but include moral or ethical beliefs as to what is right and wrong that are sincerely held with the strength of traditional religious views. The law also requires that your beliefs be "sincerely held. The employer is entitled to ask some questions to determine the sincerity of your religious beliefs or practices, such as: Which religion is the source of this belief? For how long have you believed that you cannot work on Sundays or your Sabbath day? Have the strength or nature of your religious beliefs changed recently? While the employer should not be unreasonable in trying to figure out whether your beliefs are "sincerely held," you should be prepared to respond to such questions, especially if your religious beliefs have recently changed or evolved to present a new conflict with work policies and practices. Can I be denied employment by a religious organization on religious grounds? Under certain circumstances, some religious institutions enjoy exemptions from federal laws covering religious discrimination. If the organization is a religious corporation, association, educational institution or society, then it is allowed under Title VII to hire only individuals of a particular religion to "perform work connected with the carrying on by such corporation, association, educational institution or society of its activities. Therefore, a Baptist institution could hire only Baptists, but could not refuse to hire African-Americans or applicants with disabilities. Some courts have ruled recently that such religious organizations can legally discriminate against employees who do not subscribe or conform to their beliefs. However, both cases occurred in states without a state law making it illegal to discriminate on the basis of sexual orientation. The outcome might have been different in states with these laws. Religious employers have also been allowed to fire pregnant employees for engaging in premarital sex where it was

against the beliefs of the religion, but were required to show that all employees, including men or women who were known to engage in premarital sex even without a resulting pregnancy were treated similarly. Can I dress according to my religious customs or beliefs on the job? If an article of clothing that you wear, such as a turban, hijab, or yarmulke, is required by your religion, you should ask your employer for a religious accommodation to wear it at work. Your employer has a legal obligation to grant your request if it does not impose a burden, or an "undue hardship," under Title VII. Your employer may try to justify denying you the ability to wear your religious clothing at work based on concerns about offending or losing customers. However, customer preference is never a justification for a discriminatory practice. This prohibition applies to other employment decisions as well, including promotion, transfers, work assignments and wages. If your employer wants to lawfully prevent you from wearing this clothing, the employer would need to show that allowing you to wear this clothing would pose an undue hardship on the business. Real or perceived customer preference would rarely, if ever, meet the undue hardship standard. Health and safety concerns, however, may meet the undue hardship standard. For example, a factory required that assembly line workers wear pants to protect them from getting loose clothing caught in the machinery and from suffering burns. The company terminated an employee after she refused to wear pants and claimed that her religion required women to wear dresses. The court held that reasonable accommodation cannot undermine the safety of plant operations or create undue hardship on the company by increasing job hazards, and therefore the firing was determined to be lawful. If you have been asked to remove or not wear clothing that is part of your religious identity, you may want to ask your employer for an accommodation to wear this clothing. If the employer denies that request, then you should quickly consult with an attorney or federal or state anti-discrimination agency before wearing the clothing and risking discipline or termination, as it can be difficult to undo the harm once you have been terminated or otherwise disciplined. For more information on this topic, please view our page on Dress Codes and Grooming Codes. Can my employer restrict my religious practices during free time at work during my breaks or lunch hour? A potential accommodation that is unlikely to cause the employer undue hardship is to allow you to observe your religious practices, such as prayer or Bible study, during time when it does not interfere with your work, including breaks or a lunch hour. If going to another building for prayer takes longer than the allotted break periods, you can still be accommodated if the nature of your work makes flexible scheduling workable. But your employer can require you to make up any work time missed for religious observance.

2: Religious Liberty Is Under Significant Threat This Term | Above the Law

The use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource, provided such symbols are temporary in nature.

The Day of Truth A First Amendment guide These guidelines are intended to reflect current law in this area, though on some questions there may be no controlling Supreme Court opinion and the lower courts may be divided. While understanding the legal framework is essential in considering the role of religion in public schools, the law will not supply answers to every question. These consensus guidelines are intended to provide direction to school boards, parents, community members, administrators, teachers and students as they work together to address issues and draft policies concerning religious holidays. Since the United States has grown from a nation of relatively few religious differences to one of countless religious groups. This expanding pluralism challenges the public schools to deal creatively and sensitively with students professing many religions and none. The Frequently Asked Questions in this section concern religious holidays and public education, a subject often marked by confusion and conflict. Teachers and school officials, as well as parents and students, should approach this discussion as an opportunity to work cooperatively for the sake of good education rather than at cross-purposes. School districts developing guidelines about religious holidays will want to base their policies in the shared commitment of respect for individual religious beliefs expressed in the constitutional guarantee of religious liberty. This means that public schools may neither promote nor inhibit religious belief or nonbelief. Drafters of such guidelines also will want to take account of the role of religion in history and culture. Brief legal analysis of the issues While awareness of legal issues is essential in considering religion and public education, the law does not supply answers to every question. Within the current legal framework, schools “ their boards, administrators, teachers, parents and students “ must make many practical decisions regarding religious holidays. This work can be done only by showing sensitivity to the needs of every student and indicating a willingness to steer between avoidance of all references to religion on the one hand and promotion of religion on the other. Although many controversies have arisen over religious holidays in public schools, the case law is scant. Because the Supreme Court has not ruled on the issue, there are no final or definitive answers. *Donnelly, , and County of Allegheny v. American Civil Liberties Union*, Interestingly, a majority of the justices has stated that Christmas trees, unlike creches and menorahs, have attained a secular status in our society and can be displayed standing alone. This does not mean that schools should erect Christmas trees during the holiday season, but only that they probably can. Many Americans continue to view Christmas trees as religious symbols, and for this reason schools may wish to be more sensitive than the law requires. The Court also has acknowledged approvingly that Christmas carols are frequently sung in public schools. One federal appeals court has addressed the recognition of religious holidays by public schools. The decision, *Florey v. It is frequently cited as the controlling case on this controversial issue. In that spirit of tolerance, students and staff members should be excused from participating in practices which are contrary to their religious beliefs unless there are clear issues of overriding concern that would prevent it. The several holidays throughout the year which have a religious and a secular basis may be observed in the public schools. The historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination. Music, art, literature and drama having religious themes or bases are permitted as part of the curriculum for school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday. The use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource, provided such symbols are temporary in nature. Moreover, particular practices and activities under such a policy, such as Nativity pageants and reenactments of the Hanukkah miracle, might still be unconstitutional. Any teacher or administrator should ask herself the following questions as she plans holiday activities: Do I have a distinct*

educational purpose in mind? If so, what is it? It should not be the purpose of public schools to celebrate or observe religious holidays. If I use holidays as an opportunity to teach about religion, am I balanced and fair in my approach? Does the planned activity have the primary effect of advancing or inhibiting religion? Does it, for example, promote one faith over another or even religion in general? It is never appropriate for public schools to proselytize. A common misconception is that it is permissible to promote Christianity at Christmas, provided that other religions receive similar treatment at other times. For example, some teachers may try to justify celebrating Christmas by celebrating Hanukkah. This approach is wrong. First, Hanukkah is not a major Jewish holiday and should not be equated with Christmas, one of the two most important holidays in the Christian year. Second, one violation of the First Amendment does not justify another. If it is wrong to promote religion in the public schools at Christmas, it is wrong every other day of the year. What obligation do schools have to accommodate these concerns? Schools are not required to close on a particular religious holiday but may choose to do so as a matter of administrative convenience as, for example, when large numbers of students are likely to be absent. When schools choose not to close on particular holidays, conflicts may arise. Most states have laws permitting a certain number of excused absences for religious holidays. Amarillo Independent School District, In no event should a student be penalized for being absent from school to observe religious holidays. A slightly different rule applies to teachers who wish to be absent to observe religious holidays. School boards may offer any accommodation that is reasonable, however, and are not required to accept the accommodation proposed by the employee *Ansonia Board of Education v. Hardison*,, and *Estate of Thornton v. Courts* have split over whether schools may provide teachers with extra days off with pay in order to observe religious holidays. Notes 1 See, e.

3: Religious Discrimination - Workplace Fairness

The Baptist Joint Committee for Religious Liberty has joined 13 other religious and civil rights organizations urging a federal appeals court to uphold a lower court ruling finding a cross erected on public land in Pensacola, Fla., is unconstitutional. In a brief filed Nov. 22, lawyers from.

The American Legion and other supporters of the cross-shaped war monument on a Maryland highway median just outside Washington have asked the Supreme Court to reconsider a ruling that found having the memorial on public land violates the U. When is a Christian cross not Christian? The answer, according to those fighting for the Peace Cross to remain on public land in Maryland, is when it honors fallen soldiers, rather than Jesus Christ. Others, including a majority of the judges serving the 4th U. This figure fell from Provided by Becket In , citizens of Pensacola, Florida, gathered to erect a wooden cross and pray together ahead of U. Now, non-Christians are fighting for the removal of the cross in court. What would it mean for faith groups if the government got out of the cross business for good? Sasser and Niose were referring to the Peace Cross in Bladensburg, Maryland, a foot tall structure that stands near the center of a busy intersection. The cross and the land surrounding it were originally maintained by the American Legion, but the government took control in during a road construction project. The clause prohibits lawmakers from giving a faith group special treatment. They won at the district level, but the 4th U. Circuit Court of Appeals reversed this decision in October Attorneys representing the Maryland-National Capital Park and Planning Commission have appealed to the Supreme Court with the support of many religious freedom groups, as well as the state of Utah. American Humanist Association as soon as early October. Legal experts, including Supreme Court justices, interpret the establishment clause differently, Goodrich noted. Some believe it outlaws only active interference with a faith group, like mandating church attendance. Others reject any government behavior that appears to endorse religious practice. Cases involving religious symbols are also complicated by the context surrounding the monument or display in question. Judges may allow a cross or menorah on public land if it stands next to other religious symbols. Its purpose is to honor veterans, not celebrate the Christian faith, Sasser said. The Peace Cross "asserts the truth of one religion and, implicitly but necessarily, the falsehood of all other religions," said Doug Laycock, an expert on religious freedom law at the University of Virginia, to The New York Times last year. For Becket, support for religious symbols wins out. The organization rejects the notion that religion should stay in private, Goodrich said, noting that Becket has advocated on behalf of a Jewish menorah, too. The government should be true to our humanity and history and culture," he said. He compared government stewardship of crosses to publicly funded St. Religion is a big part of American culture and should be celebrated as such, he said. When you outlaw religious symbols from the public square, "it impoverishes our culture," Goodrich said. Becket has filed a brief in support of the Peace Cross and currently represents another publicly owned cross in court. Becket appealed to the 11th U. Circuit Court of Appeals and a ruling is expected any day. This case could end up before the Supreme Court next term, Goodrich said.

4: Religious Holidays in School: A First Amendment Guide (Education)

*Religious & Civil Liberties; something that is working at cross-purposes with the purpose or mission of their organization
This happened recently with the coach.*

History[edit] This section possibly contains inappropriate or misinterpreted citations that do not verify the text. Please help improve this article by checking for citation inaccuracies. September Learn how and when to remove this template message Minerva as a symbol of enlightened wisdom protects the believers of all religions Daniel Chodowiecki , Historically, freedom of religion has been used to refer to the tolerance of different theological systems of belief, while freedom of worship has been defined as freedom of individual action. Nevertheless, freedom from religion is a far more pressing moralistic, legal, and peaceful solution. Each of these have existed to varying degrees. While many countries have accepted some form of religious freedom, this has also often been limited in practice through punitive taxation, repressive social legislation, and political disenfranchisement. Compare examples of individual freedom in Italy or the Muslim tradition of dhimmis , literally "protected individuals" professing an officially tolerated non-Muslim religion. The Declaration of the Rights of Man and of the Citizen guarantees freedom of religion, as long as religious activities do not infringe on public order in ways detrimental to society. In Antiquity , a syncretic point of view often allowed communities of traders to operate under their own customs. When street mobs of separate quarters clashed in a Hellenistic or Roman city, the issue was generally perceived to be an infringement of community rights. Cyrus the Great established the Achaemenid Empire ca. Judaism, Zoroastrianism , Christianity and Islam. Others have been where the established order has felt threatened, as shown in the trial of Socrates in BC or where the ruler has been deified, as in Rome, and refusal to offer token sacrifice was similar to refusing to take an oath of allegiance. This was the core for resentment and the persecution of early Christian communities. The Romans tolerated most religions, including Judaism and encouraged local subjects to continue worshipping their own gods. They did not however, tolerate Christianity until it was legalised by the Roman emperor Galerius in The Edict of Milan guaranteed freedom of religion in the Roman Empire until the Edict of Thessalonica in , which outlawed all religions except Christianity. Muslim world[edit] Following a period of fighting lasting around a hundred years before AD which mainly involved Arab and Jewish inhabitants of Medina then known as Yathrib , religious freedom for Muslims, Jews and pagans was declared by Muhammad in the Constitution of Medina. The Islamic Caliphate later guaranteed religious freedom under the conditions that non-Muslim communities accept dhimmi status and their adult males pay the punitive jizya tax instead of the zakat paid by Muslim citizens. According to the famous Islamic legal scholar Ibn Qayyim â€” , non-Muslims had the right to engage in such religious practices even if it offended Muslims, under the conditions that such cases not be presented to Islamic Sharia courts and that these religious minorities believed that the practice in question is permissible according to their religion. Freedom of religion in India Ancient Jews fleeing from persecution in their homeland 2, years ago settled in India and never faced anti-Semitism. Freedom to practise, preach and propagate any religion is a constitutional right in Modern India. Most major religious festivals of the main communities are included in the list of national holidays. Religious tolerance is inherent in Indian tradition," the Dalai Lama said. Later he promoted the principles of Buddhism , and the creation of a just, understanding and fair society was held as an important principle for many ancient rulers of this time in the East. The importance of freedom of worship in India was encapsulated in an inscription of Ashoka: King Piyadasi Ashok dear to the Gods, honours all sects, the ascetics hermits or those who dwell at home, he honours them with charity and in other ways. But the King, dear to the Gods, attributes less importance to this charity and these honours than to the vow of seeing the reign of virtues, which constitutes the essential part of them. For all these virtues there is a common source, modesty of speech. One must, on the contrary, render to other creeds the honour befitting them. On the main Asian continent, the Mongols were tolerant of religions. People could worship as they wished freely and openly. After the arrival of Europeans, Christians in their zeal to convert local as per belief in conversion as service of God, have also been seen to fall into frivolous methods since their arrival, though by and large there are hardly any reports of law and

order disturbance from mobs with Christian beliefs, except perhaps in the north eastern region of India. Accordingly, every citizen of India has a right to profess, practice and propagate their religions peacefully. Religious intolerance[edit] Nineteenth century allegorical statue on the Congress Column in Belgium depicting religious freedom Most Roman Catholic kingdoms kept a tight rein on religious expression throughout the Middle Ages. Jews were alternately tolerated and persecuted, the most notable examples of the latter being the expulsion of all Jews from Spain in . Some of those who remained and converted were tried as heretics in the Inquisition for allegedly practicing Judaism in secret. Despite the persecution of Jews, they were the most tolerated non-Catholic faith in Europe. However, the latter was in part a reaction to the growing movement that became the Reformation. As early as , John Wycliffe in England denied transubstantiation and began his translation of the Bible into English. He was condemned in a Papal Bull in , and all his books were burned. Not entirely trusting in his safety, he made his will before he left. His forebodings proved accurate, and he was burned at the stake on 6 July . This decree was not carried out until . After the fall of the city of Granada , Spain, in , the Muslim population was promised religious freedom by the Treaty of Granada , but that promise was short-lived. The majority converted, but only superficially, continuing to dress and speak as they had before and to secretly practice Islam. Martin Luther published his famous 95 Theses in Wittenberg on 31 October . His major aim was theological, summed up in the three basic dogmas of Protestantism: The Bible only is infallible. Every Christian can interpret it. In consequence, Luther hoped to stop the sale of indulgences and to reform the Church from within. After he refused to recant, he was declared heretic. He was excommunicated by Papal Bull in . However, the movement continued to gain ground in his absence and spread to Switzerland. He opposed the sale of indulgences, celibacy, pilgrimages, pictures, statues, relics, altars, and organs. This culminated in outright war between the Swiss cantons that accepted Protestantism and the Catholics. The Catholics were victorious, and Zwingli was killed in battle in . The Catholic cantons were magnanimous in victory. This was not without internal opposition, and Thomas More , who had been his Lord Chancellor, was executed in for opposition to Henry. In , the Swiss canton of Geneva became Protestant. In , the Bernese imposed the reformation on the canton of Vaud by conquest. They sacked the cathedral in Lausanne and destroyed all its art and statuary. John Calvin , who had been active in Geneva was expelled in a power struggle, but he was invited back in . However, her half-sister, Elizabeth I of England was to restore the Church of England in , this time permanently, and began to persecute Catholics again. The King James Bible commissioned by King James I of England and published in proved a landmark for Protestant worship, with official Catholic forms of worship being banned. Early steps and attempts in the way of tolerance[edit] The cross of the war memorial and a menorah coexist in Oxford , Oxfordshire, England The Norman Kingdom of Sicily under Roger II was characterized by its multi-ethnic nature and religious tolerance. The so-called Basel Compacts of declared the freedom of religion and peace between Catholics and Utraquists. The privileged position of the Catholic Church in the Czech kingdom was firmly established after the Battle of White Mountain in . Gradually freedom of religion in Bohemian lands came to an end and Protestants fled or were expelled from the country. It was presented to Charles V in . Each state was to take the religion of its prince, but within those states, there was not necessarily religious tolerance. Citizens of other faiths could relocate to a more hospitable environment. In France, from the s, many attempts to reconcile Catholics and Protestants and to establish tolerance failed because the State was too weak to enforce them. It took the victory of prince Henry IV of France, who had converted into Protestantism, and his accession to the throne, to impose religious tolerance formalized in the Edict of Nantes in . Intolerance remained the norm until Louis XVI, who signed the Edict of Versailles , then the constitutional text of 24 December , granting civilian rights to Protestants. The French Revolution then abolished state religion and confiscated all Church property, turning intolerance against Catholics. Calvinism, however, was prohibited. Calvinism was included among the accepted religions in . However, it was more than a religious tolerance; it declared the equality of the religions, prohibiting all kinds of acts from authorities or from simple people, which could harm other groups or people because of their religious beliefs. The lack of state religion was unique for centuries in Europe. Therefore, the Edict of Torda is considered as the first legal guarantee of religious freedom in Christian Europe. If not, no one shall compel them for their souls would not be satisfied, but they shall be permitted to keep a preacher

whose teaching they approve. Therefore none of the superintendents or others shall abuse the preachers, no one shall be reviled for his religion by anyone, according to the previous statutes, and it is not permitted that anyone should threaten anyone else by imprisonment or by removal from his post for his teaching. For faith is the gift of God and this comes from hearing, which hearings is by the word of God. King John Sigismund [33] Four religions Catholicism , Lutheranism , Calvinism , Unitarianism were named as accepted religions *religio recepta* , having their representatives in the Transylvanian Diet, while the other religions, like the Orthodoxs , Sabbatarians and Anabaptists were tolerated churches *religio tolerata* , which meant that they had no power in the law making and no veto rights in the Diet, but they were not persecuted in any way. Thanks to the Edict of Torda, from the last decades of the 16th Century Transylvania was the only place in Europe, where so many religions could live together in harmony and without persecution. After this year the Sabbatarians begun to be persecuted, and forced to convert to one of the accepted religions of Transylvania. The Union of Utrecht was an important step in the establishment of the Dutch Republic from to Under Calvinist leadership, the Netherlands became the most tolerant country in Europe. It granted asylum to persecuted religious minorities, such as the Huguenots, the Dissenters, and the Jews who had been expelled from Spain and Portugal. When New Amsterdam surrendered to the English in , freedom of religion was guaranteed in the Articles of Capitulation. It benefitted also the Jews who had landed on Manhattan Island in , fleeing Portuguese persecution in Brazil. William Penn , the founder of Philadelphia, was involved in a case which had a profound effect upon future American laws and those of England. In a classic case of jury nullification, the jury refused to convict William Penn of preaching a Quaker sermon, which was illegal. Even though the jury was imprisoned for their acquittal, they stood by their decision and helped establish the freedom of religion. The statute served as the basis for the legal position of Jews in Poland and led to the creation of the Yiddish-speaking autonomous Jewish nation until The statute granted exclusive jurisdiction of Jewish courts over Jewish matters and established a separate tribunal for matters involving Christians and Jews. Additionally, it guaranteed personal liberties and safety for Jews including freedom of religion, travel, and trade. The statute was ratified by subsequent Polish Kings:

5: Supreme Court takes up its cross to test the wall separating church and state – Baptist News Global

You've heard of some of the publications that carry her work (Personal Liberty Digest, Christian Science Monitor, Washington Post, Barron's, New York Post); others can only wish you'd heard of them.

The bad news is that the debate over religious freedom has taken an ominous turn. Here are six takeaways from the controversy. The media cannot be trusted to report accurately on social issues. The press leans to the left, as everyone knows, and especially on social issues. CNN anchors more or less openly advocated for a veto of the bill, which they would generally not do on tax legislation. In their limited defense, the proximate reason for the legislation does have to do with homosexuality: Conservatives were concerned that without the law, business owners who object to same-sex marriage might be forced to take actions they regard as participating in, facilitating, or condoning it. They were moved by cases such as one in neighboring New Mexico, where a wedding photographer was punished for refusing to serve a same-sex commitment ceremony. The legislation itself, however, did not mention gays, homosexuality, or same-sex marriage, and largely tracked the federal Religious Freedom Restoration Act RFRA: It would not even have authorized bakers to refuse to make a cake for a same-sex wedding, which is a scenario both sides of the debate often mentioned. It would have given those bakers a claim in court but not guaranteed their success with it. The RFRA says that religious believers can get exemptions from a generally applicable law if they can convince judges that the law imposes a substantial burden on the exercise of their faith and is not the least restrictive means of advancing a compelling interest of the government. That is the same rule that the Supreme Court followed, as a matter of First Amendment law, from through The Arizona bill would not have said that either. The Arizona bill differed from the federal law, and clarified previous state law, in two ways. It explicitly allowed businesses, not just individuals, to make conscience claims in court, and it explicitly allowed the claims to be used against private litigants. Whether the federal law applies in these cases is disputed. The RFRA was not something liberals conceded to religious conservatives. It was something they affirmatively sought. Then-representative Chuck Schumer D. Now liberals regard religious exemptions from laws as suspicious privileges for religious believers. Brian Beutler, writing in Salon about the Arizona bill, makes the point thus: This view writes democratic norms and competing liberties entirely out of the equation. That view reflects an old, reactionary conception of liberty. The old, reactionary conception of liberty championed by Ted Kennedy really did regard religious liberty as a trump, in many instances, over laws that were enacted democratically to advance other values. The same is of course true of any other liberty: If it does not sometimes act as a trump, it does not exist; and if it does not often act as a trump, it hardly exists. They will probably move first against groups such as the Knights of Columbus, demanding that their halls be made available to same-sex weddings. But give them time. The advance of gay rights has at best an ambiguous relationship to the older conception of liberty. Those Americans at the forefront of this trend see it, and describe it, as a straightforward victory for liberty. And some of its important milestones fit the libertarian or classical-liberal template perfectly: Same-sex marriage is a different sort of issue. The question is whether they will grant it official recognition. The libertarian argument for same-sex marriage is rooted in discomfort with marriage as a separate legal category of its own rather than as one of an infinite variety of contracts individuals can make. That argument has not played an important role in the public debate. In the dispute over the Arizona law, people who profess themselves to be dead set against using government to impose morality have cheered on exactly that. They see it as the only way to keep religious-conservative florists, bakers, and other businessmen from imposing their moral views on their customers. But this is true only if an insult, or a perceived insult, is an imposition. The regime of anti-discrimination law has worked a revolution in American liberalism, and American life. The reason the pluralist answer is no longer the default one is, of course, the struggle against Jim Crow. Hence its specter has appeared in the debate over the Arizona law. A few conservative defenders of the Arizona bill have argued that private actors should have the right to discriminate at will. But not many people are willing to follow that thought to the conclusion that the Civil Rights Act of has to go. Even the idea of a religious exemption from laws against racial discrimination makes most of us queasy, since we remember that some

segregationists used religious justifications. They lost in court. It is not impossible to devise an argument for leaving in place the rules against discrimination based on race while refusing to outlaw discrimination based on sexual orientation. While gays and lesbians have often been shamefully mistreated, they do not suffer under any oppression as terrible as slavery and segregation were, and the extraordinary measures that we have taken to destroy and prevent the reemergence of those latter evils are not called for. If we thought about freedom and discrimination that way, we would start with a presumption in favor of tolerating private discrimination that we would overcome only for a very strong reason. He noted that tolerance, government neutrality, and depoliticization were once the guiding ideals of liberalism. The anti-discrimination regime, he argued, weakens these ideals or even replaces them with a moralized politics and politicized morality. It takes the reshaping of opinion, through the marginalization and stigmatization of views it considers bigoted, as one of its main goals. A same-sex couple with a psychology shaped by classical liberalism might have seen the baker who refused to make them a wedding cake as sadly misguided, or a jerk. The new regime encourages them to see him as a civil-rights violator. This mindset, far from being confined to a left-wing fringe, is now the dominant one in America. So Republicans have not been reliable champions of religious liberty. Even some of the legislators who voted for the bill counseled a veto, saying they had not understood what they had approved. Perhaps they had not understood how controversial it would be. Perhaps they thought that there was no need to approve controversial legislation until Arizona actually had a case like the one in New Mexico. If Romney, McCain, and Flake truly believe that a baker should have to bake a cake for a same-sex wedding, even if he considers doing so participation in and endorsement of something he thinks wrong, then they have taken a decidedly odd position. All of them oppose legal recognition of same-sex marriage. They would be saying that it is all right for the government to discriminate against same-sex couples, by refusing to treat their unions as marital, while also forbidding private actors to do the same. They would be saying that the government can symbolically say something that it can also forbid private actors to symbolically say. For all that, the fight for religious liberty is not over. But we do not have much evidence on whether the bill, or the idea of protecting religious dissenters even at the risk of discrimination, is unpopular. Same-sex marriage now appears to have the support of a small majority of the population. Surely some significant number of those supporters do not regard the opponents as the equivalent of Bull Connor. Formal religious affiliation may be on the decline in the United States, but religion is not going away and neither are religious objections to same-sex marriage. We are not going to reach a point where there are as few traditional Christians as there are segregationists. In that sense, the ultimate cultural ambition of the movement for same-sex marriage is bound to be frustrated. Republicans may not want to fight this fight, but they will be forced to have it. Social conservatives will be better prepared next time. The coverage of Arizona made them look like aggressors in a culture war; in time, cases will accumulate that make them seem more like victims. And the kind of media hysteria that sank the Arizona bill is hard to sustain for extended periods. Round One of this struggle went badly for the partisans of the older, sounder concept of liberty. Future rounds may show that it still has life in it.

6: Religious holidays | Freedom Forum Institute

This argument's approach on the one hand denies the cross is a religious symbol because Congress is trying to preserve a secular war memorial, while on the other, Congress by its actions acknowledges it is a religious symbol per the courts' perspective that it needs to be covered up and removed from federal land.

These guidelines are intended to reflect current law in this area, though on some questions there may be no controlling Supreme Court opinion and the lower courts may be divided. While understanding the legal framework is essential in considering the role of religion in public schools, the law will not supply answers to every question. These consensus guidelines are intended to provide direction to school boards, parents, community members, administrators, teachers and students as they work together to address issues and draft policies concerning religious holidays. Since the United States has grown from a nation of relatively few religious differences to one of countless religious groups. This expanding pluralism challenges the public schools to deal creatively and sensitively with students professing many religions and none. Religious holidays and public education is a subject often marked by confusion and conflict. Teachers and school officials, as well as parents and students, should approach this discussion as an opportunity to work cooperatively for the sake of good education rather than at cross-purposes. School districts developing guidelines about religious holidays will want to base their policies in the shared commitment of respect for individual religious beliefs expressed in the constitutional guarantee of religious liberty. This means that public schools may neither promote nor inhibit religious belief or nonbelief. Drafters of such guidelines also will want to take account of the role of religion in history and culture. Brief legal analysis of the issues While awareness of legal issues is essential in considering religion and public education, the law does not supply answers to every question. Within the current legal framework, schools “ their boards, administrators, teachers, parents and students “ must make many practical decisions regarding religious holidays. This work can be done only by showing sensitivity to the needs of every student and indicating a willingness to steer between avoidance of all references to religion on the one hand and promotion of religion on the other. Although many controversies have arisen over religious holidays in public schools, the case law is scant. Because the Supreme Court has not ruled on the issue, there are no final or definitive answers. Interestingly, a majority of the justices has stated that Christmas trees, unlike creches and menorahs, have attained a secular status in our society and can be displayed standing alone. This does not mean that schools should erect Christmas trees during the holiday season, but only that they probably can. Many Americans continue to view Christmas trees as religious symbols, and for this reason schools may wish to be more sensitive than the law requires. The Court also has acknowledged approvingly that Christmas carols are frequently sung in public schools. One federal appeals court has addressed the recognition of religious holidays by public schools. It is frequently cited as the controlling case on this controversial issue. In that spirit of tolerance, students and staff members should be excused from participating in practices which are contrary to their religious beliefs unless there are clear issues of overriding concern that would prevent it. The several holidays throughout the year which have a religious and a secular basis may be observed in the public schools. The historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination. Music, art, literature and drama having religious themes or bases are permitted as part of the curriculum for school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday. The use of religious symbols such as a cross, menorah, crescent, Star of David, creche, symbols of Native American religions or other symbols that are a part of a religious holiday is permitted as a teaching aid or resource, provided such symbols are temporary in nature. Moreover, particular practices and activities under such a policy, such as Nativity pageants and reenactments of the Hanukkah miracle, might still be unconstitutional. Any teacher or administrator should ask herself the following questions as she plans holiday activities: Do I have a distinct educational purpose in mind? If so, what is it? It should not be the purpose of public schools to celebrate or observe religious holidays. If I use holidays as an opportunity to teach about

religion, am I balanced and fair in my approach? Does the planned activity have the primary effect of advancing or inhibiting religion? Does it, for example, promote one faith over another or even religion in general? It is never appropriate for public schools to proselytize. A common misconception is that it is permissible to promote Christianity at Christmas, provided that other religions receive similar treatment at other times. For example, some teachers may try to justify celebrating Christmas by celebrating Hanukkah. This approach is wrong. First, Hanukkah is not a major Jewish holiday and should not be equated with Christmas, one of the two most important holidays in the Christian year. Second, one violation of the First Amendment does not justify another. If it is wrong to promote religion in the public schools at Christmas, it is wrong every other day of the year. What obligation do schools have to accommodate these concerns? Schools are not required to close on a particular religious holiday but may choose to do so as a matter of administrative convenience as, for example, when large numbers of students are likely to be absent. When schools choose not to close on particular holidays, conflicts may arise. Most states have laws permitting a certain number of excused absences for religious holidays. In no event should a student be penalized for being absent from school to observe religious holidays. A slightly different rule applies to teachers who wish to be absent to observe religious holidays. School boards may offer any accommodation that is reasonable, however, and are not required to accept the accommodation proposed by the employee *Ansonia Board of Education v. Courts*. Courts have split over whether schools may provide teachers with extra days off with pay in order to observe religious holidays. Notes 1 See, e. This article sponsored jointly by:

7: Freedom of religion - Wikipedia

The old, reactionary conception of liberty championed by Ted Kennedy really did regard religious liberty as a trump, in many instances, over laws that were enacted democratically to advance other values.

Nov 13, at 1: Unfortunately, it looks as though that unbalance is about to become far worse. On November 2nd, the United States Supreme Court announced it will decide a case, in part, on whether the Establishment Clause bars state and local government from taxing citizens to maintain a foot Christian cross WW1 memorial. The reason the case is all but assured to end in finding that the state may indeed maintain a religious monument is most members of the Court have established viewpoints on the issue. Given the text and plain meaning of the Establishment Clause, the views of the majority of the Court are perplexing to say the least. The Establishment Clause was founded upon the deep-rooted Constitutional principle of freedom of conscience. No matter how well intentioned, the state is not to make the choice for anyone. Madison was also clear that civil society being separated entirely from religion did not infringe upon other rights stating: Free speech remains a part of the First Amendment as well, after all. Rather, what the Establishment Clause does require is a strict adherence to the principle that civil mechanisms do not encroach upon the free conscience of citizens by forcing them to pay for or share religious views. When state governments tax citizens to maintain religious symbols regardless of whether any taxpayer objects, they violate free conscience by forcing citizens to pay for a religious message they might otherwise disagree with. The majority of the Court understands this principle well and applies the First Amendment religious liberty prohibition against government coercion correctly in other contexts. In issuing its opinion in *Janus*, the Court stated: Whenever the Federal Government or a State prevents individuals from saying what they think on important matters or compels them to voice ideas with which they disagree, it undermines these ends. When speech is compelled, however, additional damage is done. In that situation, individuals are coerced into betraying their convictions. It is astounding to think the Court could utilize religious liberty protections against coercion to prevent a state from compelling public-sector union speech, yet find it completely acceptable for a state to extract money from citizens to compel large and expensive religious monuments. Such a result is to make a mockery of our Constitutional religious liberty principles and I hope the Court does not reach it. An argument the majority of the Court appears likely take in upholding state-funded maintenance of a religious monument is state governments have a long tradition of established churches. Relying on these past practices to dilute plain meaning Establishment Clause intent however presents glaring problems. For one thing, the Establishment Clause was only incorporated to the states in the mid 18th century. It should go without saying that all state assessment frameworks that blurred the line between church and state prior to being under Establishment Clause scrutiny are irrelevant to current Establishment Clause doctrine. For another, it is absolutely clear that Madison "the leading Founder in regard to religious liberty and the lead representative in Congress in passing the First Amendment" would have viewed this case as a violation. As I wrote before, Madison staunchly opposed and defeated on free conscience grounds a religious-neutral, non-preferential assessment bill that gave citizens complete autonomy to direct funds however they wanted, including for religious purposes. It defies all common sense to say that while Madison opposed an assessment framework that offered individual citizens complete autonomy to service religion or not, he would have been fine with the assessment at issue here which offers citizens no choice on whether to fund a religious monument. But perhaps most importantly, to allow the government to compel citizens for the payment of religious monuments, even based on tradition, but to deny public union extractions would amount to an egregious viewpoint discrimination. Yet that is exactly what the Court appears willing to decide. I hope for the sake of religious liberty I am wrong. Rogers College of Law. Feel free to email him or follow him on Twitter to discuss his column.

8: Project MUSE - Cross Purposes

Many churches, religious organizations and homeowners engaged in religious activity are unaware of the federal laws that protect their religious exercise from unnecessary and burdensome zoning regulations and/or unequal treatment in the zoning process.

Sounds like the makings of a hymn, but actually it is fodder for a church-state case before the United States Supreme Court. The case will determine the fate of a white, five-and-a-half-foot cross, which is the only national memorial to World War I and its veterans. Its fate hinges on how the cross is characterized: For those not familiar with the details of the case, a summary of how it came to the Supreme Court is in order. During oral arguments toward the end of Peter J. The most recent replacement of the cross occurred in by its caretaker, Henry Sandoz, who did not obtain a permit to drill holes for the replacement cross. Department of the Interior commissioned a historian who determined the cross was of no historic significance and ineligible for the National Register of Historic Places. In Frank Buono, a retired NPS employee of the preserve, wrote a letter to the director of NPS claiming the stand-alone Christian cross on federal land within the Mojave Preserve violates the establishment clause. On December 15, , Congress enacted an appropriations bill that was signed by President Clinton in early , a portion of which prohibited the use of federal funds for removing the cross. District Court for the Central District of California, challenging the constitutionality of the religious display on federal property. Afterward Congress authorized the secretary of the interior in to exchange the acre of land on which the national World War I memorial stood for five acres of privately owned land also within the preserve, and to convey the Sunrise Rock land to the Veterans Home of California in Barstow, VFW Post E. But before sinking deeper into the cold waters of technical judicial procedures that lie under the surface of this ice cube made into an iceberg, a biblical analogy will help to crystallize the issue of authority at stake in this church-state problem heightened by a legislative-judiciary dispute. The Bible records in 1 Samuel 15 the story of what on the surface seemed a trivial dispute over whether or not some things under the divine ban were completely destroyed. Deep down, what was at stake was whether the word of the Lord spoken to Saul by the prophet Samuel was carried out by Saul as the Lord had commanded. It issued commands to ensure the divine will was carried out. King Saul was the executive branch, implementing the divine commands. Like two ships passing in the night, so went the dialogue between the two briefs presented to the Supreme Court in Salazar v. Buono prior to oral arguments heard by the Court on October 7, There is just one problem: The lower courts held that the stand-alone religious symbol on federal property violated the establishment clause, and therefore, must be removed by the NPS. It just takes extra time to comply. On the one hand, one thing is certain: But that will mean destroying an emotionally invested symbol of those who gave their lives in battle. It also will determine that Christian symbols united with ostensibly secular legislative purposes, per Smith, are uniting church and state. On the other hand, another thing is equally certain: McMearty has an academic background in church-state studies and experience as a church legislative liaison. He writes from Sacramento, California. Ken Salazar, Secretary of the Interior, et al. Frank Buono, oral arguments, Peter J. Accessed November 30, The truth is that the cross is simultaneously a war memorial and a religious symbol, which all the differentiating in the world will not separate the fusion of both into a complete union of religion and governmental authority. Buono, oral argument transcript, petitioners: If Justice Scalia has his way, crosses as war memorials for deceased soldiers could stand alone on federal property. Of course, only those of a Christian perspective would think nothing wrong with a cross representing non-Christians as well. I mean no disrespect, being a Christian myself, but I sometimes have wondered about the incongruence between employing a cross to represent those who sacrificed their lives in battle in killing others for their country and the cross as a symbol of Jesus sacrificing His life for the sins of humanity in a cosmic battle without killing anyone in the process. Hein had the practical result of leaving in tact a questionable cooperation between the executive branch and religious institutions with proselytizing motives performing social services for the public at government expense. Basically, no one has sufficient standing to contest practice, and it continues from presidency to presidency.

9: Is a cross always religious? | Deseret News

"Religious expression is a fundamental aspect of human culture, just like race, sex, music or art," said Luke Goodrich, vice president and senior counsel for Becket, a prominent religious liberty.

Handbook of Toxicologic Pathology (2-Volume Set) Mosser/Musser family I see red green blue. Matlab system identification toolbox tutorial The Best of books for keeps Real and ideal in literature. My truth, your truth, whose truth? Combat : tournament karate The Window in Art Cultural citizenship in the age of P2P networks William Uricchio Library resources in the North East Portrait and biographical record of Oklahoma Windows server 2008 features list Treatment program and the fact that he was doing his research within the Tanaka Giichi and Japans China policy Developing Societies in the Information Age People of the north, people of the west, people of the east, people of the south, dress Search for a file Modern American Catholicism, 1900-1965 George Jarvis; his journal and related documents. No, maam, thats not history The address of Mr. Justice Livingston to the House of Assembly of New-York, in support of his right to a Keling of the raised world From despair to deliverance Military Legitimacy: Might and Right in the New Millennium Hearthsides book of Bible quotations London: Kit Robin When faith is not enough Nation and State building in America Applications of radar system Four Views of the End Times (pamphlet) Generation loss elizabeth hand Step, slope, and slide Yamaha xt500 service manual Phylaster, or, Loue lyes a bleeding The wall, by J. Sartre. Irelands management of EU business : the impact of Nice Brigid Laffan 9.6 The importance of good governance and operational management You Cant Lose Em All A poem on intemperance