

Religious assertion from below

Religious actors representing new religious minorities in workplace accommodation

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Abstract

This article examines how religious actors representing new religious minorities navigate workplace negotiations over reasonable accommodation. Drawing on literature on diversity governance, we investigate the behavior of religious actors by separating entry (externally conferred recognition) from participation (discursive admissibility) and by tracing how epistemic authority conditions participation and influence across venues. The analysis shows how selective secularism structures these negotiations, placing higher translation burdens and evidentiary demands on migrant-coded minorities. Although religious actors may secure recognition, their authority remains vulnerable to public contestation and institutional veto points. The article concludes with recommendations to reduce gaps between law and practice and to improve equitable accommodation procedures.

Keywords

Religious actors, workplace discrimination, new religious minorities, inclusion.

1. Introduction

Religious minorities continue to face barriers in the workplace resulting from discrimination, misunderstandings and cultural prejudice (ENAR 2015). As part of religious diversity governance, negotiations between employers and religious minorities often seek reasonable accommodations to balance competing interests and devise protections for religious beliefs and freedoms (see Garcia-Yeste et al. 2022, Hill 2017). In this sense, workplace accommodation procedures are concrete sites where freedom of religion or belief is either enabled or curtailed, as abstract protections are translated into everyday work rules, sanctions and ex-

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emptions. In this article, we focus on new religious minorities – defined as groups whose presence in Europe and North America is shaped by migration and whose religious practices are often perceived as culturally and ethnically distinct, even if their religion is not necessarily new. As tensions arise in the workplace over practices and rites linked to new religious minorities, these groups may become subject to harassment and discrimination. Controversies around practices associated with new religious minorities have intensified as employers contend with increasing religious diversity and novel expressions of religious belief amid structural forms of anti-migrant and anti-Muslim racism often framed as xenophobia.

In the workplace, dress or uniform rules, safety protocols, holiday scheduling policies, management of requested prayer breaks, and canteen standards operate as gatekeeping devices that condition the entry, terms of participation, and presumptive legitimacy of new religious minorities (Sajir 2025a). To navigate these gatekeeping devices, religious actors are often called into or seek to enter into negotiations between employees and employers, mediating across religious, institutional, and cultural logics (Garcia Yeste et al. 2020, Cismas 2014; Berger 2003; Permoser et al. 2010). Religious actors are defined as those who maintain “religion consistently as either a character type or internalized group norm” (Lichterman 2012:15). As part of their negotiations for reasonable accommodations, religious actors can assist employees of faith and employers in managing conflicts between different authorities (Pélisse 2019), help translate religious practices for legal bodies and/or employers (Ruggiu 2019), and devise specific and more inclusive approaches to accommodate religious minorities in the workplace (Raza 2023). Critically, these religious actors come “from below” to engage public institutions as normative challengers who assert faith-based rationalities from structurally subordinated positions to contest dominant secular norms (Budabin & Sajir 2025). Our use of “from below” does not imply that each individual worker leads the negotiations; rather, it designates religious actors who are rooted in subordinated constituencies and lack insider status in the institutional fields they petition.

For religious actors advocating on behalf of new religious minorities, the “newness” and “otherness” of the minority group may further affect their power status. Their thin institutional embeddedness, weaker fit within minority-protection regimes, and higher translation burdens raise entry costs and evidentiary bars. Their presence in these negotiations is thus symbolically important for signaling inclusion, yet because they act on behalf of new religious minorities, religious actors may face additional barriers to entry and heightened scrutiny of their legitimacy and authority.

Negotiations over reasonable accommodation in the workplace are structured by power as well as principle. We read these negotiations under post-secular conditions, where religious and secular worldviews persist, interact and are compelled into mutual scrutiny. We use the notion of selective secularism to capture how authorities culturalize majority religion as neutral while subjecting minority expressions, especially Muslim-coded ones, to heightened admissibility tests (Sajir 2023). Section 2.3 elaborates this power architecture and links it to our distinction between entry and participation for religious actors representing new religious minorities.

This fits into a growing field that explores how religious associations and interfaith organizations can lead to more inclusive workplaces (Garcia Yeste et al. 2022). Studying the interactions, dynamics, and discourses of religious actors will contribute to our understanding of the collective action of religious groups in the field of advocacy (Berger 2003), their objectives, means, and strategies in the public sphere (Haynes & Hennig 2011), and their agency in challenging majority-group values and confronting discrimination (Topidi & Relaño Pastor 2024; Cismas 2014). Furthermore, going inside these negotiations to look at the deployment of religious and secular arguments will provide texture to our understanding of how different actors reinforce or supersede religious-secular cleavages (Sajir 2025b). To this end, we examine religious actors' interventions by separating entry (externally conferred recognition) from participation (discursive admissibility) and by tracing how epistemic authority conditions participation and influence across venues. We argue that the uneven entry and participation for religious actors reflects persisting power dynamics within religious diversity governance.

The article unfolds as follows. First, we link the relevant literature on access, actions and effects of religious actors to research on the concept of new religious minorities and diversity governance. We then present our analytical framework for studying the entry and participation of religious actors acting on behalf of new religious minorities. To illustrate the dynamics that can affect religious actors, we turn to an exemplary case study of reasonable accommodation from the USA in the 2000s, which was prepared by the Pluralism Project at Harvard University. The case study concerns Somali Muslim taxi drivers in the US state of Minnesota who entered into negotiations with the main international airport over the refusal to transport passengers carrying alcohol. We find that distinguishing between entry as recognition and participation as admissibility reveals the barriers to full and meaningful inclusion of religious actors acting on behalf of new religious minorities. We conclude with practical recommendations on remedying the processes for devising reasonable accommodation and superseding the gap between law and practice.

2. Studying religious actors in workplace accommodations for new religious minorities

2.1. *New religious minorities in the workplace*

Across the globe, the workplace has become a contentious site where religious practices, especially those of religious minorities, have often been a source of tension, harassment, and discrimination. The United Nations Special Rapporteur on freedom of religion or belief, in a 2014 report on workplace conflicts, noted that mainstream religions may be permitted “an opportunity to manifest their convictions more openly at the workplace, while individuals belonging to minority communities ... are forced to conceal their positions” (Bielefeldt 2014:6). This reference to minority communities reinforces how, within increasingly diverse societies, religious minorities continue to contend with discrimination and exclusion (Ferrari 2024).

Emerging from the distinction between old and new minorities (Medda-Windischer 2008), the concept of new religious minorities seeks to distinguish the profile of those religious minorities that originate from recent migration movements (Medda-Windischer et al. 2024). New religious minorities may be adherents of traditional faiths – Sikh or Islam – but find themselves in a new territory (Bretscher 2017). For instance, in Spain, Islam has deep historical roots, but contemporary Muslim populations are often coded as “new” or even “exogenous” primarily due to their migrant background and racialized positioning in debates on national identity (Ruiz Andrés & Sajir, forthcoming). We acknowledge that the concept’s reliance on the notion of “new” in reference to a recent migration is problematic, as the time frame is unstable (Ventura 2021:2, footnote 4). However, for the purposes of the current discussion, the concept offers a useful analytical perspective for considering how the migrant background of new religious minorities may overlap with cultural and ethnic differences in salient ways, depending on the shifting political and social contexts.

2.2. *Religious actors in reasonable accommodations*

As a potential location of religious harassment and persecution, the workplace has become construed as both a site of tension and a space that affords opportunities for governing religious pluralism. As Piciocchi points out, daily activities of life such as those taking place in the workplace “do not necessarily challenge fundamental rights and, precisely for this reason, enjoy a greater margin of negotiation” (2023:3). As a tool for dealing with direct and indirect discrimination against religious minorities in the workplace, reasonable accommodation has moved beyond its origins in disability rights to gain prominence within interna-

tional human rights debates (Bielefeldt 2014:14). Direct religious discrimination such as clothing bans may result in a worker being treated less favourably, while indirect discrimination may result from a work policy, such as a holiday schedule, that puts a certain group at a disadvantage.

While not a legal entitlement, the use of reasonable accommodation offers a pragmatic means to resolve workplace conflict. In Europe, studies have shown how reasonable accommodations are gaining ground even without the legal force imparted by formal law (Foblets 2013). Reasonable accommodation has become entrenched as a principle for the North American context, and there is now growing interest in recognizing such a right in the European context (see Garbin 2020; Bribosia et al. 2010). Following a request for reasonable accommodation, a process of “negotiating, very concretely, differences in understanding of religion and belief, equality and human rights” typically occurs, making it “possible to ‘govern’ religious diversity outside the realm of the judiciary and adversarial proceedings” (Alidadi 2017:x).

The ability of religious actors to enter into mediations for reasonable accommodations, at the behest or invitation of the employer, and their ability to exercise agency determine the outcome for religious minorities. In the following discussion, we focus on contexts in which employers and regulatory authorities are positioned within or aligned with majority religious and cultural norms, recognizing that in other settings this alignment may be weaker or contested. Although many types of actors may offer interpretations of religion, such as courts or experts, Cismas argues that religious actors enjoy a special type of legitimacy and potential for influence, based on “affect generated by tradition and charisma” (2014:9). Limits persist, however. Research attention has been paid to religious organizations and their access and influence (Berger 2003) and to the “complex task” of accommodating them in negotiations, citing concerns around minorities within minorities and the possibility of reinforcing conservative elements (Raza 2023:49-50). For new religious minorities, their practices are less familiar and frequently entangled with prejudice against migrants, leading to workplace conflicts (ENAR 2015:7). These results often ensue because workplaces are sites of daily action shaped by culture, which may include “habits and, more generally, rules of behaviour informed by religious tenets, ethnic origin or one’s own principal values,” or a combination of all three (Piciocchi 2023:5). The need to explain religious and cultural nuances requires an actor that is considered not only legitimate but also authoritative. Yet the subordinate position faced by religious migrants is also mirrored in the subordinated position of religious actors that step into negotiating roles for reasonable accommodation. Thus, it becomes important to elucidate the political and cultural barriers to their entry and participation in religious diversity governance.

2.3. Power dynamics surrounding entry and participation in the governance of religious diversity

We approach the post-secular period, following Sealy and Habermas, not as a discrete historical era but as a condition in which religious and secular worldviews persist, interact, and are forced into mutual scrutiny, especially under the pressures of transnational migration, digital mediation, and the proliferation of multiple secularities, including forms of non-religion (Habermas 2008; Wohlrab-Sahr & Burchardt 2012; Sealy 2025; Ruiz Andrés & Sajir forthcoming). This condition demands a self-reflective secularity that recognizes the entanglement of religious and secular claims instead of presuming a one-way exit from religion. Within this context, we adopt selective secularism as the operative power mechanism embedded in contemporary governance of religious and ethnic diversity (Sajir 2023, 2025a).

Selective secularism denotes a meta-governance logic, institutionalized across legal, administrative, and civic arenas, that culturalizes majority religion, recasting it as neutral, cultural, and publicly unproblematic, while religionizing minority-coded expressions, especially Muslim-coded ones, by recoding hybrid identities, practices and cultural markers through a narrow religion register and subjecting them to admissibility tests such as neutrality, public order, gender equality, and safety (Sajir 2023; Ruiz Andrés & Sajir forthcoming). It is sustained from above through law, jurisprudence, and administrative standards, and from below through orchestrated campaigns, lobbying, securitizing narratives, and moral panics. It materializes across courts, by-laws, funding and tax regimes, and workplace rules, entrenching asymmetric recognition under a veneer of neutrality and conditioning which groups are recognized as new religious minorities and thus eligible for specific protections (Bretscher 2018).

Operationally, admissibility tests such as neutrality, public order, gender equality, and safety are applied through legal-administrative routines that appear abstract but are enforced by specific gatekeepers, including human resources managers, regulators, municipal planners, licensing officials, and judges. These actors fix thresholds for what counts as reasonable in concrete workplace sites – for example, with regard to uniform exceptions, scheduling, and facility access – while religious actors representing new religious minorities typically intervene from structurally subordinated positions to reframe practices, propose alternative tests or seek exceptions. The gap between law and practice is constitutive: even where constitutional scripts proclaim neutrality or separation, discretionary implementation exposes minority claims to heightened and uneven secularist scrutiny. Legitimation is sequential and multi-venue: administrative acceptance can be ratified or vetoed in the public arena as media and political entrepreneurs recode claims, triggering later regulatory or judicial reversals.

Therefore, threshold-setting occurs inside institutions and across the wider social arena.

This threshold-setting process brings into view two analytically separable dimensions: entry and participation. Entry concerns whether religious actors are recognized as legitimate interlocutors with standing to enter the process, whereas participation concerns whether, once present, their claims are treated as admissible and decision-relevant without disproportionate translation demands and evidentiary burdens. Entry therefore hinges on recognition, understood as legal form, standing, and representativeness, whereas participation hinges on discursive admissibility, understood as the translation demands and evidentiary burdens that apply under regimes that presume the secular as the default civic language (Sajir 2025a). Within this architecture, only some interventions by religious actors manage to shift admissibility and translation thresholds, for example by reframing neutrality tests or institutionalizing accommodation routines, while most religious actors remain structurally subordinated and must petition from within the constraints of selective secularism. Taken together, post-secular conditions provide the context, and selective secularism the mechanism, through which entry as recognition and participation as admissibility are stratified for religious actors; this pairing structures the analytical framework developed in the next section.

3. Framework for analyzing the agency of religious actors in reasonable accommodations

Our framework focuses on those moments when religious actors' interventions produce changes in workplaces' secular thresholds. For instance, they may secure uniform accommodations, reframe neutrality tests, or institutionalize protocols for requested prayer breaks without erasing the religious provenance of the claim. These threshold shifts link directly to our analytical distinction between legitimacy and epistemic authority: entry depends on externally recognized legitimacy, while participation depends on the degree of authority that institutions are willing to admit into decision making without compulsory secular translation. The uneven capacity to impose rather than merely contest thresholds is the means by which selective secularism becomes institutionally inscribed across diversity governance and how entry and participation are stratified for actors representing new religious minorities.

To understand the potential for the influence of religious actors engaged in mediations for new religious minorities, we operationalize entry as externally conferred recognition (legal form, standing, representativeness) and participation as discursive admissibility (translation demands, evidentiary burdens, and the treatment of actors' claims as decision-relevant knowledge).

To be taken seriously by other social and political actors in mediations, religious actors need to be considered legitimate in a process of externally conferred recognition. By legitimacy, we refer to “a generalised perception of assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions” (Suchman 1995:574). Religious actors that represent new religious minorities may have been established only recently. Therefore, aspects such as their recognition and registration as a legal entity may become important markers of legitimacy. Further, evidence of support and funding from other legitimate actors, such as governments and foundations, may confer legitimacy. A religious actor’s representativity will increase their legitimacy (Stensvold 2018:445; Permoser et al. 2010); this representation is related to their claims to represent a certain constituency and speak on their behalf. Identifying these traits related to a religious actor’s organization, status and funding will contribute to our understanding of a religious actor’s legitimacy along with their positionality and ability to influence the outcomes of mediations. We also track who legitimizes or delegitimizes (such as representatives of administrative, judicial, or public media arenas) and when they do so (sequentially across the process), given the multi-venue threshold-setting identified above.

Second, in addition to establishing their legitimacy, religious actors may participate meaningfully through discursive admissibility. To do so, they must lay claim to a certain degree of epistemic authority as a source of religious expertise (Bhojani & Clarke 2023). In delicate negotiation processes, actors may deploy different types of interpretive frameworks (Greenberg 2024) or provide important context for cultural and religious tests as experts (Ruggiu 2017:31-32) and cultural mediators (Budabin forthcoming). Religious actors may enter into mediation processes to “articulate and manage conflicts between competing discourses of authority” (Pélisse 2019:9), as authorities on specific religious practices who marshal their special legitimacy based on charisma and tradition (Cismas 2014). As one entry point, it is important to examine religious actors’ mission statement to see how they express their “motivation based on religious faith” (Berger 2003:29). Furthermore, it is instructive to parse their discursive strategies so as to detect how they reflect religious authority, “interpreted in terms of access to sacred truth” (Stensvold 2018:445).

This approach draws on research of the use of interpretive frameworks by non-legal actors in legal judgments and proceedings (Greenberg 2024) along with work that has detailed religious and secular frames for analyzing public statements (Bächtiger et al. 2013:116). For example, religious argumentation may involve references to religious terminology, authorities, texts, and markers while

secular statements may refer instead to ethics, moral responsibility, or faiths (Bächtiger et al. 2013:116-117).

We now turn to a case in which a religious actor sought entry to and participation in negotiations for reasonable accommodations on behalf of a new religious minority. We draw on the Pluralism Project case dossier, contemporaneous press coverage, and appellate filings to reconstruct the sequence and venues of legitimation.

4. Case study: *Driven by Faith*²

A complex episode presented itself at the taxi rank outside the arrivals terminal of the Minneapolis-St. Paul International airport, in the US state of Minnesota. In 2002, taxi drivers were refusing to transport passengers carrying alcohol. Many of them explained that their faith forbids them from consuming or transporting alcohol. The refusals fomented larger problems: passengers were complaining and the drivers who refused to take a rider were forced to the back of the taxi queue and had to wait hours for another fare. The loss of revenue “represented a significant economic and practical hardship” to the drivers, who insisted that the situation required religious accommodation (The Pluralism Project 2025:1). Taxi driving was a common profession for newly arrived migrants; the airport estimated that at least 75 percent of drivers serving its passengers and visitors were Somali, most of whom were Muslims, along with others from Nigeria and Ethiopia, many of whom are Christian.

The workplace conflict was taking place in a context of increasing religious diversity. Minnesota is majority-Christian, with minority religions such as Judaism, Islam, Buddhism, and Hinduism constituting around 7 percent of the population (Pew Research Center 2025). The taxi drivers protesting, recent Muslim immigrants from Somalia, constituted a new religious minority. Although Minnesota is known for having many migrants from Scandinavia, the state now boasted the biggest Somali population in the United States, largely due to a refugee program that began in 1992. In the post-9/11 context, political, social, and media forces often conflated the new religious minority with Somali terrorism; Project ReligionsMN notes, “The community has been scrutinized for publicized incidents of recruitment to terror cells and in turn has promoted de-radicalization programs, maintaining that Islam is a religion of peace and continuing to educate Americans about their faith and ways of life” (n.d.). There have also been references to conflicts around certain religious

² *Driven by Faith* was prepared by Ellen Pierce of The Pluralism Project of Harvard University (2025) and is available at: <https://pluralism.org/driven-by-faith>.

practices that are “hard to fit in with American culture and work schedules” (Project ReligionsMN n.d.).

The passenger complaints reached airport director Steve Wareham and the Metropolitan Airports Commission (MAC), the regional governing body for airports, who would eventually write his master’s thesis on the situation (Wareham 2007). Wareham began working with Landside, the airport department that deals with the infrastructure around parking lots, public transportation, and commercial vehicles including taxis. The negotiations to find a reasonable accommodation involved an unusual workplace structure. The taxi drivers were independent contractors who were subject to airport rules but did not enjoy rights as airport employees. The taxi industry serving the airport was also unwieldy, made up of 613 taxicabs, 503 permit holders, 38 taxi companies, and 845 drivers. As institutional gatekeepers, MAC and Wareham would lead the mediation process.

In an expansive consultation and collaborative process that began in 2005, Wareham reached out to a number of interlocutors that could represent the new religious minority, including Somali community representatives, taxi companies, and Muslim leaders. Organizations such as the Somali Advocacy Justice Center and the Minnesota Department of Human Rights were also included at different points. As Wareham put it, “We carefully put together a discussion process. The guidelines were for an open process: people who wanted to help solve the problem were welcome to come” (Pluralism Project 2025:6).

4.1. Recognizing MAS MN as legitimate

The main religious actor taking part in the discussions was the Muslim American Society Minnesota³ (MAS MN), a local religious organization founded in 2004. MAS MN is registered as a religious non-profit organization, operates seven masjids (Islamic centers) in Minnesota, and is a chapter of the larger MAS that was established in 1993. As described in the mission statement on its website, MAS MN “seeks to move people and nurture lifelong, God-centered agents of change.” MAS MN organizes the annual Minnesota Muslim Convention and participates in community organizing. MAS MN also seeks to engage the Muslim community in public policy and government affairs.

MAS MN appears to have strong ties to the Somali community in Minnesota. It is described as creating a ‘Muslim Community’ for a variety of groups, including Somalis, Arabs, South Asians, African Americans, and Caucasians (Project ReligionsMN n.d.).

As a legally recognized non-profit organization, MAS MN asserts itself as an established actor representing a new religious minority within the majority-Chris-

³ Website: <https://masmn.org/>.

tian landscape. The website describes MAS MN in terms of its convening power, organizing statewide conventions and participating in interfaith dialogue, as well as its educational role, giving presentations on Islam. MAS MN further constitutes a religious actor that carries “religion consistently as either a character type or internalized group norm” (Lichterman 2012:15). MAS MN is directly linked to religious adherents and faith practices through its network of Islamic centers. MAS MN could be expected to speak with religious authority and assist in presenting and explaining Islamic interpretive frameworks while mediating across institutional and cultural logics. Based on its ties to the Somali community, MAS MN presented itself as speaking on behalf of a new religious minority. That MAS MN was granted entry into the negotiations reflects the high degree of legitimacy conferred by Wareham and MAC.

4.2. *Negotiating a solution*

In addition to looking for similar issues in other airports where passengers often arrive with liquor, Wareham organized seven meetings to collect input on addressing the taxi service as well as parsing the request for accommodation.

At the second meeting, MAS MN presented the religious ruling of a *fatwa* committee of two imams and two professors with formal training in Islamic law.⁴ One of them, adjunct professor Hassan Ali Mohamud, combined scholarly credentials in Islamic and US law with leadership roles in MAS MN and Somali Muslim institutions in Minnesota. The statement by the *fatwa* committee underscored the conflict between the taxi drivers’ need to transport alcohol in order to earn income and their wish to follow their faith according to Islam. Dated 6 June 2006, the *fatwa* addressed the question of whether a Muslim taxi driver may carry alcohol or wine for passengers, concluding that such carriage was religiously permissible under certain conditions as long as the driver did not handle or consume the alcohol himself (The Pluralism Project, A-7). The answer included the following lines:

In general, all Muslim Scholars agree that carrying, drinking alcohol is prohibited according to Islamic Jurisprudence.

...

In order to maintain Muslims their beliefs we advice [sic] Muslim Taxi Drivers to skip to [the] next [person in] line once requested to carry alcohol by customer.

⁴ A *fatwa* is generally a non-binding legal opinion in Islamic jurisprudence issued by a qualified scholar or juristic body in response to a specific question; unlike a judicial ruling, it is advisory rather than directly enforceable, although its authority may vary across institutional and doctrinal contexts (Hendrickson 2013:173-174).

Various aspects of the statement reinforced the epistemic authority of MAS MN. The inclusion of quotations from the Prophet Muhammad, al-Tabaraani, Al-albaani, Abu Dawood (3674), Ibn Maajah (3380), and Al-Tirmidhi (1295) inserted religious teachings and offered “access to sacred truth” (Stensvold 2018:445). Although the English in the statement is awkward, its practical implication is clear, and the taxi drivers were instructed not to transport passengers carrying alcohol. Overall, by presenting its *fatwa*, MAS MN made visible religious knowledge that is produced outside secular frames, and it sought civic recognition not by adopting dominant codes but by challenging the exclusions they produce.

Following that meeting, a reasonable accommodation was finally agreed upon and outlined in a memorandum of understanding (MOU) by the taxi advisory council. Any driver who wished to refuse to carry alcohol due to religious convictions could install a special “top light”; passengers with alcohol could be directed to a cab without the special light.

4.3. Challenging MAS MN’s discursive admissibility

Alongside the meetings and drafting of the MOU, public and media interest in the proceedings increased with charges that the episode constituted a culture clash. There were concerns that the resolution would set a precedent for reasonable accommodation requests by other religious groups (Van Biema 2007). Most critically, following the entry of MAS MN, various criticisms were expressed regarding its participation as a religious actor and the merits of its *fatwa*.

First, with regard to the religious authority of MAS MN, a representative of another Muslim organization in the USA suggested that the *fatwa* was “not really mainstream interpretation” (Gurnon 2007). One journalist noted that “their Islamic jurisprudence might actually have been a little shaky,” citing other US American cities where Muslim taxi drivers carried alcohol (Van Biema 2007). Another article cited Daisy Khan, executive director of the American Society for Muslim Advancement in New York, who said that the refusal “is something that is not really mainstream interpretation of Islamic law” (Gurnon 2007). The Somali Justice Advocacy Center sought to explain the anguish on the part of the taxi drivers but also declined to support the ban on carrying alcohol. The center’s executive director reportedly stated, “We don’t understand why they do this” and described the conflict as reflecting a “process of getting adjusted to new territory, new culture” (Reuters 2007). These discourses suggest variation in interpretations of the MAS MN’s *fatwa* that prohibited transporting customers who carried alcohol and challenged MAS MN’s epistemic authority.

The second category of charges concerned legitimacy claims based on the participation of MAS MN. The case study reports that some of the Muslims “felt that

MAS was an extremist Muslim Brotherhood-associated group that had manipulated the drivers” (The Pluralism Project 2025). One article quoted the head of the Immigrant Credit Education and Financial Counseling Agency in Minneapolis, who said, “There is a group of orthodox Islamic groups who are using the Somali community. ... We have seen this all the time. They want to make their own political agenda here, using the Somali cabdrivers” (cited in Gurnon 2007).

4.4. Outcome of the mediations

Global coverage of the episode led to a politicization of the negotiations. Meanwhile, the airport commission received over 600 letters and emails expressing different positions on the debate. Ultimately, the airport did not accept the MOU and renounced the solution of the “top light” as impractical. In the following year, the airport authorities implemented a 30-day suspension for refusals of service.

The attempt to conduct negotiations for reasonable accommodation outside of formal legal structures could therefore be seen as a failure. In 2007, penalties began to be imposed. The issue eventually went to court, as the taxi drivers challenged the MAC ordinance that revoked their licenses for refusing to accept a passenger. The drivers, saying that their right to religious freedom was being infringed, appealed a lower court’s refusal to block the penalties from taking effect. Following adjudication by a lower court that there was no irreparable harm suffered by the taxi drivers, the case went to the Minnesota Court of Appeals, which affirmed the decision of the lower court (Associated Press 2008).

5. Analysis

The case study demonstrates how negotiations over reasonable accommodation in the workplace are structured by power. The religious actor MAS MN received externally conferred recognition as a legal entity that had been recently established in the state of Minnesota and that had extensive ties with the Somali Muslim community. The expectation was that MAS MN would bear the elevated translation demands and evidentiary burdens of representing the new religious minority. Yet MAS MN still operated from a structurally subordinated position as a newer religious actor in a majority-Christian local environment. Moreover, it did not possess the procedural authority (controlled by the airport commission) or civic embeddedness that would enable it to define the terms of the debate. In this sense, MAS MN exemplified religious assertion from below: it had sufficient legitimacy to enter negotiations yet remained structurally subordinated to the airport authorities who controlled the relevant rules and sanctions.

Despite its institutional guise, MAS MN entered the field as a normative petitioner with recently laid roots, pressing claims for recognition and accommo-

dation from outside the dominant institutional frame. Through its participation, MAS MN demonstrated discursive admissibility, delivering a *fatwa* that shaped the proposed reasonable accommodation for the taxi drivers.

The *fatwa* itself also travelled across different interpretive registers. Its English formulation (“Alcohol or Wine”) echoed wider debates on how to translate and apply the Qur’anic category of *khamr* (intoxicants) to contemporary work routines, while subsequent interventions by other Muslim organizations framed the same sources as compatible with carrying sealed alcohol for non-Muslim clients. The case therefore illustrates how intra-Muslim doctrinal diversity shapes which readings are treated as admissible in public reasoning and which are marginalized as “non-mainstream.”

However, this discursive admissibility based on MAS MN’s epistemic authority was soon challenged. In addition to social and political critique of the negotiations and of MAS MN’s role, other Muslim actors publicly advanced alternative Islamic legal interpretations, implicitly recoding MAS MN’s *fatwa* as a minority or overly strict reading. These intra-community disputes mattered institutionally: once the main secular authority faced a fragmented field of Muslim expertise, it could treat the disagreement as further justification to dismiss the proposed accommodation. The participation of MAS MN was therefore reduced and its epistemic authority tarnished across venues.

6. Conclusion

This article has examined how religious actors “from below,” rooted in subordinated constituencies and advocating on behalf of new religious minorities, enter, participate in, and shape workplace negotiations over reasonable accommodation. We advanced an analytic distinction that separates entry as recognition (externally conferred legitimacy) from participation as admissibility (institutionally granted epistemic authority, or being treated as a credible knower whose claims count without compulsory secular translation). Using the Minneapolis airport case, we showed that religious actors may clear the recognition threshold inside institutions yet still see their authority contested in the public arena, where media and political entrepreneurs recode claims and can trigger regulatory or judicial reversals. In short, accommodation politics unfold along a religious-secular continuum within institutions and across a multi-venue public sphere; threshold setting is therefore sequential, distributed, and reversible. Authority is also internally plural: competing intra-community claims shape whether epistemic authority is granted or contested in later venues. These dynamics travel across regimes but with different baselines: in assertively secular contexts, including several European democracies where majority religions are culturalized as civilizational defaults, admissibility

thresholds are higher *ex ante*, whereas in more accommodation-friendly regimes, veto points may shift subsequently to public and judicial arenas.

Theoretically, we contribute in three related ways. First, we specify selective secularism as a meta-governance logic that culturalizes the majority religion as neutral while religionizing minority expressions, recoding identities, practices and hybrid cultural markers through a narrow religion register and exposing them to ostensibly neutral, discretionarily applied admissibility tests such as neutrality, public order, gender equality, and safety. In doing so, we clarify how thin institutional embeddedness and migrant-coded difference translate into higher entry costs and heightened translation demands and evidentiary burdens for new religious minorities in workplace negotiations. Second, we operationalize the gap between law and practice by identifying concrete workplace inscription sites, including uniform policies, scheduling, safety protocols, and facility access, where gatekeepers such as human resources staff, regulators, planners, and judges fix thresholds for what counts as reasonable. Third, we model sequential legitimation across venues for religious actors coming from subordinate positions, showing how administrative acceptance may be ratified or vetoed by public contestation, which in turn feeds back into regulatory and judicial arenas. Together, these moves relocate debates about church-state models from constitutional scripts to the iterative, power-laden routines through which diversity governance is actually produced.

Practically, the findings recommend modest but actionable design changes that will be relevant in both US and European contexts. Inside organizations, it is important to build accommodation procedures that: (1) differentiate recognition from admissibility checks; (2) make translation demands explicit and proportionate; and (3) require gatekeepers to justify refusals with evidence tied to specified tests (neutrality, public order, gender equality, safety) rather than free-floating “culture fit.” Where translation from religious reasoning to secular reasoning is required (e.g., demonstrable safety risks or a conflict of rights with third parties), institutions should specify the narrow test invoked and the minimal translation needed. Responsible public organizations involved in diversity governance should anticipate public-sphere veto points, pair agreements with communication plans that pre-empt misframing, and create escalation paths that shield negotiated settlements from the dynamics associated with popular-level moral panic. Entities concerned about protecting minorities should recognize that the newness of a group poses a structural vulnerability and ensure that institutional thinness does not raise the evidentiary bar by default.

With regard to further research, we believe that our framework should be applicable in various geographic and social settings. It could be tested compar-

actively (e.g., in various countries, with both public and private employers, or in high- versus low-regulation sectors), extended to interfaith intermediaries, and quantified by developing observable indicators for epistemic authority. For instance, studies could assess the frequency with which untranslated religious reasoning is accepted in decisions, or the rate of reversals after media shocks.

In sum, governing religious diversity in post-secular settings is less about declaring neutrality and more about governing thresholds – who sets them, when they shift, and whose knowledge counts when a shift is occurring. The aim is not to privilege religious claims but to apply even-handed, rationally grounded thresholds that neither culturalize the majority nor religionize minority-coded identities, practices, and claims.

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- Áquila Mazzinghy



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