



**INTERNATIONAL JOURNAL
FOR RELIGIOUS FREEDOM**

Volume 19/1 · 2026 · ISSN 2070-5484



Intermediate actors and
religious accommodations



INTERNATIONAL JOURNAL FOR RELIGIOUS FREEDOM

Journal of the International Institute for Religious Freedom

The IJRF aims to provide a platform for scholarly discourse on religious freedom and persecution. It is an interdisciplinary, international, peer reviewed journal, serving the dissemination of new research on religious freedom and contains research articles, documentation, book reviews, academic news and other relevant items.

The editors welcome the submission of any contribution to the journal. Manuscripts submitted for publication are assessed by a panel of referees and the decision to publish is dependent on their reports. The IJRF is listed on the DoHET "Approved list of South African journals" and subscribes to the Code of Best Practice in Scholarly Journal Publishing, Editing and Peer Review of 2018 as well as the National Code of Best Practice in Editorial Discretion and Peer Review for South African Scholarly Journals and the supplementary Guidelines for Best Practice of the Forum of Editors of Academic Law Journals in South Africa. It is also recognized by the Norwegian Register for Scientific Journals, Series and Publishers.

The IJRF is freely available online: www.ijrf.org, as a paid subscription via SABINET and EBSCO.

Editorial Committee

Founding Senior Editors	Prof Dr Christof Sauer, Augsburg, Germany Prof Dr Thomas Schirmacher, Bonn, Germany	ijrf@iirf.global
Executive Editor	Prof Dr Janet Epp Buckingham (LLD Stellenbosch University), Geneva, Switzerland	ijrf@iirf.global
Book Reviews	Dr Werner Nicolaas Nel, Johannesburg, South Africa	bookreviews@iirf.global
Editorial Assistants	Marcela Bordón Lugo, Santiago, Chile Michaele Kemp, Pretoria, South Africa	mbordon@iirf.global mkemp@iirf.global

Editorial Board

Prof S Baskerville, USA	Prof Dr B J G Reitsma, Amsterdam, Netherlands
Dr André Fagundes, São Paulo, Brazil	Dr E Schirmacher, Bonn, Germany
Prof S A de Freitas, Bloemfontein, South Africa	Prof Dr D L Stults †, Oklahoma, USA
Dr Georgia Du Plessis, Huldensburg, Belgium	Prof Dr P S Rowe, Langley, Canada
Prof Dr T K Johnson, Knoxville, USA	Prof Dr G Harold, Cape Town, South Africa
Dr P Marshall, Washington DC, USA	Dr Alex Deagon, Queensland, Australia
Prof Dr A Ojacor, Kampala, Uganda	Dr Mine Yildirim, London, UK

Subscriptions 2026

The IJRF is freely available only through <https://ijrf.org>. It is available by subscription via SABINET and EBSCO. To receive new issues of IJRF electronically on release, please register for the IIRF newsletter here: <https://iirf.global/subscribe/>. If you wish to receive a print copy of the IJRF please contact ijrf@iirf.global.



INTERNATIONAL INSTITUTE FOR RELIGIOUS FREEDOM



INTERNATIONAL JOURNAL FOR RELIGIOUS FREEDOM
VOLUME 19, ISSUE 1, 2026

ISSN 2070-5484 · eISSN 2790-0762 · ISBN 978-3-86269-339-9 · IJRF 2026-1

DOIs Journal: doi.org/10.59484/IJRF6391 · Issue: doi.org/10.59484/FCCA3879

Articles and opinions published in IJRF do not necessarily reflect the views of the editors, of IIRF or of the sponsors.

© Copyright 2026 is with the individual authors or bodies mentioned in the respective items. Printed with permission.

Acknowledgement of Sponsors

We would like to thank the sponsors who supported the editing, printing and distribution of this issue of IJRF. Their views and opinions are not necessarily those of IIRF and vice versa.

Gebende Hände

gemeinnützige Gesellschaft zur Hilfe für notleidende Menschen in aller Welt – Deutschland (Giving Hands – Non-Profit Society to help people in need all over the World – Germany) www.gebende-haende.de

Note to librarians: IJRF is also available as an ePublication from Sabinet (www.sabinet.co.za). The first full volume of IJRF appeared in 2009. There was only one pilot issue in 2008. Volumes 6 to 15 contain both issues in one volume.

Graphic Design and Typesetting: Ben Nimmo (Solid Ground), www.solidground.training

Language editing: Dr Bruce Barron, Colorado Springs, CO, USA

Proofreading of layout: Barbara Felgendreher, South Africa

Cover Art

Sisters is an abstract meditation on unity, care, and shared resilience across difference, reflecting how individuals navigate layered identities within cultural, social, and spiritual frameworks. Rooted in the interconnected experiences of women, the work speaks to the formation of solidarity beyond imposed structures, where belonging is continuously negotiated rather than assumed. In relation to the themes of this special issue, Sisters can be read as a visual articulation of mediation and accommodation echoing the role of intermediary actors such as religious figures, NGOs, and legal representatives who work to create space for recognition and inclusion within institutional systems. Through fluid lines and layered forms, the piece engages the complexity of diversity governance, suggesting that harmony emerges not from uniformity, but from ongoing processes of participation, access, and mutual recognition. It positions inclusivity as an active, evolving practice one shaped by tension, care, and the persistent effort to hold space for difference.

Used with permission of the artist, Babatunde Tribe Akande.

Contents

International Journal for Religious Freedom

Volume 19, Issue 1, 2026

ISSN 2070-5484 · eISSN 2790-0762

Editorial v

Articles

Accommodating religious minorities before the EU Court of Justice
Any standing for non-governmental organizations and legal entities?
Costanza Nardocci 1

**Faith actors, COVID-19 vaccine mandates,
and religious exemption claims**
Navigating minority rights in US workplaces
Adelaide Madera 19

**Building religious freedom by engaging business
and civil society institutions**
A new paradigm taking economic arguments into account
Brian Grim 41

**Reasonable accommodation for religious minorities through trade
unions and collective bargaining**
A perspective on Italy's labour framework
Michael Luther 57

Mediating religious intolerance in corporate workplaces
The legal and strategic role of faith-oriented employee resource groups
in Fortune 500 and FTSE 100 companies
Fábio Ferreira Nascimento 77

Religious assertion from below
Religious actors representing new religious minorities
in workplace accommodation
Alexandra Cosima Budabin and Zakaria Sajir 95

Faith-based organizations as intermediate actors in mediating religious accommodations in postcolonial African contexts <i>Waithanji Mutiti</i>	115
Identity choice, intercultural learning and inclusive citizenship British civil society advocacy for ethno-religious accommodation in the workplace <i>Pier-Luc Dupont, Thomas Sealy and Tariq Modood</i>	133
Noteworthy	151
Book Reviews	157
Guidelines for authors	169

Guidance for Graduate Students

International Institute for Religious Freedom

The International Institute for Religious Freedom can provide guidance for students who are writing a thesis or dissertation on a topic related to religious freedom. The IIRF can also assist with publication opportunities.

Please send a letter of interest to info@iirf.global.

Editorial

Intermediate actors and religious accommodations

This special issue draws attention to the role of intermediate actors – such as trade unions, advocates, employee groups, religious associations, foundations, and human rights NGOs – as significant mediators when addressing issues related to religious accommodations in divided societies. We are pleased to welcome two guest editors for this issue.

Alexandra Cosima Budabin is senior researcher for the Center for Autonomy Experience and the Institute for Minority Rights at Eurac Research (Italy). She is also an affiliated senior researcher at the Human Rights Center of the University of Dayton (USA) and a thematic expert for “Cultural and Religious Diversity across the European Union” (CUREDI), a project based within the Department of Law and Anthropology at the Max Planck Institute for Social Anthropology (Germany). Budabin conducts research on international protections for national and religious minorities, transnational advocacy, cultural heritage, gender and security.

Costanza Nardocci is a professor in constitutional law at the Department of Italian and Supranational Public Law, University of Milan. She teaches courses entitled “Gender Justice,” “Women in Tech: New Frontiers of Gender-Related Rights and Artificial Intelligence,” and “Sources of Law and Fundamental Rights in IA.” Her research involves constitutional law and human rights law with a focus on human rights, minority rights, gender studies, anti-discrimination law, constitutional justice, and artificial intelligence.

We are also pleased to present an excellent collection of book reviews and our usual Noteworthy section, highlighting recent reports on freedom of religion or belief.

Yours for religious freedom,
Prof Dr Janet Epp Buckingham
Executive editor

Introducing this special issue

The workplace has long been a site of interaction for people of different religious backgrounds as well as a site of tension around the exercise of religious freedom. Religious minorities are especially likely to face religious discrimination, violence and harassment in the workplace, as they navigate requests for reasonable accommodation related to dress, safety codes, holiday schedules and prayer spaces. The issue at stake in such conflicts is whether we can build religion-friendly workplaces in a way that is consistent with protecting the fundamental rights of all peo-

ple. Research is needed on how intermediate actors can assist religious minorities in their endeavors to seek reasonable accommodation for their religious beliefs.

This special issue of the *International Journal of Religious Freedom* focuses on the role of intermediate actors in addressing some of the significant challenges related to religious diversity in the workplace. Many of the papers were presented at a panel convened by Roberta Medda-Windischer, Senior Researcher and Group Leader for Equality and Diversity in Integrated Societies for the Eurac Research Institute for Minority Rights (Italy) as part of the 7th Conference of the International Consortium for Law and Religion Studies, titled “The Accommodation of Religion or Belief in the Public Sphere: Undeserved Privilege or Fundamental Right?” held at the University of Notre Dame, USA, on 21-23 October 2024. The panel explored the concept of ‘concerted solutions,’ an approach that places greater emphasis on the negotiation process and the engagement of a wide range of intermediate actors (Medda-Windischer 2021). The papers presented at the conference are complemented by contributions from other experts in the field of religious minorities.

The question of mediating processes for reasonable accommodation in the workplace touches religious minorities across the world. As part of fostering more equal and inclusive approaches to accommodating religious minorities in the workplace, mediations involve both employers and non-employers in dealing with conflicts around religious and cultural practices within different legal and organizational structures. A variety of intermediate actors are entering these mediations amid shifting power relations to build knowledge about the backgrounds of religious minorities and to work with employers toward devising reasonable accommodations.

The contributions in this special issue look closely at the access, operations, and influence of a range of intermediate actors in cases covering the North American, European, and African contexts. Religious actors continue to play an outsized role in this regard, and various articles explore the role of faith actors such as clergy, religious leaders, faith-based resource groups and organizations. The special issue also expands our understanding of other intermediate actors, as articles consider the function of trade unions, businesses, civil society organizations and non-governmental organizations. These various actors operate from different positions of legitimacy and authority in courtrooms, boardrooms, and other mediation spaces.

The articles reflect on the new tools and innovative approaches for inclusion adopted by intermediate actors to facilitate communication between religious minorities and employers, such as religious interpretations, collective bargaining agreements, empirically driven models, and awareness raising in communities. In addition to highlighting best practices, the authors identify persistent obsta-

cles and constraints on intermediate actors that may curtail their influence in helping religious minorities exercise their freedom of belief in light of turbulent political contexts, geopolitical conflicts, and other often overlapping crises.

The first two articles focus on the role of intermediate actors in transnational and national court systems. Special issue co-editor Costanza Nardocci investigates the case law of the EU Court of Justice regarding religious minorities and the role of NGOs and legal entities in strengthening minority rights under EU law. The article advocates for the revision of the court's practice to widen intermediate actors' right to access to justice and calls for revision of its jurisprudence to effectively safeguard the principle of equality as diversity.

Adelaide Madera, a law professor at the University of Messina, Italy, examines how the United States approached issues concerning the COVID-19 vaccine mandate in the workplace. She shows how faith actors shaped the judicial reasoning of the US Supreme Court case *Groff v. Dejoy* as well as exerting influence in workplace discussions.

Three contributions look inside workplaces at the role of corporate leadership, trade union representatives, and employee-led initiatives. Brian Grim is a globally recognized expert on the socio-economic impact of religious freedom and founding president of the Religious Freedom & Business Foundation (RFBF). His article describes how businesses and civil society institutions are adopting a "builder's approach" that integrates empirical measures of religious restriction with socio-economic incentives to explain how religious inclusion can be operationalized, diffused, and sustained.

Michael Luther is Researcher at the Eurac Research Institute for Minority Rights. His contribution to this special issue examines the mediating role of trade unions and the use of collective agreements within the Italian context to obtain reasonable accommodations in the absence of a robust national legal framework for the freedom of religion and belief. He explains how collective agreements may become the basis for legislative reform by establishing precedents that can influence policymaking.

Fábio Ferreira Nascimento is a Brazilian attorney, doctoral candidate in law at the Complutense University of Madrid, and president of the Aliança Lusófona pela Liberdade Religiosa (Lusophone Alliance for Religious Freedom). His article explores how faith-oriented Employee Resource Groups and Business Resource Groups assist Fortune 500 and FTSE 100 companies in the USA and UK in meeting legal obligations, fostering inclusive policies, and promoting religious literacy.

The final three articles explore faith and civil society actors who operate from outside positions to mediate between employers and employees. The first of these is authored by special issue co-editor Alexandra C. Budabin and Zakaria Sajir, an

assistant professor in the Department of Sociology and Communication at the University of Salamanca, Spain. Their contribution analyzes how religious actors secure recognition to enter workplace conflicts as mediators, as well as how their epistemic authority may be subject to contestation.

Waithanji Mutiti is a Faculty Lecturer in the Centre for Human Rights in Development at the University of Kabianga, Kenya. His contribution examines how two faith-based organizations (the Inter-Religious Council of Kenya and the Christian Association of Nigeria) mediate religious accommodation requests in the workplace from the perspective of postcolonial African contexts.

The third article in this group comes from the UK. Pier-Luc Dupont from Swansea University and Tariq Modood and Thomas Sealy from the University of Bristol focus on civil society organizations that represent or advocate for ethno-religious minorities in Britain and their discursive arguments for promoting religious freedom and accommodation in the workplace.

The articles collected in this issue illustrate the wide constellation of actors involved in ensuring that workplaces protect religious freedom and accommodate religious diversity alongside employers and public authorities. Encouraging a broad array of actors to act as promoters of mediation and dialogue is central to achieving ‘concerted solutions’, securing fair and sustainable outcomes amid equality- and diversity-related challenges. As the contributions demonstrate, while the process for seeking reasonable accommodation may continue to involve delicate negotiations and difficult discussions, the inclusion and participation of intermediate actors can lead to favorable and sustainable outcomes on matters of religious diversity, equality and freedom.

Moreover, the strategies explored here suggest that intermediate actors should play a crucial role in strengthening religious minorities’ right to access to justice, both domestically and before supranational courts, to litigate their claims of equality and reasonable accommodation. Finally, though these articles focus on workplace settings, the special issue indicates the urgent need to involve intermediate actors in other spheres where religious freedom is threatened, in light of both its *forum internum* and *forum externum* dimensions.

Dr Alexandra Cosima Budabin and Dr Costanza Nardocci
Guest Editors

References

Medda-Windischer, R. (2021) ‘Religious and Linguistic Minorities and the European Court of Human Rights: Between Restrictive Measures and Concerted Solutions,’ *Europa Ethnica*, 78(1-2), 36-47. DOI:10.24989/0014-2492-2021-12-36.

Tribute to Pieter Coertzen (1943-2026)

The *International Journal for Religious Freedom* pays tribute to Prof. Pieter Coertzen, who died in Stellenbosch, South Africa on 20 March 2026. He was a leading champion of religious freedom in South Africa, a founder of the International Institute for Religious Freedom in South Africa, and a long-time member of this journal's editorial board.

Born on 20 April 1943 in the mining town of Boksburg in Gauteng province, South Africa, Coertzen earned multiple degrees *cum laude* from Potchefstroom University and the University of Stellenbosch, including a doctorate in ecclesiology in 1976. He served as Senior Lecturer at the Faculty of Theology of Stellenbosch University from 1977; he then became Professor in 1988, Head of the Department of Systematic Theology and Ecclesiology, and Dean of Theology from 1995 to 1997. After retiring in 2004, he seamlessly continued as Extraordinary Professor in Comparative Church Law at Stellenbosch and in the Faculty of Canon Law of the Catholic University of Louvain, Belgium.

Before entering academia, Coertzen ministered in parishes of the Dutch Reformed Church in Dundee and Potchefstroom (1970-1976), and he later served as associated minister in Franschhoek (1995-2008). He advised on church law as actuary for provincial and national Dutch Reformed Church synods from 1991 to 2004.

A prolific author, Coertzen published numerous articles in various journals, including 36 in the *Dutch Reformed Theological Journal*, which he edited for many years. He authored 14 books including *The Huguenots of South Africa 1688-1988* and *"Decently and in Order": A Theological Reflection on Order for and in the Church* (both originally published in Afrikaans), plus 26 co-authored works, many translated into English. His expertise profoundly shaped the discourse on religious freedom, particularly during South Africa's transition to democracy. Through edited volumes such as *Law and Religion in Africa: The Quest for the Common Good in Pluralistic Societies*, he explored tensions between church autonomy, state regulation, and human rights in diverse societies, advocating for balanced legal frameworks that protect faith communities while upholding constitutional pluralism.

Coertzen was not only a theologian of religious freedom but a key architect and steward of the South African Charter of Religious Rights and Freedoms, which continues to shape how religious communities understand and exercise their rights in a pluralist, postapartheid society. He led the group of religious leaders, theologians, and lawyers that drafted the Charter from 2008 to 2010. After the Charter was adopted, Coertzen served as convener of the South African Council for the Protection and Promotion of Religious Rights and Freedoms, the body es-

established by religious institutions to give concrete effect to the Charter. In this leadership role, he coordinated between different faiths, represented the Council in policy debates, and helped to ensure that religious freedom would be defended not only in courtrooms but also in schools, workplaces, and public discourse. Religious freedom scholar Iain Benson, who worked on the Charter, recalls, “He was a friend and inspiration to me and to many. It was his calling together of scholars and interested parties in Stellenbosch in the early 2000s that led to the beginning of the South African Charter.”

Christof Sauer, one of the founding directors of the International Institute for Religious Freedom, recalled,

Prof. Coertzen had just been forced to retire as professor of the Theological Faculty in Stellenbosch in 2004 at the age of 60, due to some new law or regulation. Around that time, I was involved in helping organize the annual conference of the Southern African Missiological Society, held in Stellenbosch in January 2005. Thus, when the International Institute for Religious Freedom started to evolve from 2005, with one of its seats in Cape Town, it was natural to seek cooperation with Prof. Coertzen. He was busy developing the Unit for the Study of Law and Religion, as part of the Beyers Naudé Center for Public Theology of the Theological Faculty in Stellenbosch. In due course, Coertzen became a member of the IIRF Academic Board, and also of the Editorial Board of the *International Journal for Religious Freedom* from 2011 to 2023.

Accommodating religious minorities before the EU Court of Justice

Any standing for non-governmental organizations and legal entities?

Costanza Nardocci¹

Abstract

This article examines the case law of the EU Court of Justice (CJEU) on religious minorities to determine whether NGOs and legal entities contribute to the strengthening of minority rights under EU law. Through an analysis of the case law on the wearing of the Islamic headscarf, it criticizes the poor relevance of outside parties. It advocates for the revision of the Court of Justice's practice to widen the chances for intermediate actors' access to justice, and it calls for revision of the jurisprudence that includes and protects the principle of equality as diversity.

Keywords

Religious minorities, minority rights, EU Court of Justice, NGOs, locus standi, access to justice.

1. Introduction: Religious discrimination and minority rights (*rectius* cultural diversity) in the EU

Discussing the role of intermediate actors *vis-à-vis* religious minorities in the context of the case law of the Court of Justice of the European Union (CJEU) on discrimination in the workplace requires considering two preliminary aspects, which set the perimeter of the following analysis. The first aspect deals with the safeguards provided under European Union law regarding the principle of equality and non-discrimination based on religious grounds and the protection of cultural diversity, including its collective manifestations, if any. The second covers the procedural rules concerning the standing of intermediate actors – NGOs and legal entities – in the judicial proceedings before the CJEU.

¹ Costanza Nardocci is Professor in Constitutional Law, at the Department of Italian and Supranational Public Law, University of Milan. The research article uses American English. Date submitted: 18 Aug. 2025; accepted: 13 Feb. 2026. Email: costanza.nardocci@unimi.it. ORCID: 0000-0002-0138-0581.

Concerning equality and non-discrimination on religious grounds, primary EU law includes the principle of equality among the founding values of the European Union. It features an explicit reference to the intention of EU institutions to “combat discrimination based on sex, racial or ethnic origin, **religion or belief**, disability, age or sexual orientation” (emphasis added). The Treaty on the Functioning of the European Union (TFEU) further reinforces the commitment of EU institutions to equality and non-discrimination, especially under Articles 9 and 10.

The EU Charter of Fundamental Rights further strengthened the principles of equality and non-discrimination under Articles 20, 21, and 22, thereby offering a multilayered and multidimensional protection to equality and non-discrimination.

Articles 20 and 21 safeguard the individual dimension of equality, or the right of the individual to be treated equally under the law and in a non-discriminatory manner, including religion or belief and, more significantly, inclusion of national minorities among the factors of discrimination. Meanwhile, Article 22 welcomes a broader and new concept of the principle of equality. The legal provision emphasizes that equality encompasses the protection of diversity and, in particular, cultural, religious and linguistic diversity, and it embraces a collective dimension of equality more explicitly aimed at safeguarding minority groups and not just individuals.

By recognizing that cultural, religious, and linguistic diversity should likewise be protected under EU law, the Charter, although formally, seems to suggest that even social groups may benefit from the same safeguards as individuals do under Articles 20 and 21.

With regard to minority rights, the Charter of Fundamental Rights is not the only document that suggests that minorities, including religious minorities (Ghana 2012), deserve protection under EU law. The Treaty of Lisbon provides an embryonic degree of protection under Article 2, which states that the EU “is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the **rights of persons belonging to minorities**” (emphasis added).

Although notions such as “minorities” and “membership” in minority communities, including **national** minorities, do recur under primary EU law, suggesting that there might be some space for recognizing minority rights under EU law, the EU does not envision any specific competence, either at EU institutions or at the Member State level, aimed at building a robust and concrete safeguard of minority rights. This gap is frequently justified by pointing to the EU’s lack of competence in minority rights, coupled with a preference for extensive deference to the Member States.

Despite the wording of EU treaties and the Charter, there is a growing consensus in the literature about the weak and unsatisfactory protection afforded

by EU law to minorities, especially when compared with the choices made by other concurrent international organizations, such as the Council of Europe and the United Nations.

In short, primary EU law features a cryptic or mere formal approach to minority rights. On one hand, it firmly affirms that protecting persons belonging to minority communities constitutes a core value of the European Union. On the other hand, however, it does not go far in recognizing and protecting minority rights formally. References to equality, non-discrimination, and even to the safeguarding of cultural, linguistic, and religious diversity cannot be said to reflect a substantial recognition of minority rights under EU law.

EU secondary law reflects the same approach, and references to minority protection are scarce.

Conversely, the EU's commitment to equality and non-discrimination based on religious grounds has been subsequently reinforced under Directive 2000/78/EC, "Establishing a General Framework for Equal Treatment in Employment and Occupation", which complements Directive 2000/43/EC, "Implementing the Principle of Equal Treatment between Persons Irrespective of Racial or Ethnic Origin", so-called Race Directive, and expands the scope of the principles of equality and non-discrimination to factors of discrimination other than those contemplated by the Race Directive. Despite its being limited in scope to employment and occupation, Directive 2000/78/EC nonetheless accorded religion and belief a distinct and enforceable status within EU anti-discrimination law.

Although it is significant in recognizing for the first time that discrimination on religious grounds should be outlawed and prosecuted under primary and secondary EU law, Directive 2000/78, like Directive 2000/43 before it, does not extend its coverage to religious minorities as well.

In this sense, the lack of protection for all minoritarian communities in the EU likewise encompasses religious minorities. Moreover, notwithstanding the welcome strengthening of the safeguard of equality and non-discrimination on religious grounds, EU secondary law continues to ignore the collective dimension of the same principles (Nardocci 2018). With regard to this last point, a more explicit effort toward the safeguarding of religious minorities, though lacking prescriptive effects, emerges in the context of the prosecution of religious communities, placed at the center of the 2002 *Resolution on the persecution of minorities on the grounds of belief or religion*.

It could be argued that EU law offers half-protection to religious minorities, covering the individual but not the collective dimension. In that case, the analysis of the role of nongovernmental organizations (NGOs) and legal entities in supporting religious minorities before the CJEU, which is the primary aim of

this article, must also consider the rules governing access to justice in the EU judicial system.

The following paragraphs will, therefore, first examine whether and to what extent EU law grants proper *locus standi* to NGOs and legal entities. The analysis will then proceed with a review of the existing case law of the CJEU concerning religious minorities as developed following Directive 2000/78.

Ultimately, this article evaluates whether, in light of the jurisprudence of the CJEU, NGOs and other legal entities have operated as auxiliary actors in influencing and mitigating the normative and institutional deficiencies in the EU's framework for the protection of religious minorities. It further argues that the limited role of NGOs and legal entities in promoting minority rights under EU law can be explained by their lack of or extremely narrow right to access to justice. The article also suggests that EU law regarding access to justice should be reconceived to enable intermediate actors to join proceedings before the CJEU and to align with the anti-discrimination Directives of 2000, which provide NGOs with the right to act domestically on behalf of the victims.

1.1. Litigating fundamental rights before the Court of Justice: Legal entities and NGOs

The participatory dimension of the European Union judicial system, understood as its willingness to ensure access to outside parties, is in tension (Alemanno 2025). Despite EU treaties emphasizing the crucial role of participation, depicted as a core value of the European Union, the reality tells a different story.

The marginal role of citizens' participation in the democratic life of the European Union becomes particularly salient when examined in light of the rules governing access to judicial proceedings before the CJEU. According to EU primary law, access to the CJEU is exclusively granted to privileged actors, thereby precluding individuals, legal persons, and NGOs from initiating proceedings before the Court directly.

While the literature has extensively addressed the feasibility of granting individuals direct access to the Court – thereby overcoming the structural limitations of the indirect access mechanism established under Article 267 TFEU (Treaty on the Functioning of the European Union) – considerably less attention has been devoted to the *locus standi* of NGOs and legal entities in advancing human rights claims, particularly when acting on behalf of vulnerable individuals and marginalized social groups.

In this regard, several considerations related to the EU legal framework are necessary to clarify and contextualize the rules regulating the *locus standi* of legal entities and NGOs in bringing cases before the CJEU.

As is widely known, primary EU law restricts access to the CJEU to a narrow circle of potential claimants, so-called privileged actors. These include EU institutions and the Member States. Whereas individuals may succeed in bringing cases before the CJEU, although indirectly and by way of the mechanism provided under Article 267, the doors are tighter for NGOs and legal entities.

Concerning NGOs and legal entities, Article 263(4) TFEU states, “Any natural or legal person may, under the conditions laid down in the first and second paragraphs, institute proceedings against an act addressed to that person or which is of direct and individual concern to them, and against a regulatory act which is of direct concern to them and does not entail implementing measures.” For non-privileged actors, such as NGOs and legal entities, access to the CJEU requires that the regulatory act at issue be directed toward them, represent a concern to them, and not entail any implementing measures.

As for the concept of “directness,” the CJEU has further interpreted the criteria mentioned above, suggesting a strictly literal reading of the legal provision. In *Plaumann*, the CJEU clarified and significantly narrowed the meaning of the concepts “another person” and “individual concern.” On that occasion, the CJEU stated, “Persons other than those to whom a decision is addressed may only claim to be individually concerned if that decision affects them because of certain attributes which are peculiar to them or because of circumstances in which they are differentiated from all other persons, and by these factors distinguishes them individually just as in the case of the person addressed.”

This “*Plaumann* test” has been extensively criticized for establishing criteria NGOs can hardly, if ever, meet. Since NGOs act on behalf of “others,” either individuals or social groups, they will rarely fulfill the “individual concern” requirement.

The CJEU adopted a similar rationale about the meaning of the notion of “implementing measures” in the well-known *Inuit* case. In *Inuit*, the CJEU affirmed, “In the absence of implementing measures, natural or legal persons, although directly concerned by the act in question, would be able to obtain a judicial review of that act only after having infringed its provisions, by pleading that those provisions are unlawful in proceedings initiated against them before the national courts.” Put differently, the CJEU would admit the standing of an NGO only after the perpetration of the violation of one or more legal provisions by the claimant itself. This is another criterion that appears hard to satisfy.

Given the described scenario, NGOs may then opt for a third-party intervention to circumvent the restrictive interpretation of the mentioned criteria.

However, the submission of a third-party intervention does not confer upon NGOs any formal status as parties in the judicial proceeding, which means that the European system does not grant any direct access to its Court to NGOs, leaving open only the possibility for experts and NGOs to join proceedings under the guise of third-party interveners.

A different option from acting as a third-party intervener for outside parties, so as to join and potentially contribute to the outcome of the CJEU's judgments, would be to submit an *amicus curiae* brief, either in direct action or in indirect action under Article 267 TFEU. The second route, involving actions pursued in the context of preliminary references, could be particularly relevant for the present analysis, as NGOs usually file briefs in support of victims, strengthening their arguments before the Court.

However, on one hand, primary EU law does not explicitly regulate the standing of the *amicus curiae*, favoring the development of a praxis of informal shadow *amicus* briefs; on the other hand, concerning third-party interventions, submissions are negatively influenced by the rules set forth under Article 40 of the Statute of the Court. According to Article 40, "An application to intervene shall be limited to supporting the form of order sought by one of the parties." Given the lack of opposing parties inherent in the preliminary reference mechanism, NGOs will be precluded from submitting as third-party interveners unless they are already parties to the domestic proceeding.

In light of the above, it appears that the chances for NGOs to act on behalf (direct access) or in support (indirect access) of victims are very narrow, if not almost entirely nonexistent under EU law.

Notwithstanding the restrictive rules and the Court of Justice's reluctance to open its doors to outside parties, legal entities and NGOs have sometimes managed to gain access to the Court, such as in cases about climate change and migration. Besides some exceptional cases, the present analysis intends to verify whether and to what extent the European Union Court of Justice has favored and taken into consideration the arguments submitted by NGOs and legal entities on behalf and in the interest of religious minorities (Krommendijk and van der Pas 2022).

2. Preliminary insights: The Court of Justice on religious discrimination and religious minorities

Despite the human rights-based approach inaugurated by the Treaty of Lisbon and the Charter of Fundamental Rights, further strengthened by the 2000 EU Equality Directives, the Court of Justice maintains a cautious approach in dealing with purely human rights cases (Carrera et al. 2012). It should thus be no surprise that up to now,

the CJEU's case law about discrimination based on religious grounds and religious minorities remains scarce (Ferri 2021).

Up to 2025, the Court of Justice has been invoked in few cases, predominantly in an indirect manner by Member States' courts, in the context of preliminary rulings under Article 267 TFEU.

Beyond some notable cases about religious prosecution (such as *IR v. JQ*, discussed below), the preliminary questions covered the interpretation of some provisions of the EU Employment Equality Directive, and the majority of them dealt with the notions of direct and indirect discrimination, along with the exception provided under Article 4(2) of Directive 2000/78 about occupational requirements (Pin and Witte 2020).

None of the judgments targeted religious minorities or minority rights *per se*. Nevertheless, the decisions about the wearing of the Islamic veil touched on one of the core issues of the majority-minority relationship, that is, the extent to which religious and cultural diversity should be recognized, tolerated, and protected by the state *vis-à-vis* the dominant group.

These judgments, which the following analysis will concentrate on, concerned the display of religious clothing in the workplace by women belonging to the Muslim minority, who in various ways, and for different reasons, have been prevented from wearing the Islamic headscarf at work. Reference should be made to the landmark cases released in 2017, *Samira Achbita and Centrum voor gelijkheid van kansen en voor racismebestrijding v. G4S Secure Solutions NV*, and *Asma Bougnaoui and Association de défense des droits de l'homme (ADDH) v. Micropole SA*, which opened the doors to a collection of case law that now counts six judgments. Following *Achbita* and *Bougnaoui*, the Court of Justice has been asked again to have a say regarding policies banning the wearing of the Islamic headscarf in the workplace in *IX v. WABE eV and MH Müller Handels GmbH v. MJ, LF v. SCRL*, and *OP v. Commune d'Ans*.

Notwithstanding the differences in the factual circumstances, the content and the rationale of each referral, all six judgments challenged the compliance with the Employment Equality Directive of political, philosophical, and religious neutrality policies, put in place by companies or by private employers, preventing their current or prospective employees from wearing the veil.

Setting aside, for the moment, the outcomes of these judgments – the only ones that impact the collective dimension of discrimination and minority rights – it is worth emphasizing that the question of whether prohibitions on wearing the Islamic headscarf in the workplace comply with primary and secondary EU law represents only one of several contested issues that the Court of Justice has been called upon to address since 2000.

Vera Egenberger v. Evangelisches Werk für Diakonie und Entwicklung e.V. and *IR v. JQ* offered the first examples, focusing, instead, on the ambit of application and scope of the exception set forth under Article 4(2) of Directive 2000/78/EC.

Egenberger concerned allegations of religious discrimination perpetrated by a church-based employer to the detriment of a prospective employee who did not belong to any religious denomination. In *IR v. JQ*, an employee complained about having his contract terminated, once again by a church-based employer, following his divorce and remarriage without the previous annulment of his religious marriage. In both cases, the issue was whether the employee's religious affiliation (or lack of it) constituted a "genuine, legitimate and justified occupational requirement" within the meaning of Article 4(2) or, conversely, an unjustified difference in treatment based on religious ground.

In the Court's view, every decision made by church-based employers must be subjected to judicial review in compliance with Articles 9 and 10 of the Equal Employment Directive and Article 47 of the EU Charter of Fundamental Rights, and the content of the requirement limiting access to the employment at stake should be proportionate, resulting from a fair balance among the competing interests at stake.

The CJEU has also tackled salary discrimination issues. In *Cresco Investigation GmbH v. Markus Achatzi*, the CJEU ruled that granting extra payments to employees affiliated with a particular specified Christian denomination, while denying the same payment to other employees was contrary to Article 2(1) of the Equal Employment Directive, in that it constitutes a direct discrimination on grounds of religion, and also to Article 21 of the EU Charter of Fundamental Rights.

The remaining judgments have addressed a range of topics: the compliance with EU law of Islamic ritual slaughtering practices, in *Liga van Moskeen en Islamitische Organisaties Provincie Antwerpen VZW* and *Euvre d'assistance aux bêtes d'abattoirs (OABA) v. Ministre de l'Agriculture et de l'Alimentation and Others*; the enforceability of a religious divorce stipulated under Sharia law, in *Soha Sayouni v. Raja Mamisch*; and church privileges, as in *Congregación de Escuelas Pías Provincia Betania v. Ayuntamiento de Getafe*, where the CJEU denied that churches should be entitled to tax exemption under Article 107(1) TFEU in cases of economic activities lacking religious relevance.

Regardless of the broader issues addressed by the CJEU in the field of religion-related rights, the following analysis will take into consideration the judgments that most directly concern religious minorities, namely those related to the wearing of the Islamic headscarf in the workplace. The aim is to evaluate the role and, if applicable, the influence of actions undertaken by NGOs and/or legal

entities in supporting the victims' claims against prohibitions that restrict the exercise of their right to freedom of religion in its *forum externum* dimension.

3. Making space for legal entities and NGOs in the Court of Justice's case law on religious discrimination

In contrast to the restrictive rules about access to the EU judicial system by outside parties, the Equal Employment Directive does not diminish the role of NGOs. At least, it does not do so at the domestic level.

Article 14 of the Equal Employment Directive, titled Dialogue with NGOs, in fact makes a pretty strong statement about the role of NGOs in the fight against discrimination. In light of Article 14, it should be within the Member States' obligations under Directive 2000/78 to "encourage dialogue with appropriate non-governmental organizations which have, following their national law and practice, a legitimate interest in contributing to the fight against discrimination on any of the grounds referred to in Article 1 to promote the principle of equal treatment."

However, the emphasis placed on the suggested interaction between the Member States and NGOs falls short when we turn to the EU institutional level. Emblematic is the approach of the CJEU, which, as mentioned, has expressed a high degree of skepticism toward engagement in any sort of dialogue with NGOs and other legal entities, denying their active participation in the judicial proceedings before it.

Interestingly, Article 14 of Directive 2000/78 seems, therefore, to suggest that the positive obligation provided therein should operate solely at the Member State level, but not at the EU level.

Jointly considered with the restrictions concerning the *locus standi* of NGOs and other legal entities before the CJEU, the legal provision depicts a status quo featuring a dichotomy between the domestic and the EU level. At the Member State level, secondary EU law encourages NGOs to join the judicial proceedings before domestic courts and grants them a "quasi-right" to have a say. In contrast, endorsing a literal interpretation, Article 14 does not apply at the EU level, where intermediate actors have very little agency and extremely narrow potential to act on behalf of, or in support of, the victims.

In this regard, the case law of the CJEU about the wearing of the Islamic veil in the workplace is particularly illustrative of this trend (Bell 2017). Not surprisingly, none of the six cases adjudicated by the CJEU since 2017 saw a third-party intervention by NGOs, equality bodies, or other legal entities in support of or on behalf of the victim's claims. Notably, judicial proceedings lacked multilayered and multifaceted participation by outside parties, limiting the ruling to the re-

ferral judge or Court, the Member State (though indirectly), the Court, and its advocate general.

The reasons for a narrower investigation of the role of intermediate actors in the judgments about the wearing of the Islamic veil in the workplace are twofold. First, these are the CJEU's cases that most directly tackle inter-communitarian tensions, juxtaposing the majoritarian versus the minoritarian community within the State, which matters from the perspective of a study of the accommodation of religious minorities. Furthermore, the case law on the wearing of the Islamic headscarf in the workplace is particularly significant, as it contributes to unpacking the marginalization experienced by minority women, who are subjected to intersectional forms of discrimination based on both religion and gender.

Second, regarding the role of outside parties, some judgments involved hearings before the CJEU where NGOs and other legal entities supported the victims' claim, but only those that were already parties to the domestic proceedings before the referral judge.

The scenario just described characterizes two of the six judgments: *Achbita* and *Bouagnaoui*, both delivered by the CJEU in 2017 (Schiek 2018). In *Achbita* and *Bouagnaoui*, the applicants were supported in their claims by two State-based associations – the Centrum voor gelijkheid van kansen en voor racismebestrijding and the Association de défense des droits de l'homme (ADDH), respectively – operating at the domestic level, therefore following Article 40 of the Equal Employment Directive.

Despite the similarities in the circumstances and facts, the two cases, originating from preliminary rulings, dealt with different provisions of Directive 2000/78. In *Achbita*, the core question revolved around the consistency with EU anti-discrimination law and, more specifically, with Article 2(2)(a), Directive 2000/78, of the applicant's dismissal due to her insistence on wearing an Islamic headscarf at work, contrary to the neutrality policies endorsed by the employer.

In *Bouagnaoui*, the preliminary question concerned the refusal to hire the victim, once again a Muslim woman, in light of her unwillingness to work without wearing the veil. The request for a preliminary ruling was, thus, about the interpretation of Article 4(1), Directive 2000/78, in that the state court sought to establish whether the prohibition against wearing an Islamic headscarf could be interpreted as constituting a genuine and determining occupational requirement.

The partial heterogeneity of the circumstances of the cases resulted in the alternative outcomes. In *Bouagnaoui*, the CJEU provided the Member State with a margin of discretion regarding the evaluation as to whether a difference in treatment based on religion may constitute a genuine and determining occupational requirement under the condition that “the objective is legitimate and the

requirement is proportionate,” therefore, excluding the recurrence of direct discrimination within the meaning of Article 4(1).

Conversely, in *Achbita*, the Court of Justice took the view that the dismissal, grounded exclusively on the employee’s refusal to comply with the recently introduced neutrality policy by continuing to wear the Islamic headscarf, constituted a form of indirect discrimination within the meaning of Article 2(2)(b) of the Equal Treatment in Employment and Occupation Directive.

Beyond the facts and the outcomes – negative in the former, positive in the latter – a few comments are warranted about the hidden or nonexistent role played by intermediate actors in the CJEU’s judgments.

First, the CJEU attributes no relevance whatsoever to the circumstance that at the domestic level the victims were supported by legal entities or NGOs in facilitating their appearance before Member State courts. This may suggest that the vulnerability of the victims was mitigated, at least domestically, by ensuring their access to justice through the intervention of intermediate actors.

On the contrary, the same cannot be said at the EU level. The CJEU formally mentions the associations as parties to the national proceedings, but the judgments feature nothing more than that. The CJEU does not address the relationships between the associations and the victims, particularly regarding the reasons for their participation in domestic proceedings. Similarly, the arguments presented by the associations in support of the victims’ claims are absent from the CJEU’s rulings. The role of the Centrum voor gelijkheid van kansen en voor racismebestrijding was, instead, recalled by the Opinion of the Advocate General, Kokott, who relied upon its arguments in favor of the presence of direct discrimination to the detriment of Ms. Achbita (See Opinion of Advocate General 31 May 2016, § 41). Conversely, the CJEU doesn’t say anything about the NGO. It fails to explain the actions of intermediate actors in the victims’ interest or why they acted on the victims’ behalf, implying that this information is irrelevant once the preliminary ruling has reached the European Union’s judicial system.

Alternatively, the CJEU could have chosen to include the elements mentioned above in the description of the circumstances of the facts, as the agency and standing of the associations before the referring courts no doubt represent an integral part of the history behind the question referred. Ultimately, the CJEU appears to disregard both the vulnerability and the marginalization of the victim, especially related to participation in a minority religious community, and the subsidiary role of NGOs in compensating for the likely violation of the right to access to justice.

Second, the consequences of such a poor and belittling interpretation of the role of intermediate actors should be taken into consideration. By neglecting the

role of intermediate actors in supporting the victims, the CJEU ends up similarly disguising and diminishing the status of vulnerability of the victims, who could probably have been prevented from bringing their cases to the CJEU if not for the participation of the intermediate actors. Put differently, the misinterpretation by EU law and the CJEU of the role of outside parties as mediators, allowing vulnerable victims and minority groups to litigate and vindicate their rights before the judiciary, seems to signal the EU's indifference toward marginalized communities, including religious minorities (Henrard 2021), and individuals. The argument relies on the CJEU's practice, as evidenced by legal texts – notably the TEU and the Charter of Fundamental Rights – which do consider vulnerabilities.

Yet the analysis presented here, about outside parties litigating fundamental rights before the CJEU in the interest of religious minorities, suggests quite the opposite. There is, therefore, a dichotomy between the declarations of principles set out under primary and secondary EU law and the rules applied by the CJEU, including its current practice, which would call for a progressive and consistent alignment of their rationale: the protection of the fundamental right of individuals and minority groups, on one hand, balanced with the CJEU's interest in reaching decisions efficiently without unnecessary burdens.

Furthermore, there is a third aspect to consider, which goes beyond the specifics of *Achbita* and *Bounoui*. The neglected role of outside parties within the judicial system of the EU leads, in fact, to chilling effects on the decisions of prospective third-party intervenors or *amici curiae*.

Given the restrictive rules set forth under EU treaties and the Statute of the CJEU, intermediate actors other than those primarily involved at the domestic level may be persuaded not to intervene, in light of the absence of any follow-up dialogue with the CJEU. This persuasive or discouraging effect (in that other intermediate actors may decide not to bring actions at least before the CJEU), could be considered as the first, and arguably most significant, negative result stemming from the interplay between the restrictive rules governing access to the EU judicial system and the current jurisprudential practice of the Court of Justice.

From this viewpoint, arguably, the absence of third-party interventions across all six cases about the wearing of the Islamic headscarf in the workplace may be considered clear evidence of the problem.

In addition, there is no record of NGOs intervening as *amici curiae* in any of the judgments considered in the analysis. The lack of a specific regulation on the standing of the *amici*, combined with the silence and lack of transparency that characterizes the CJEU's approach to the submitted briefs, despite Article 15(1) TFEU and Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and

Commission documents, weakens the alternative route (other than a third-party intervention) to allow outside parties to have a say in judgments of which they were not formally a part at the domestic level.

The jurisprudence of the CJEU does not offer cases of outside parties positively influencing the outcome of judgments involving religious minorities or individuals belonging to minority communities, as in the decisions about the Islamic headscarf. Moreover, the analysis proves that by substantially denying the role of NGOs in its jurisprudence, the CJEU impairs the chances of intermediate actors to support the applicants.

A viable solution that could also avoid the isolation of the CJEU, circumvented in favor of other international courts, should rest on two pillars. The first suggests the strengthening of the procedural rules governing access to the EU judicial system in a way that could bridge the gap between declarations of intent (the formal rules under primary and secondary EU law) and the substantial (non-) recognition of the standing of third-party NGOs and *amici curiae*. Moreover, the second pillar urges that EU law should promptly reinforce the principle of equality as diversity, which, again, is formally immanent in the texts but absent in the case law reviewed.

4. Unpacking and rethinking the role of intermediate actors in workplace religious accommodations

“[The European Parliament] stresses the need to protect the human rights defenders, lawyers, nongovernmental organizations and civil society activists who support and defend those who are persecuted on the grounds of belief or religion” (European Parliament 2022). These words emphasize not just the key role played by intermediate actors but, more importantly, the EU’s commitment to supporting and protecting those whose actions are directed towards the safeguarding of individuals and groups subjected to persecution and discrimination based on religion.

While the significance of the statement is clear, its concrete realization, especially when framed in the context of the CJEU’s practice, reveals several shortcomings that the present investigation has aimed to discuss and, to some extent, criticize.

The analysis of the CJEU’s case law on religious minorities contributes to gathering data and stimulating reflection on the proper role of intermediate actors in strengthening religious accommodation policies in the public sphere.

Concerning data, it is evident that intermediate actors, be they NGOs or other legal entities, have gained very little space in litigating religious minorities’ rights before the CJEU. Narrowing down the judgments about discrimination based on

religious grounds to those directly involving religious minorities, intermediate actors were present in only two (*Achbita* and *Bougnoui*) of the six decisions brought before the Court of Justice. These two associations were able to join the proceedings before the Court of Justice as a consequence of their status as formal parties in the domestic proceedings. In other words, the agency recognized by the associations in the judicial system of the Court of Justice was in no way correlated with the rules governing the access of outside parties to the supranational proceeding. Instead, the associations had their standing recognized because they complied with domestic laws and, before that, with EU secondary law, which, especially according to Directive 2000/78, allows outside actors to bring a claim in support of or on behalf of the victim before national courts.

In short, it is very likely that had it not been for their participation in the domestic proceedings, the two associations would not have been allowed to join the case before the Court of Justice. Under the present circumstances, intermediate actors can support victims in bringing their complaints before the judiciary, provided that they operate at the domestic level. In contrast, at the EU level their agency is restricted, merely ratified by the CJEU but not considered, nor enhanced.

The gap between the domestic and the EU levels in their opposite approaches to the standing of intermediate actors, in that the former encourages it and the latter diminishes its importance, constitutes one of the factors that negatively impacts the chances of intermediate actors to boost the protection of religious minorities in the EU.

An additional facet of the investigation, which correlates with the previous one, is the lack of any substantial contribution of intermediate actors in shaping the arguments discussed during proceedings before the CJEU. At least, this is what emerges from the judgments, which avoid adding details about the arguments presented by the associations in the domestic complaints or, in two cases, before the CJEU. In other words, by not conferring a proper relevance upon intermediate actors, the CJEU similarly refrains from describing their observations in point of law, obscuring their agency even if it has been formally acknowledged.

Besides *Achbita* and *Bougnoui*, no other judgment among those examined in the present investigation features traces of third-party interventions, and it is unknown whether outside parties submitted briefs as *amici curiae* to strengthen the applicants' complaints. The lack of openness of the CJEU towards third-party and *amici curiae* NGOs goes hand in hand with the absence of any disclosure of their requests for intervention (Alemanno and Stefan 2014).

Moreover, should intermediate actors succeed in overcoming the barriers laid down under EU law, the question left open is whether and (if so) how their

submissions will be available to all parties to the judgments and to the public. The answer at this stage presents an unsatisfying scenario, characterized by undisclosed submissions, the so-called shadow briefs, and a practice that not only fails to value the contributions of outside parties but also discourages them from attempting to have a say before the CJEU.

In this regard, the experience of the European Court of Human Rights could illustrate how the practice of a supranational court may evolve in the direction of a much more robust recognition of the standing of intermediate actors (Van den Eynde 2017).

The European Convention and the Rules of Procedure allow third-party interventions and *amici curiae* to litigate before the ECtHR. Admittedly, through its jurisprudence in recent years, intermediate actors, such as NGOs in particular, have seen their agency progressively strengthened. What matters the most from the perspective of the present analysis is the recognition in 2014 of NGOs as possible direct claimants acting on behalf of the victim.² In short, along with joining the proceedings before the ECtHR as a third-party or an *amicus curiae*, NGOs can act directly, even on behalf of the victim. The latter represents a significant step in the *locus standi* of NGOs before the ECtHR, as the Court agreed to revise its interpretation of Article 34 ECHR, opening the doors to submissions by indirect victims and by outside parties supporting the victim of the violation.

Examining every case in which the ECtHR has granted standing to NGOs acting on behalf of the victim would go beyond the scope of this investigation. However, two concluding observations are warranted, particularly in view of the CJEU's contrasting and more restrictive approach.

First, the CJEU could benefit from the strategies adopted by the ECtHR to widen its reading of the "individual concern" clause and of Article 40 of its Statute to ensure a larger participation in the proceedings before it and, at earlier stages in the process, more chances to safeguard victims' access to justice.

Second, although no case to date has involved NGOs representing religious minorities, the ECtHR's recognition of their right to litigate on behalf of the victim constitutes a significant precedent, positioning the ECtHR as a reference point

2 Reference is to ECtHR, *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], 2014, when the ECtHR stated, for the first time, that "when considering whether an association should have standing as a de facto representative, the Court has taken into account the following 'exceptional circumstances': the vulnerability of the direct victim and his/her inability to complain while alive; the seriousness of the allegations brought before the Court; the lack of known heirs or legal representatives capable of lodging an application with the Court; the contacts between the association and the victim prior to the death and the intervention of the association at the domestic proceedings after the death and whether its formal standing had not been challenged by the domestic authorities." See also *L.R. v. North Macedonia*, 2020, §§ 46-54, where the ECtHR recognized the standing of the association with regard *inter alia* to the circumstances whereby the child had been abandoned at birth, his parents also suffered from a mental disability and his legal guardian had been accused of not protecting his interests.

for enhancing the role of intermediary actors in supranational adjudication (Cichowski 2013).

An exchange of practices between the two courts would, therefore, be desirable to place intermediate actors at the center of a shared and standard policy, ensuring that religious minorities benefit from the protection advanced by outside parties. Although the dialogue has predominantly, up to now, addressed the procedural aspects of the *locus standi* of outside parties, the time is ripe for further advancement and granting NGOs and other legal entities the right to act and have a say in support of religious minorities.

A swift evolution of the CJEU's case law, through the recognition of the standing of NGOs and other legal entities, would result in a more accommodation-oriented approach, moving beyond the one-way and Western interpretation of neutrality, which is so emblematically expressed in its jurisprudence on the Islamic headscarf, and becoming capable of tackling the most hidden and odious forms of discrimination (Hernard 2025).

References

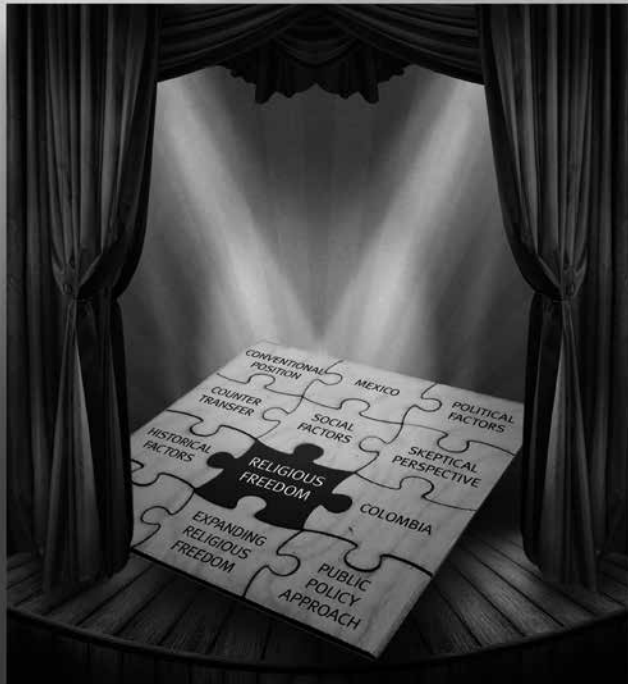
- Alemanno, Alberto. 2025. "Public Participation before the Court of Justice of the EU: Enhancing Outside Judicial Participation via Amicus Curiae Briefs.," *Erasmus Law Review*, volume 17, issue 3 (incomplete), 2024[10.5553/ELR.000288], HEC Paris Research Paper No. LAW-2025-1558.
- Alemanno, Alberto and Oana Stefan. 2014. "Openness at the Court of Justice of the European Union: Toppling a Taboo," *Common Market Law Review* 51:97-139.
- Bell, Mark. 2017. "Leaving Religion at the Door. The European Court of Justice and Religious Symbols in the Workplace," *Human Rights Law Review* 17(4):784-796.
- Carrera, Sergio, Marie De Somer, and Bilyana Petkova. 2012. "The Court of Justice of the European Union as a Fundamental Rights Tribunal Challenges for the Effective Delivery of Fundamental Rights in the Area of Freedom, Security and Justice," CEPS Papers in Liberty and Security in Europe. Available at: <https://ssrn.com/abstract=2145891>.
- Cichowski, Rachel. 2013. "Civil Society and the European Court of Human Rights," in Jonas Christoffersen and Mikael Rask Madsen (Eds.), *The European Court of Human Rights between Law and Politics*, Oxford University Press, 77-97.
- European Parliament. 2022. *Resolution on the Persecution of minorities on the grounds of belief or religion (2021/2055(INI))*, 3 May.
- Ferri, Marcella. 2021. "How to Strengthen Protection of (Religious) Minorities and Cultural Diversity under EU Law: Some Lessons from Human Rights Protection System," *Religions* 12(10):864.

- Ghanea, Nazila. 2012. "Are Religious Minorities Minorities?" *Oxford Journal of Law and Religion*, 1:57-79.
- Henrard, Kristin. 2021. "EU Law's Half-Hearted Protection of Religious Minorities: Minority Specific Rights and Freedom of Religion for All," *Religions* 12(10):1-13.
- Henrard, Kristin. 2025. "The ECtHR, the CJEU, and the Protection of Religious Minorities: A Mixed Scorecard," in *Freedom of Religion, Minority Rights and the Law. The Status of Jewish and Muslim Minorities in Europe and Beyond*, Aleksandra Gliszczyńska-Grabias and Aviad Hacohen (Eds.), Routledge, 19-52.
- Krommendijk, Jasper and Kris van der Pas. 2022. "To intervene or not to intervene: Intervention before the Court of Justice of the European Union in environmental and migration law," *International Journal of Human Rights* 26(8):1394-1417.
- Nardocci, Costanza. 2018. "Equality and Non-discrimination between the European Court of Justice and the European Court of Human Rights: Challenges and Perspectives in the Religious Discourse," *University of Milano-Bicocca School of Law Research Paper*. Available at: <https://ssrn.com/abstract=3301171>.
- Pin, Andrea and John Witte. 2020. "Meet the New Boss of Religious Freedom: The New Cases of the Court of Justice of the European Union," *Texas International Law Review* 55:223-268.
- Schiek, Dagmar. 2018. "Mis-Uses and Non-Uses of Intersectionality Before the European Court of Justice (CJEU): The CJEU Rulings Parris (C-433/15), Achbita (C-157/15) and Bougnaoui (C-188/15) as a Bermuda Triangle?" *International Journal of Discrimination and the Law*, CETLS Online Paper Series. Queen's University Belfast Law Research Paper 7:82-103.
- Van den Eynde, Laura. 2017. "An Empirical Look at the Amicus Curiae Practice of Human Rights NGOs before the European Court of Human Rights," *Netherlands Quarterly of Human Rights* 31(3):271-313.

Camila Andrea Sánchez Sandoval

Religious Freedom in Mexico and Colombia

An Approach to Broadening Categories
and Public Policy Actions from a
Comparative Public Policy Approach



VKW  Religious Freedom Series (IIRF) 9

Religious Freedom Series, Vol. 9.
Culture and Science Publishing (VKW): Bonn, 2025. ISBN 978-3-86269-301-6.

Download at www.iirf.global

Faith actors, COVID-19 vaccine mandates, and religious exemption claims.

Navigating minority rights in US workplaces

*Adelaide Madera*¹

Abstract

This study analyzes how US workplace COVID-19 vaccine mandates affected the governance of religious diversity, focusing on requests for religious exemptions by minority faith groups. It finds that vaccine mandates highlighted tensions between public-health goals and religious freedom, particularly for minority religions. The Supreme Court, in *Groff v. Dejoy*, strengthened accommodation standards by requiring employers to demonstrate a substantial burden before denying religious exemptions. Religious leaders and faith-based actors shaped legal reasoning and facilitated dialogue between employers and employees. Interactive workplace procedures, such as mediation by chaplains or faith actors, could provide fair and culturally sensitive approaches to religious accommodation.

Keywords

Faith actors, COVID-19 vaccine mandates, religious exemption claims, minority rights, US workplaces.

1. Introduction

Beginning on 30 January 2020, when the World Health Organization declared COVID-19 a public-health emergency of international concern, the pandemic profoundly affected health systems, economies, and social life. With the development of vaccines, governments and institutions introduced policies to curb infection,

¹ Adelaide Madera (Ph.D., University of Perugia) is Professor of Canon Law and Law and Religion at the University of Messina, Italy. This article uses American English. Article submitted: 2 Sept 2025; accepted: 25 Mar 2026. Email: amadera@unime.it. ORCID: 0000-0002-5506-0268. The Author is profoundly indebted to Prof. Costanza Nardocci and Prof. Alexandra Budabin for the invitation to contribute to this Special Issue and for their invaluable insights that helped shape this work. This research was supported by PRIN 2022 "Religion and Emergency Rules." Finanziato dall'Unione europea- Next Generation EU, Missione 4, Componente 2, Investimento 1.1, CUP J53D23005810006, codice identificativo 2022PMJ5LN_004. Principal Investigator of the Project of Research: Pierluigi Consorti. Head of the Messina Unit of Research: Adelaide Madera.

promote herd immunity, and restore normal social and economic activity (Silverman 2020). In the United States, many employers adopted vaccination mandates for employees, either in response to federal, state, or local requirements or through their own internal policies (Rothstein 2022:8). These mandates generated substantial public and legal debate, particularly when employees sought religious exemptions and employers failed to accommodate them. As a result, litigation increased and renewed attention was drawn to the scope and limits of religious accommodation in the workplace (Barker 2020; Madera 2023:129).

At the same time, US workplaces have become increasingly religiously diverse, yet accommodating religious expression remains challenging in practice (Flake 2019:72). Some scholars argue that mainstream religions, particularly Christianity, are more easily integrated into workplace routines – for example, through recognition of major holidays (Miller 2021:2328; Zaheer 2007:498). Nevertheless, even Christian employees may hesitate to express their faith openly at work (Pearn Kendola 2023). Employees belonging to minority or less familiar religious traditions often face additional barriers, not only because their beliefs are less widely understood but also due to organizational policies, limited awareness, and implicit biases (Flake 2025:337; Flake 2019:72; Miller 2021:2328). Historically, courts have interpreted the “undue hardship” standard in ways that frequently required employees to choose between their religious commitments and their jobs, a dynamic that disproportionately affected minority faiths (Brierton 2002:174; Dhillon 2011:214).²

The COVID-19 vaccination mandates intensified these preexisting tensions. They produced a surge in requests for religious exemptions and exposed the limitations of traditional accommodation frameworks (Kaminer 2015:119). Employees from various religious backgrounds, including Christians, invoked faith-based objections to vaccination, while others combined religious reasoning with ethical or safety concerns. Although minority religions often faced particular difficulties in explaining and securing accommodations (Miller 2021:2328; Brierton 2002:174), conflicts arose across a broad range of beliefs. Meanwhile, recent US Supreme Court jurisprudence has shifted toward stronger protections for religious employees, overturning earlier “employer-friendly” interpretations (Dhillon 2011:214). In some cases, juries have awarded significant damages to workers whose exemption requests were denied, and pre-litigation settlements have led to policy revisions and financial compensation (Tyler 2024).³

² *Groff v. DeJoy*, 600 US 447 (2023).

³ *EEOC v. Hank's Furniture, Inc.* See also the Infinity Rehab settlement, available at <https://tinyurl.com/548yh7u>, and the Mercy Health settlement with its employees who claimed for a religious discrimination, available at <https://mercyhealthsettlement.com/>.

2. Overview of this article

This paper examines how faith actors – clergy, religious leaders, faith-based organizations, and related networks – can mediate conflicts between religious employees and employers over COVID-19 vaccination mandates, and what this reveals about governing religious diversity in US workplaces. It treats US vaccine mandates as a stress test for the fragmented legal framework on employment and religious accommodation, highlighting regulatory choices, increased litigation, and limits of standards such as the “undue hardship” test, as well as the shift marked by *Groff v. DeJoy*.

Against this background, the paper analyzes how faith actors acted as intermediaries during the vaccination debate. It distinguishes reactive strategies (e.g., third-party briefs influencing courts) from proactive ones (e.g., involving chaplains in review committees), arguing that proactive approaches can move beyond adversarial rights-based frameworks toward cooperative management of religious diversity during public-health crises (Salter and Wilkinson 2022:104).

Using vaccination mandates as a lens for broader workplace governance, the article shows how legal rules, organizational policies, and faith actors can interact to reduce tensions and identify compromise solutions. The experience of immunization highlights a “spectrum” of cooperation – from consultation to partnerships – between public authorities and social actors – in achieving public-health goals (Madera 2023:183; Gilmore et al. 2020:7; Santibañez 2019:5274-5276). It asks whether “two-way dialogue”, which can often bridge secular and religious narratives, could also depolarize employer-employee conflicts in workplaces (Gilmore et al. 2020:7; Tiwana and Smith 2024).

The paper proceeds by examining religious vaccine hesitancy, the US regulatory and judicial landscape (including pre- and post-*Groff v. DeJoy* developments), the role of faith actors, implications for workplace diversity governance, and the potential contribution of chaplains in accommodation procedures, before concluding.

3. Religious hesitancy toward vaccination

In the US, COVID-19 vaccination requirements introduced to limit the spread of the virus sparked intense debate. Although no nationwide mandate existed, a combination of state and local rules, together with company policies, restricted access to certain workplaces, services, and public spaces for unvaccinated individuals. Misinformation about the new vaccines, the presence of established anti-vaccine movements, distrust of public-health authorities, conspiracy theories, and political polarization contributed to resistance among significant segments of the population (Rothstein et al. 2021:1061). A key tension emerged between pub-

lic-health goals and the US ethical framework, which traditionally emphasizes individual fundamental rights (Wirpsa et al. 2023:1-9).

Although mainstream religions supported COVID-19 vaccination and cooperated in vaccination campaigns, faith-based hesitancy increased (Carmody et al. 2021:1167). Employees often invoked religious doctrines, values, or tenets to justify requests for exemptions. Scholars have categorized the multiple reasons underlying religiously based resistance to vaccination (Lo Giacco 2020, 44-49; Transgerud 2023:2-5). Some religious communities have historically expressed skepticism toward vaccines (Grabenstein 2013:2011-2013). Courts also faced claims based on “sincerely held beliefs” without clear links to specific doctrines, reflecting individualized interpretations of religious teachings (Movsesian 2023:543).⁴ In many cases, attitudes toward vaccination reflected a complex interplay of social, political, economic, and religious factors (Peterson et al. 2022:947; Tiwana and Smith 2024). Among US minorities, hesitancy was often connected to distrust toward employers, government institutions, and the healthcare system, partly rooted in historical experiences (Peterson et al. 2022:948).

During the pandemic, some observers viewed religiously based vaccine hesitancy as a pretext to avoid vaccination (Nortey 2022). Health experts warned of the misuse of religious exemptions, noting that most mainstream religions – including the Catholic Church, Evangelical Christianity, various Protestant denominations, Judaism, and Islam – did not oppose vaccines (Giubilini et al. 2021:5). Some scholars also linked vaccine refusal to broader ideological currents such as Christian nationalism (Flescher 2023:576; Medda-Windischer et al. 2025:185-249). Employers, meanwhile, had strong economic incentives to ensure vaccination so that they could resume business activities disrupted by restrictive measures (Baxter 2017:886).

This environment sometimes disadvantaged employees with sincerely held beliefs who were denied exemptions and dismissed during the health crisis. Members of religious minorities also faced difficulties requesting exemptions because of “cultural-religious barriers,” while employers often struggled to understand employees’ cultural and religious backgrounds (Lee 2024:247).

4. The US’s fragmented policies to vaccination

Following the COVID-19 vaccine rollout, US policies were fragmented. Although the federal government issued initial guidance on workplace vaccine mandates in December 2020, federal employees and contractors were not required to vaccinate until November 2021; enforcement by the Department of Health and Human

4 See *Kane v. City of New York* (Sup. Ct., cert. filed 21 July 2025); *Barnett v. Inova Health Care Services*, No. 24-1271 (4th Cir. 2025).

Services (HHS) and the Occupational Safety and Health Administration (OSHA) soon triggered litigation (Bisom-Rapp and Peruzzi 2024:220). Private employers, relying on the “employment-at-will” rule, often imposed mandates earlier (Bisom-Rapp and Peruzzi 2024:220).

The Equal Employment Opportunity Commission (EEOC), which enforces Title VII of the Civil Rights Act, issued guidance urging employers to accommodate religious objections. Its 2009 H1N1 guidance required accommodations unless they imposed an “undue hardship,” taking into account public risk, infection-control alternatives, and the number of requests (EEOC 2009). During health crises, particularly in healthcare, this standard was applied leniently (Madera 2021).⁵ Updated COVID-19 guidance (2021-2022) clarified that if vaccination is impossible due to a disability or sincerely held religious belief and no accommodation is feasible, dismissal may be lawful (EEOC 2022).

How one defines religion is a key issue here. Title VII covers all aspects of religious practice or belief, including non-theistic, minority, unconventional, or moral-ethical beliefs, without requiring formal affiliation.⁶ The Supreme Court has avoided a clear definition, leaving lower courts to adopt divergent approaches. As a result, some have recognized vegan-based objections as plausibly religious,⁷ while others rejected purely philosophical claims as not addressing “ultimate ideas” of life and purpose (Madera 2018:549).⁸

Sincerity is also central. Employers usually presume sincerity but may request clarification when doubts arise (Reiss and Dubal 2018:756-762; Rothstein 2022:9). The EEOC allows such inquiry when there is “an objective basis for questioning” the claim, though scholars warn that this standard is “unpredictable” and may disadvantage minority faiths (Doty and Chopko 2022:617; Gostin and Reiss 2025:1-3).

Although the EEOC should play a key role in litigation over healthcare vaccine mandates, it has often failed to counterbalance courts’ employer-friendly approach (Gostin and Reiss 2025:1-3).⁹ The Supreme Court interprets “undue hardship” as any cost exceeding the de minimis level and emphasizes burdens on third parties.¹⁰ Moreover, “reasonableness” does not require adopting the employee’s preferred accommodation (Flake 2020:1688). Consequently, employers often prevailed by offering alternative accommodations, even when they did not meaningfully engage with employees’ religious concerns (Opel et al. 2018:787; Reiss and Dubal 2018:756-762).

5 *Robinson v. Children’s Hospital Boston*, no. 14–10263 (D. Mass.2014).

6 *Wright v. Honeywell International, Inc.*, (5th Cir., 5 Aug 2025).

7 *Chenzira v. Cincinnati Children’s Hospital*, S.D. Ohio, No. 1:11-cv-00917, (27 Dec 2012).

8 *Fallon v. Mercy Catholic Medical Center*, 877 F.3d 487 (3rd Cir. 2017). See also *Domski v. Blue Cross Blue Shield of Michigan*, No. 2:2023cv12023 (E.D. Mich. 2024).

9 *EEOC v. Mission Hospital*, No. 1:16-CV-00118 (W.D.N.C.2016).

10 *EEOC v. Abercrombie & Fitch Stores, Inc.*, 575 US 768 (2015).

5. The fluctuating judicial approach toward state mandates and its implications for the workplace setting

During the COVID-19 pandemic, courts upheld state vaccination mandates for certain workers by relying on *Jacobson v. Massachusetts*.¹¹ The Supreme Court held in *Jacobson* that individual liberties may be limited during serious public-health emergencies to protect the community. The decision established that the Constitution does not guarantee absolute freedom under the Fourteenth Amendment to the US Constitution, allowing states to require vaccination despite personal objections (Miller 2021:2310; Rothstein 2022:9).

During COVID-19, states amended laws to increase safety in high-risk environments such as schools and healthcare facilities. Requirements differed by vaccine, employee category, and exemption policies, though the strictest rules applied in healthcare because of the need to protect vulnerable patients (Baxter 2017:899). Although *Jacobson* predates the Supreme Court's incorporation of the Free Exercise Clause to the states, courts revived the precedent in 2021 to support mandates, emphasizing deference to government public-health decisions and limiting exemptions that might weaken collective protection (Madera 2023).¹²

At the same time, Supreme Court jurisprudence has increasingly favored religious claims, challenging the *Employment Division v. Smith* standard¹³ and stressing that religious exemptions should not receive less favorable treatment than comparable secular exceptions (Reinbold 2022:562).¹⁴ This shift raises questions for private employers about whether religious exemptions must be granted whenever medical ones exist. Several courts and justices have expressed concern about limited religious accommodations,¹⁵ and some rulings have found that denying them may violate employee rights (Gostin and Reiss 2025:1-3; Parmet-Khalik 2023:280-287).¹⁶

These legal trends have influenced legislation restoring religious or philosophical exemptions,¹⁷ sometimes reducing vaccination coverage and herd immunity (Gostin and Reiss 2025:1-3; Madera 2023:139-144). In addition, political changes – such as shifts in federal advisory bodies, funding cuts for

¹¹ *Jacobson v. Massachusetts*, 191 US 11 (1905).

¹² *We the Patriots USA, Inc. v. Conn. Office of Early Childhood Dev.*, No. 3:21cv597, 2022 WL 105191 (D. Conn. 11 Jan. 2022); *Doe v. Mills*, 16 F.4th 20 (2021).

¹³ *Employment Division v. Smith*, 494 US 872 (1990). The Supreme Court ruled that the First Amendment does not allow people to ignore neutral, generally applicable laws, even if those laws unintentionally restrict religious practices. In this ruling, it moved away from the “strict scrutiny” standard used in earlier cases such as *Sherbert v. Verner* (1963).

¹⁴ *Tandon v. Newsom*, 593 US 61 (2021); *Roman Catholic Diocese v. Cuomo*, 592 U.S. 14 (2020).

¹⁵ *Lowe v. Mills*, No. 22-1710 (1st Cir. 2023).

¹⁶ *US Navy Seals 1-26 v. Biden*, 72 F.4th 666, 672 (5th Cir. 2023).

¹⁷ *Bosarge v. Edney*, No. 1:2022cv00233, Document 77 (S.D. Miss. 2023).

immunization programs, altered recommendation processes, and canceled vaccine-development support – have raised public-health concerns and contributed to declining trust in vaccines (Gostin and Reiss 2025:1-3).

6. Judicial discourse before and after *Groff v. DeJoy*

During the COVID-19 pandemic, vaccine mandates led to extensive litigation over religious discrimination and accommodation claims. Most courts rejected these claims, emphasizing a strict interpretation of undue hardship, deference to employers' reasons, and limited consideration of less restrictive public-health alternatives (Mello and Parmet 2023:1-3). In severe health crises, granting religious exemptions was typically seen as an undue hardship on employers, since it could heighten infection risk and harm third parties (Baxter 2017:904).

In 2023, the Supreme Court in *Groff v. DeJoy* revised the standard for religious accommodations at work. The case involved an evangelical Christian postal worker seeking exemption from Sunday work. The court ruled that employers must accommodate religious claims unless doing so causes a “substantial” burden on the business, requiring evidence of significant cost or operational impact and consideration of factors such as the business’s “nature, size, and operating costs” (Davis 2024).¹⁸ Scholars note that *Groff* will likely prompt a case-by-case reassessment of workplace duties and risks, with employers obliged to consider feasible, less burdensome alternatives even if they need not accept the employee’s proposed accommodation (Nelson 2025:1929-1952; Rothstein et al. 2021:1062).

In the context of mandatory vaccination, accommodations may include masking, social distancing, testing, workspace modifications, telework, or reassignment, with attention to vulnerable populations and sanitation requirements (Mello and Parmet 2023:1-3). Employers facing litigation should document accommodation efforts and may consult third parties to reduce liability (Rothstein 2022:9). Effective accommodations rely on mutual cooperation and flexibility, striving for “proportionate” compromise (Nelson 2025:1952).

Scholars observe that growing religious diversity complicates the judicial approach to accommodations. The strict standard established in *Groff* makes refusals harder, prompting employers to more closely examine the sincerity of beliefs, which may disproportionately burden lesser-known or nontraditional religions (Flake 2025:343). Recently, the Second Circuit clarified that courts must assess whether religious beliefs are “sincerely held” in employee exemption

¹⁸ *Groff v. DeJoy*, 600 US 447 (2023).

requests,¹⁹ reinforcing that employers must evaluate accommodations individually and in good faith, without relying on stereotypes or speculation (Goodman 2025).²⁰

Some scholars suggest that *Groff* signals a shift in reasonable accommodation, reducing preference for mainstream Christian practices and empowering marginalized religious minorities (May 2024:889). The decision stresses safeguarding faith communities' "internal frameworks" and connecting accommodation requests to authentic religious affiliation so as to filter out insincere claims (Greenawalt 2006:326; May 2024:890).

In *Groff v. DeJoy*, an unusually large number of amicus curiae briefs supported the petitioner, representing diverse faith groups – Sikh, Muslim, Hindu, Jewish, and Seventh-day Adventist – and thereby highlighting the case's importance for religious minorities and workplace accommodation law (May 2024:889).²¹ These briefs urged the court to overturn the "more than minimal" standard, arguing that it disproportionately harmed religious minorities, weakened Title VII protections, and allowed employers to deny accommodations over trivial costs. They advocated restoring the textual meaning of "undue hardship," emphasizing that it should require objective evidence of substantial difficulty or expense, not mere inconvenience.

The Muslim Public Affairs Council argued that the *de minimis* standard contributed to a hostile work environment for Muslims and other religious minorities by framing their practices as marginal and incompatible with mainstream (often Christian-oriented) workplace norms. Faith minorities, who are more often requesting accommodations, face "physical, psychological, and financial

19 *Gardner-Alfred v. Federal Reserve Bank of New York*, 143 F.4th 51 (2d Cir. 2025). The Second Circuit upheld sanctions against the plaintiffs and dismissed Gardner-Alfred's claims due to lack of evidence of sincere religious belief. However, it vacated summary judgment for Diaz, finding genuine factual disputes about the sincerity of her beliefs and whether they conflicted with the vaccination policy. The court clarified that sincerity cannot be dismissed simply because a plaintiff has secular objections, acts imperfectly, or misunderstands the vaccines' development process. After being fired from the Federal Reserve Bank of New York in early 2022 for declining a COVID-19 vaccination, Diaz – a Catholic co-plaintiff – challenged the mandate on the grounds that it conflicted with her faith. Her legal battle, which stalled when a district court dismissed the case, gained fresh momentum in 2025 after the Second Circuit's 2025 decision officially revived her legal challenge.

20 *Keene v. City and County of San Francisco*, No. 22-16567 (9th Cir. 2024); *Bube v. Aspirus Hospital, Inc.*, No. 22-cv-745 (W.D. Wis. 2024).

21 According to the Scotusblog report, briefs in support of the petitioner were filed by the Sikh Coalition (22/09/2022; 28/02/2023); the National Jewish Commission on Law and Public Policy (23/09/2022); General Conference of the Seventh-Day Adventists and Union of Orthodox Jewish Congregations of America (26/09/2022); the Thomas More Society and The Jewish Coalition for Religious Liberty (26/09/2022; 28/02/2023); Robert P. Roesser and the Christian Legal Society (26/09/2022); the Council on American-Islamic Relations (23/02/2023); the American Hindu Coalition (28/02/2023); the Seventh-Day Adventist Church in Canada, the Atlantic Union Conference of Seventh-Day Adventists, the North Pacific Union of Seventh-Day Adventist, and the National Council of Young Israel (28/02/2023); the Muslim Public Affairs Council (28/02/2023); the Church of Jesus Christ of Latter-Day Saints (28/02/2023); the Union of Jewish Orthodox Congregations of America (28/02/2023); the Christian Legal Society (28/02/2023); the General Conference of Seventh Day Adventists (28/2/2023); and the National Jewish Commission on Law and Public Affairs and other Jewish Organizations (28/02/2023). Available at: <https://www.scotusblog.com/cases/case-files/groff-v-dejoy/>.

harms” when forced to choose between their job and religious obligations such as Friday prayers, fasting, or wearing the hijab.²²

Similarly, the Seventh-day Adventists and the Orthodox Union criticized the *TWA v. Hardison* standard²³ as misinterpreting Title VII and insufficiently protecting minority religions, enabling employers to deny even “modest accommodations” regarding Sabbath observance, holy days, daily prayers, or religious dress.²⁴ The Sikh Coalition noted that the low threshold undermined Title VII protections, allowing employers to reject reasonable requests under flimsy pretexts.²⁵ The American Hindu Coalition highlighted that the *de minimis* rule from *Hardison* was a “dictum”, leaving Hindus, Sikhs, Jains, Buddhists, and other minorities unable to rely on workplace norms when requesting accommodations like Diwali observance or prayer breaks, often facing segregation or stereotyping.²⁶

Faith groups emphasized that overruling the “more than *de minimis*” test would restore Title VII’s “original” scope, promoting inclusive workplaces, higher job satisfaction, organizational commitment, and reduced burnout, by enabling “robust religious accommodation policies” (Schoemaker and Clarke 2023).²⁷

Amicus briefs, some explicitly cited by the Supreme Court, argued that the “*de minimis* cost” test was too easily satisfied, leaving Orthodox Jews “at the mercy of their employers’ good graces.”²⁸ It also, they claimed, weakened protections for Sikhs by “eliminat[ing] any meaningful mandate to accommodate” their practices and “embold[ening] employers to deny reasonable accommodation requests.”²⁹ These faith-based actors contributed expertise, evidence, and legal arguments showing that the “more than *de minimis*” standard disproportionately burdened religious minorities. Their advocacy influenced the court’s unanimous reversal of the prior standard, establishing that employers must demonstrate “substantial increased costs” to deny accommodations. The court redefined “undue hardship” to require a significant employer burden and confirmed that co-worker animos-

22 *Groff v. DeJoy*, brief of the Muslim Public Affairs Council as amicus curiae supporting the petitioner, no. 22-174.

23 *Trans World Airlines, Inc. v. Hardison*, 432 US 63 (1977). In this case, the court ruled that an employer is not required to provide an accommodation if it imposes an “undue hardship,” which the court defined as any cost more than “*de minimis*.”

24 *Groff v. DeJoy*, brief for the General Conference of Seventh Day Adventists and the Union of Orthodox Jewish Congregations of America as amici curiae in support of the petitioner, no. 22-174.

25 *Groff v. DeJoy*, brief for the Sikh Coalition, Muslim Advocates, and the Islam and Religious Freedom Action Team as amici curiae in support of petitioner, no. 22-174.

26 *Groff v. DeJoy*, brief for the American Hindu Coalition as amicus curiae supporting the petitioner, no. 22-174.

27 *Groff v. DeJoy*, brief of the Muslim Public Affairs Council as amicus curiae supporting the petitioner, no. 22-174.

28 *Groff v. DeJoy*, brief as amicus curiae of the Union of Orthodox Congregations of America in support of the petitioner, no. 22-174.

29 *Groff v. DeJoy*, brief for the Sikh Coalition, Muslim Advocates, and the Islam and Religious Freedom Action Team as amici curiae in support of petitioner, no. 22-174.

ity cannot justify denial, while still allowing balancing against competing interests, though employers must make greater efforts to achieve accommodations.

The increasing use of amicus curiae briefs reflects a broader trend of judicial mobilization by faith actors, as religious organizations turn to courts – especially the US Supreme Court – to influence constitutional interpretation and advance their interests. Conservative faith actors’ strategic litigation has raised concerns about “restricting civic space and human rights”, including in matters of abortion and antidiscrimination law (Blokker 2024:406).³⁰ Meanwhile, religious minorities often face a “hostile legal environment,” struggling to align their practices with “dominant narratives” (Harm 2021:1208). Historically, however, US courts have provided an essential avenue for minority faiths, allowing them to claim Free Exercise Clause protections and obtain exemptions from generally applicable laws, which has thus served as a protective forum against state overreach.³¹

Third-party interventions that enable religious organizations and interfaith coalitions to support litigants have broader implications, reinforcing claims for accommodation and equal protection. Strategic use of amicus briefs has allowed religious actors to reshape judicial frameworks and strengthen religious rights (Schlink 2018:2023). Their involvement can mediate employer-employee tensions, help secular actors understand religious practices, and foster solutions that reconcile secular and religious frameworks, promoting a more inclusive workplace (Budabin and Sajir 2025; Raza 2023:202).

7. The involvement of faith actors in the immunization challenge

During emergencies, authoritarian measures often override normal protections of religious freedom to serve public interests (Hill 2020:27). Throughout the pandemic, this tendency sometimes fueled misunderstanding and discrimination against religious minorities (Medda-Windischer et al. 2025:185-249) and marginalized alternative perspectives on crises (Kurylo 2022:6; Vanhamel et al. 2021:82). However, the situation also underscored the importance of communication and cooperation between authorities and religious actors to create inclusive policies (Martínez-Torrón 2021:30).

In the US, faith actors, such as religious leaders and affiliated non-profits, have historically supported communities during crises, advancing shared goals and addressing local needs (Goodwin and Kraft 2022:29). Their involvement in past outbreaks strengthened “health system responsiveness” and promot-

³⁰ *Burwell v. Hobby Lobby Stores, Inc.*, 573 US 682 (2014).

³¹ *Sherbert v. Verner*, 374 US 398 (1963); *Wisconsin v. Yoder*, 406 US 205 (1972).

ed “people-centered” interventions (Gilmore et al. 2020:1). Following COVID-19 lockdowns, collaborations between health institutions and faith communities enabled safe planning for religious activities (Monson et al. 2021:2355). Religious organizations also received public relief funding alongside secular groups, reflecting their essential social role during emergencies (Chopko 2021:8-20).

Faith actors played a key role in the COVID-19 vaccination effort by sharing accurate information, addressing vaccine hesitancy, and countering misinformation tied to religious concerns (Niu et al. 2024:10; Moore et al. 2022:8931; American Muslim Health Professionals 2021; Carlisle 2021). By framing vaccination within supportive religious narratives, they helped to align faith with public-health goals and promoted vaccine uptake publicly (Tiwana and Smith 2024; Niu et al. 2024:13).

Collaborations between religious and public actors addressed cultural barriers and enabled context-sensitive strategies that considered “social structures, community norms, and belief systems” (Vanhamel et al. 2021:79; see also Niu et al. 2024:14; Syed et al. 2023:471; Blankship et al. 2021:1381; Gilmore 2020:2). Faith communities provided vaccination sites and connected stakeholders, improving access for minority and vulnerable populations and promoting equity (Tiwana and Smith 2024; Niu et al. 2024:17; Delgado 2021; Gilmore et al. 2020:5; Harris 2021; Syed et al. 2023:474; Monson et al. 2021:2353).

8. Diversity in the workplace

In the US, the unprecedented health crisis justified mandatory vaccination for various employees to protect public health, especially vulnerable populations (Gostin and Reiss 2025:1-3). However, this mandate has complicated traditional approaches to religious accommodation amid increasing religious pluralism, as the need to balance secular and religious beliefs challenges the ability to maintain special protections for religion (Schwartzman 2012:1352). Expanding exceptions too far can weaken public policy, while ignoring religious needs can harm minority groups (Madera 2023:135).

Scholars warn that broad religious exemptions for vaccines can lower vaccination rates, legitimize resistance, and be misused to weaken public-health policies (Reiss and Dubal 2018:756-762). In workplaces, rather than excluding religion, newer strategies aim to incorporate it to reduce discrimination and promote inclusivity (Yeste et al. 2022:491). This approach is gaining traction even in the traditionally separationist US, as companies increasingly accommodate employees’ religious practices (Colombo 2013:83). Employee resource groups (ERGs) support minority voices, facilitate religious accommodations, and help employers navigate diverse faith needs (Agovino 2024).

Religious figures are increasingly valued in workplace diversity and inclusion. Businesses' adoption of workplace chaplaincy, long established in the military and healthcare sectors, addresses employees' spiritual needs, offers counseling, and strengthens organizational culture. Chaplains provide psychosocial support, "bridge cultural divides", complement HR diversity initiatives (Miller et al. 2017:10-13), and can serve as "neutral negotiators" in accommodating employees' religious practices (Wolf et al. 2022:1155).

Involving chaplains in workplace religious accommodations can provide guidance, but giving them authority to judge the "authenticity" of employees' beliefs poses ethical and institutional challenges (Wirpsa et al. 2024:4486; Wirpsa et al. 2023:2). Rooted in specific faith traditions, chaplains may lack the capacity to fairly assess beliefs outside their own doctrines, risking favoritism toward conventional practices and undervaluing heterodox or personal spiritual expressions (Wirpsa et al. 2023:1-9). This is especially problematic for employees whose convictions are secular or non-religious, as chaplains may be ill-equipped to validate these beliefs (Farr et al. 2022:130). When religious figures mediate accommodations, non-religious or minority-belief employees may feel excluded or pressured to frame their principles in religious terms (Liefbroer et al. 2017:1776). Relying on a single religious authority also introduces legal risks, such as perceptions of favoritism or creating "a hostile work environment" (Wolf et al. 2022:1156; Wirpsa et al. 2024:4486; Harm 2021:1208).

Chaplains experience inherent role tensions because their position as employees can affect neutrality. They may feel pressure to make decisions on such issues as approving exemptions that are in line with organizational priorities, while at the same time their counseling function requires them to provide confidential support, which can conflict with reporting requirements (Wirpsa et al. 2023:1-9).

Workplace procedures should integrate diverse perspectives in both policy development and implementation so as to ensure that decisions reflect a wide range of cultural, religious, and ethical viewpoints (Beckert and Koch 2025:538; Wirpsa et al. 2023:1-9). Organizations must emphasize procedural fairness by applying policies consistently, transparently, and without bias, while allowing flexibility for sincerely held beliefs (Wolf et al. 2022:1155). Procedures should respect all belief systems, avoiding assumptions, stereotypes, or favoritism (Wirpsa et al. 2023:1-9). This approach fosters inclusivity, mutual respect, reduces conflict or discrimination risks, and supports legally sound, nuanced decision making regarding religious expression in the workplace (Wierstra et al. 2024:810; King and Williamson 2005:173-198).

Further research on these issues should integrate critical analysis and empirical inquiry, engaging employees, chaplains, managers, and other stakehold-

ers. Examining real-world cases can reveal tensions between organizational priorities, individual beliefs, and religious mediation. Policy recommendations grounded in both theory and lived experience are likely to be more equitable, inclusive, and attuned to contemporary workplace diversity.

9. **Chaplains in interactive procedures: The need for further research in view of a change of paradigm**

The growing use of interactive procedures – where employers and employees collaboratively address religious claims in the workplace – signals a potential shift in US religious accommodation practices. In July 2025, the US Office of Personnel Management issued memos encouraging federal agencies to adopt such procedures, suggesting that the EEOC may follow with similar guidance.³² Although concerns about “corporate disestablishment” exist (Nelson 2019:596), chaplains’ expertise in religious beliefs can be crucial in these processes, helping to evaluate exemption requests, mediate conflicts, and identify reasonable accommodations (Lee 2024:255; Wirpsa et al. 2023:1-9; Wolf et al. 2022:1148; Flake 2019:80). Their involvement may improve case-by-case assessments, reconcile employees’ faith with operational needs, and promote inclusive, culturally sensitive workplace solutions (Lee 2024:255; Wirpsa et al. 2023:1-9).

Despite its potential significance, the “intriguing phenomenon” of chaplains’ workplace participation remains underexplored (Miller 2018:1). Research is needed to understand how chaplains balance supporting employees’ religious expression with maintaining neutrality under Title VII, avoiding proselytization or favoritism, and ensuring non-discrimination (Nelson 2019:1946; Wolf et al. 2022:1155; Wirpsa et al. 2023:1-9). This includes examining how their role intersects with social, cultural, and organizational factors, such as minority religious identities, religious diversity, and organizational responsibilities for public health and safety.

Empirical investigation could combine qualitative and quantitative methods to capture the perspectives of employees, chaplains, managers, and policymakers. Such studies could examine how chaplains influence the mediation of religious conflicts, reduce biases, and support collaborative solutions that respect both individual beliefs and workplace obligations (Flake 2019:84; Lee 2024:255;

³² The memo requires federal agencies to engage in interactive procedures when an employee requests a religious accommodation, offering options such as flexible work schedules, scheduled breaks, credit hours, annual leave, compensatory time, time off, or leave without pay. It specifically encourages teleworking as a low-cost option that generally does not impose significant operational burdens. Agencies must justify denial of accommodation with evidence of substantial operational impact. Following the *Groff* standard, the Office of Personnel Management defines undue hardship as “substantial increased costs in relation to the conduct of the employer’s particular business” and clarifies that accommodations cannot be refused for “minor inconveniences.”

Wirpsa et al. 2023:1-9). Studies could also assess chaplains' role in shaping proactive workplace policies that anticipate religious needs, prevent conflicts, and minimize litigation (Alidadi 2017:169; Powers 2024:543).

The diversity of chaplains' backgrounds and expertise enables them to navigate differing religious narratives and intra-faith differences, thereby incorporating religious pluralism in workplace accommodations (Lee 2024:255; Garcia-Yeste et al. 2022:491; Miller 2021). In their advisory role, chaplains can support inclusive dialogue that aligns employees' faith commitments with organizational responsibilities, enhancing social solidarity, ethical awareness, and trust in institutions (Wirpsa et al. 2023:1-9). These possibilities merit further exploration.

Studies suggest that chaplains' involvement in interactive procedures could shift workplace accommodation from a "one-size-fits-all" model to a context-sensitive, participatory approach (Garcia-Yeste et al. 2022:493). Accordingly, future research should explore how chaplains balance individual convictions, corporate needs, and societal interests while complying with US employment law (Nelson 2019:1945; Wirpsa et al. 2023:1-9).

10. Closing remarks

The COVID-19 pandemic highlighted challenges in managing religious diversity in US workplaces, especially around vaccination mandates, and it emphasized the structural biases and limits of traditional Title VII accommodations. This paper has examined how faith actors use both reactive and proactive strategies – shaped by ongoing engagement and relational processes – to navigate conflicts and protect religious interests. Management of workplace religious diversity emerges not just from legal compliance but through interaction among employers, employees, faith actors, and other public actors. Reactive strategies include legal mobilization and advocacy, influencing judicial interpretation of religious rights versus organizational or public-health obligations. Participation in amicus briefs, such as in *Groff v. DeJoy*, helps faith actors safeguard immediate interests while contributing to precedent-setting decisions, enhancing protections for religious minorities and emphasizing case-by-case accommodation.

Proactive strategies anticipate conflicts and embed respect for religious diversity in organizational policies. Chaplains and other faith actors can facilitate dialogue and bridge gaps between employees' beliefs and operational needs, provided that they remain neutral and legally compliant (Wirpsa et al. 2023:1-9). Combining reactive and proactive approaches signals a shift toward context-sensitive, inclusive practices that support religious pluralism and workplace resilience (Garcia-Yeste et al. 2022:493).

References

- Alidadi, Katayoun. 2017. *Religion, Equality and Employment in Europe*. Oxford and Portland, Oregon: Hart Publishing.
- Agovino, Teresa. 2024. "Navigating Religious Inclusion at Work." SHRM. Available at: <https://tinyurl.com/4pscajuu>.
- American Muslim Health Professionals. 2021. "A Conversation on COVID-19 Vaccine with Dr. Anthony Fauci and the American-Muslim Community." Available at: <https://amhp.us/fauci/>.
- Barker, Renae. 2020. "Covid Vaccine: Why Public Health Interests May Outweigh Religious Freedom." *Business Standard* 26 August. Available at: <https://tinyurl.com/4nh3unx9>.
- Baxter, Teri Dobbins. 2017. "Employer-Mandated Vaccination Policies: Different Employers, New Vaccines, and Hidden Risks." *Utah Law Review* 5: 855-938.
- Beckert, Johannes, and Thomas Koch. 2025. "Corporate Perspectives on Diversity: Engagement, Communication Motives, and the Diversity-Washing Dilemma." *Journal of Market Communications* 31: 538-555.
- Bisom-Rapp, Susan and Marco Peruzzi. 2024. "Regulatory Choices and Legal Disputes in the Fight Against COVID-19 Infections in the Workplace: A Comparison of Vaccine Mandates in the Italian and US Contexts." In *Work Beyond the Pandemic: Towards a Human-Centred Recovery*. Edited by Tindara Addabbo, Edoardo Ales, Ylenia Curzi, Tommaso Fabbri, Olga Rymkevich, and Iacopo Senatori. Cham: Palgrave MacMillan, 211-229.
- Blankinship, Lisa A., William A. Rouse, Joshua Bernstein, Joanna Kruk, and Basil H. Aboul-Enein. 2021. "A Narrative Review of Ethnic Minority Studies for Faith-Based Health Promotion Interventions with Special Reference to the Contemporary Christian Nurse." *Journal of Religious Health* 60: 1375-1387.
- Blokker, Paul. 2024. "Using Liberal-Legal Tools for Illiberal Gains: The European Court of Human Rights and Legal Mobilisation by Conservative Right-Wing Actors." *International Journal of Law in Context* 20: 401-418.
- Budabin, Alexandra, and Zakaria Sajir. 2025. "How Religious and Interfaith Actors Interpret the Religious-Secular Cleavage for Negotiation of Reasonable Accommodation in the Workplace." Paper presented at the 2025 ECPR Conference, Charles University, 20-23 May 2025. Available at: <https://ecpr.eu/Events/Event/PaperDetails/78756>.
- Brierton, Thomas D. 2002. "'Reasonable Accommodation' Under Title VII: Is It Reasonable to the Religious Employee?" *The Catholic Lawyer* 42: 165-194.
- Bruine de Bruin, Wändi, Htay-Wah Saw, and Dana P. Goldman. 2020. "Political Polarization in US Residents' COVID-19 Risk Perceptions, Policy Preferences, and Protective Behaviors." *Journal of Risk Uncertain* 61: 177-194.

- Carlisle, Madeleine. 2021. "Survey: 'Faith-Based Approaches' Could Help Convince Millions of Americans to Get COVID-19 Vaccines." *Time*, 22 April. Available at: <https://tinyurl.com/8re47j8j>.
- Carmody, Elle R., Devon Zander, Elizabeth J. Klein, Mark J. Mulligan, and Arthur L. Caplan. 2021. "Knowledge and Attitudes toward COVID-19 and Vaccines among a New York Haredi-Orthodox Jewish Community." *Journal of Community Health* 46: 1161-1169.
- Centers for Disease Control and Prevention. 2021. "Flu Disparities among Racial and Ethnic Minority Groups." Available at: <https://tinyurl.com/e3426mu6>.
- Chopko, Mark. 2021. "The Constitutionality of Providing Public Funds for US Houses of Worship during the Coronavirus." *Laws MDPI* 10: 8-20.
- Colombo, Ronald J. 2013. "The Naked Private Square." *Houston Law Review* 51:1-88.
- Davis, Kirk. 2024. "*Groff v. DeJoy*: A Paradigm Shift for Religious Workplace Accommodations." *The Missouri Bar* 80(1). Available at: <https://tinyurl.com/yvyc3299>.
- Delgado, C. 2021. "How Faith Leaders Are Increasing COVID-19 Vaccine Confidence." *VeryWell Health*. 28 June.
- Dhillon, Kiran Preet. 2011. "Covering Turbans and Beards: Title VII's Role in Legitimizing Religious Discrimination Against Sikhs." *Southern California Interdisciplinary Law Journal* 21: 215-252.
- Doty, D.A. and M.A. Chopko. 2022. "Work with What You Have – Navigating Religious Accommodations in the American Vaccine Era." *Journal of Church and State* 64(4): 600-620.
- Equal Employment Opportunity Commission. 2022. *What You Should Know About COVID-19 and the ADA, the Rehabilitation Act, and Other EEO Laws*, § L.2, 31 March 31. Available at: <https://tinyurl.com/2mrbapkd>.
- Equal Employment Opportunity Commission. 2009. "Pandemic Preparedness in the Workplace and the Americans with Disabilities Act." Available at: <https://tinyurl.com/4wrwh69d>.
- Erickson, Lily. 2021. "Religion and Diplomacy Important to COVID-19 Vaccination Efforts, Scholars and Policymakers Say at Georgetown Event." Berkley Center, 30 June. Available at: <https://tinyurl.com/juf56kyj>.
- Farr, Sebastian, Traugott Roser, and Michael Coors. 2022. "Ethical Conflicts in Healthcare Chaplaincy: Results of an Exploratory Survey Among Protestant Chaplains in Switzerland, Germany, and Austria." *Journal of Religion and Health* 62(1): 130-146.
- Flake, Dallan F. 2025. "The Curious Case of Religious Accommodation." *St. Louis Law Journal* 69: 331-344.
- Flake, Dallan D. 2020. "Restoring Reasonableness to Workplace Religious Accommodations." *Washington Law Review* 95: 1673-1724.

- Flake, Dallan F. 2019. "Interactive Religious Accommodations." *Alabama Law Review* 71: 68-114.
- Flescher, A. 2023. "How Well Do Religious Exemptions Apply to Mandates for COVID-19 Vaccines?" *Religions* 14(5): 569-583.
- Garcia-Yeste, Carme, Mara Liviu-Catalin, Lena de Botton, and Elena Duque. 2022. "Building a More Inclusive Workplace for Religious Minorities." *Religions* 13: 481-496.
- Gilmore, Brynne, Rawlance Ndejjo, Adalbert Tchechia, Vergil de Claro, Elizabeth Mago, Alpha A. Diallo, Claudia Lopes, and Sanghita Bhattacharyya. 2020. "Community Engagement for COVID-19 Prevention and Control: A Rapid Evidence Synthesis." *BMJ Global Health* 5: 1-11.
- Giubilini, Alberto. 2021. "Vaccination Ethics." *British Medical Bulletin* 137(1): 4-12.
- Goodman, Sarah. 2025. "Evolving Standards for Religious Accommodations at Work." *Offit Kurman*, August 25. Available at: <https://tinyurl.com/bdhrzdf>.
- Goodwin, Ellen, and Kathryn Kraft. 2022. "Mental Health and Spiritual WellBeing in Humanitarian Crises: The Role of Faith Communities Providing Spiritual and Psychosocial Support during the COVID19 Pandemic." *Journal of International Humanitarian Action* 7(1): 21-39.
- Gostin, Lawrence O. and Dorit Reiss. 2025. "Threats to Vaccination in the US." *Jama Health Forum* 6(6): 1-3.
- Grabenstein, John D. 2013. "What the World's Religions Teach, Applied to Vaccines and Immune Globulins." *Vaccine* 31: 2011-2023.
- Greenawalt, Kent. 2006. *Religion and the Constitution*, volume 1: *Free Exercise and Fairness*. Princeton: Princeton University Press.
- Harm, Lisa. 2021. "Claiming Religious Freedom at the European Court of Human Rights: Socio-Legal Field Effects on Legal Mobilization." *Law & Social Inquiry* 46 (4): 1205-1235.
- Harris, Nicole 2021. "Faith Leaders Must Play Key Role in COVID-19 Vaccine Roll-Out." *World Vision*, 11 January. Available at: <https://tinyurl.com/2jcszspz>.
- Hill, Mark. 2020. "Coronavirus and the Curtailment of Religious Liberty." *Laws MDPI* 9(4): 27-36.
- Kaminer, Debbie. 2015. "Religious Accommodation in the Workplace: Why Federal Courts Fail to Provide Meaningful Protection of Religious Employees." *Texas Review of Law & Politics* 20: 107-147.
- King, James E. and Ian O. Williamson. 2005. "Workplace Religious Expression, Religiosity and Job Satisfaction." *Journal of Management, Spirituality & Religion* 2(2): 173-198.
- Kurylo, Bohdana. 2022. "Emergency: A Vernacular Contextual Approach." *International Studies Review* 24(3): 1-23.

- Lee, Hajung. 2024. "Procedural Dimensions of Religious Exemptions to Covid-19 Vaccine Mandates: Promoting Clarity, Fairness, and Transparency in Applications." *AJOB Empirical Bioethics* 15(4): 246-261.
- Liefbroer, Anke I., Erik Olsman, R. Ruard Ganzevoort, and Faridi S. van Ette-Jamaludin. 2017. "Interfaith Spiritual Care: A Systematic Review." *Journal of Religion and Health* 56(5): 1776-1793.
- Lo Giacco, M.L. 2020. "Il rifiuto delle vaccinazioni obbligatorie per motivi di coscienza. Spunti di comparazione." *Stato, Chiese e Pluralismo Confessionale* 7: 41-65.
- Madera, Adelaide. 2023. "Mandatory Vaccination v. Conscientious Objection: A Comparative Analysis Between the US and the European Approach." *Anuario de Derecho Eclesiástico del Estado* 36: 129-188.
- Madera, Adelaide. 2021. "COVID-19 Vaccines v. Conscientious Objections in the Workplace." Canopy Forum, 30 April. Available at: <https://tinyurl.com/3tfun6w7>.
- Madera, Adelaide. 2018. "La definizione della nozione di religione ed il ruolo della giurisprudenza: una comparazione fra l'ordinamento statunitense e quello italiano." *Anuario de Derecho Eclesiástico del Estado* 34: 529-572.
- Martínez-Torrón, Javier. 2021. "COVID-19 y libertad religiosa: ¿problemas nuevos o soluciones antiguas?" In *COVID-19 y libertad religiosa*. Edited by Javier Martínez-Torrón and Belén Rodrigo Lara. Madrid: Iustel, 23-36.
- May, Isaac. 2024. "Sabbah Accommodations as a Civil Right: History, Title VII and the Path to *Groff v. DeJoy*." *Florida International University Law Review* 19: 873-891.
- Medda-Wendischer, Roberta, Alexandra Budabin, and Adelaide Madera. 2025. "Religious Minorities and Health Emergencies: Global Approaches and Lessons Learnt from the COVID-19 Pandemic." *Stato Chiese e Pluralismo Confessionale* 11: 185-249.
- Mello, Michelle M. and Wendy E. Parmet. 2023. "Accommodating Religious Objections to Vaccination Mandates: Implications of *Groff v. DeJoy* for Health Care Employers." *Jama Health Forum* 4(9): 1-3.
- Miller, Mary-Lauren. 2021. "Inoculating Title VII: The 'Undue Hardship' Standard and Employer-Mandated Vaccination Policies." *Fordham Law Review* 89(5): 2035-2337.
- Miller, David W., Faith Wambura Ngunjiri, and James D. LoRusso. 2017. "Human Resources Perceptions of Corporate Chaplains: Enhancing Positive Organizational Culture." *Journal of Management, Spirituality & Religion* 14: 196-215.
- Miller, David. W., Faith Wambura Ngunjiri, and James D. Lorusso. 2018. "The Suits Care About Us: Employee Perceptions of Workplace Chaplains." *Journal of Management, Spirituality and Religion*: 1-21.

- Monson, Kimberly, Mopeninu Jesu Oluyinka, Dana Rose Negro, Natasha Hughes, Daniella Maydan, Sahir Iqba, Sherita H. Golden, Paula Teague, W. Daniel Hale, and Panagis Galiatsatos. 2021. "Congregational COVID-19 Conversations: Utilization of Medical-Religious Partnerships During the SARS-CoV-2 Pandemic." *Journal of Religion and Health* 60: 2353-2361.
- Moore, DaKysha, Lisa N. Mansfield, Elijah O. Onsomu, and Nicole Caviness-Ashe. 2022. "The Role of Black Pastors in Disseminating COVID-19 Vaccination Information to Black Communities in South Carolina." *The International Journal of Environmental Research and Public Health* 19(15): 8926-8936.
- Movsesian, Mark. 2023. "The New Thoreau." *Loyola University Chicago Law Journal* 54: 539-577.
- Nelson, James D. 2025. "Disestablishment at Work." *Yale Law Journal* 134: 1890-1954.
- Nelson, James D. 2019. "Corporate Disestablishment." *Virginia. Law Rev.* 105: 595-654.
- Niu, Long, Muhammad Miraj, Lu Chuntian, Ramiz Ur Rehman, and Saima Sher-een. 2024. "The Role of Religious Workers in Vaccine Distribution, Public Mobilization and the Eradication of Nationalism." *Work* 77(1): 3-21.
- Nortey, Justin. 2022. "Americans Skeptical about Religious Objections to COVID-19 Vaccines, but Oppose Employer Mandates." Pew Research Center, 31 March. Available at: <https://tinyurl.com/yc6wsfvm>.
- Opel, Douglas J., James A. Sonne, and Michelle M. Mello. 2018. "Vaccination without Litigation: Addressing Religious Objections to Hospital Influenza-Vaccination Mandates." *New England Journal of Medicine*, 1 March: 785-788.
- Parmet, Wendy E., and Faith Khalik. 2023. "Judicial Review of Public Health Powers Since the Start of the COVID-19 Pandemic: Trends and Implications." *American Journal of Public Health Research & Analysis* 113(3): 280-287.
- Pearn Kendola. 2023. *Religious at Work Report 2023*, 23 November. Available at: <https://tinyurl.com/48kb5vtx>.
- Peterson, Christopher J., Benjamin Lee, and Kenneth Nugent. 2022. "COVID-19 Vaccination Hesitancy among Healthcare Workers: A Review." *Vaccines* 10: 948-978.
- Powers, Caroline. 2024. "The Next Evolution of Religious Accommodation in Employment." *Gonzaga Law Review* 59: 543-576.
- Raza, Farrah. 2023. *Religious Accommodation and Its Limits*. Oxford: Hart.
- Reid, Jess. 2020. "COVID-19 Could Be a Game Changer, as Scientists Race to Develop a Vaccine." *Medical Press*, 31 March. Available at: <https://tinyurl.com/yc6vdm4k>.
- Reinbold, Jenna. 2022. "Why COVID-19 Changed the World (of Free Exercise)." *Journal of Church and State* 64(4): 562-580.

- Reiss, R.D., and V.B. Dubal. 2018. "Influenza Mandates and Religious Accommodations: Avoiding Legal Pitfalls." *The Journal of Law, Medicine and Ethics* 46(3): 756-762.
- Rothstein, Mark. 2022. "COVID Vaccine Mandates and Religious Accommodation in Employment." *Hastings Center Report* 52(1): 8-9.
- Rothstein, Mark, Wendy E. Parmet, and Dorit Reiss. 2021. "Employer-Mandate Vaccination for COVID-19." *American Journal of Public Health* 111(6): 1061-1064.
- Salter, Jodie, and Olivia Wilkinson. 2022. "Faith Framing Climate: A Review of Faith Actors' Definitions and Usage of Climate Change." *Climate and Development* 16(2): 97-108.
- Santibañez, Scott, Mark Davis, and Rachal Nonkin Avchen. 2019. "CDC Engagement with Community and Faith-Based Organizations in Public Health Emergencies." *American Journal of Public Health* 109: 274-276.
- Schoemaker, Amanda and Ronahn Clarke. "Groff v. DeJoy." Available at: <https://www.law.cornell.edu/supct/cert/22-174>.
- Shlink, Bernhard. 2018. "Conscientious Objections." In *The Conscience Wars: Rethinking the Balance between Religion, Identity and Equality*. Edited by Susanna Mancini and Michel Rosenfeld. Cambridge: Cambridge University Press, 102-108.
- Shwartzman, Micah. 2012. "What If Religion Is Not Special?" *University of Chicago Law Review* 79: 1351-1427.
- Silverman, Ross D. 2020. "Vaccine Mandates vs. Religious Beliefs: The Legal Arguments for the Upcoming Coronavirus Lawsuits." *The Conversation*, 31 August. Available at: <https://tinyurl.com/zhbevysf>.
- Syed, Uzma, Olivia Kaper, Aparajita Chandrasekhar, Barbara T. Baylor, Adebola Hassan, Marina Magalhães, Farshid Meidany, Inon Schenker, Sarah E. Messiah, and Alexandra Bhatti. 2023. "The Role of Faith-Based Organizations in Improving Vaccination Confidence and Addressing Vaccination Disparities to Help Improve Vaccine Uptake: A Systematic Review." *Vaccines* 11: 449-480.
- Tiwana, Haaris and Julia Smith. 2024. "Bridging Faith and Public Health to Overcome Vaccine Hesitancy." *Policy Options Politiques*, 4 December. Available at: <https://tinyurl.com/2zvkkbbhw>.
- Tyler, Arnold. 2024. "Catholic Woman Awarded \$12.7 Million in Religious Discrimination Lawsuit Over COVID-19 Vaccine." *Catholic News Agency*, 13 November. Available at: <https://tinyurl.com/2xzzpuyt>.
- Trangerud, H.A. 2023. "What Is the Problem with Vaccines? A Typology of Religious Vaccine Skepticism." *Vaccine* 14: 1-7.
- Vanhamel, Jef, Marie Meudec, Ella Van Landeghem, Maya Ronse, Charlotte Gryseels, Thijs Reyniers, Anke Rotsaert, Charles Ddungu, Lazare Manirakunda,

- Deogratias Katsuva, Koen Peeters Grietens, and Christiana Nöstlinger. 2021. "Understanding How Communities Respond to COVID-19: Experiences from the Orthodox Jewish Communities of Antwerp City." *International Journal for Equity in Health* 70: 78-92.
- Wirpsa, M. Jeanne, Paul Galchutt, Catherine S. Price, Bethany Schaefer, Csaba Szilagyi, and Patricia K. Palmer. 2023. "Mandatory COVID-19 Vaccination for Healthcare Workers: The Experience of Chaplains Evaluating Religious Accommodation Requests from Coworkers." *Social Science & Medicine* 322: 1-9.
- Wirpsa, M. Jeanne, Nina Redl, Karen Lieberman, and Krys Springer. 2024. "The Expanding Role of United States Healthcare Chaplains in Clinical Ethics." *Journal of Religion and Health* 63: 4486-4511.
- Wierstra, Iris R., Annemarie Foppen, Xander J.S. Rosie (Sujin), and Anke I. Liefbroer. 2024. "Chaplains' Professional Identity and a Structured Approach to Chaplaincy: Mutually Exclusive or Complementary?" *Pastoral Psychology* 73: 799-815.
- Wolf, Tanya, and Birgit Feldbauer-Durstmüller. 2022. "New Insights into Workplace Chaplaincy." *Review of Managerial Science* 17: 1147-1173.
- Zaheer, Bilar. 2007. "Accommodating Minority Religions Under Title VII: How Muslims Make the Case for a New Interpretation of Section 701(j)." *University Of Illinois Law Review* 2007: 497-531.



The Specific Vulnerability of Religious Minorities

DENNIS P. PETRI

Religious Freedom Series Vol 7, VKW: Bonn, 2023. 403 pp. ISBN: 978-3-862269-267-5.

Download at www.iirf.global

Building religious freedom by engaging business and civil society institutions

A new paradigm taking economic arguments into account

*Brian Grim*¹

Abstract

This article reframes efforts to secure freedom of religion or belief (FoRB) by arguing that while rights-based advocacy remains essential – particularly in contexts of religious persecution – it has limited capacity on its own to reverse the global expansion of religious restrictions. A complementary “builder’s approach” emphasizes the role of intermediate actors, such as businesses and civil society institutions, in cultivating FoRB through everyday institutional practices, especially within workplaces. The builder’s approach combines empirical measures of religious restriction with socio-economic incentives to explain how religious inclusion can be operationalized, diffused, and sustained for civic benefit.

Keywords

FoRB, religious freedom, economy, business, new paradigm.

1. Introduction

Freedom of religion or belief (FoRB) can be understood not only as a fundamental human right protected through law and advocacy but also as a socio-economic capacity that shapes social stability, economic development, and human flourishing. Cross-national data, economic impact studies, and long-term field experience indicate that while rights-based advocacy remains indispensable – particularly in contexts of egregious religious persecution – it has reached a practical plateau in reversing the global rise of religious restrictions. Nearly three-quarters of the world’s population now lives in countries with high or very high levels of gov-

¹ Brian Grim is the President, Religious Freedom & Business Foundation. ORCID: 0000-0001-5679-2615. This article uses American English. Article submitted: 28 August 2025; accepted 26 March 2026. Email: brian@religiousfreedomandbusiness.org.

ernmental or societal constraints on religion, with significant human, social, and economic consequences (Grim & Finke 2011; Hertzke 2018).

A complementary paradigm, the “builder’s approach” (Grim 2023; Seiple 2023), emphasizes the role of intermediate actors, especially businesses and civil society institutions, in expanding the practical space for religious freedom. Similar to some adjacent frameworks such as covenantal pluralism (Seiple & Hoover 2021) or faith-at-work models (Miller 2007; Hicks 2003), the builder’s approach highlights – using data and case studies – the positive contributions of FoRB to socio-economic or other societal outcomes, demonstrating how religious inclusion in workplaces and civic institutions can reduce conflict, mitigate discrimination, and foster trust across deep differences.

The data on which this article relies come from two sets of evidence. First, it compares measures such as the Government Restrictions Index and the Social Hostilities Index (Pew Research Center 2007-2022) with measures of peace and economic competitiveness (Grim & Finke 2011; Grim et al. 2014). The discussion then turns to case examples including multifaith civic collaboration in Kazakhstan (Chute 1991) and findings related to the implementation of faith-inclusive corporate practices promoted by the Religious Freedom & Business Foundation, which the author established in 2014. These measures and examples indicate that religious freedom is associated with lower corruption, greater peace, and improved economic performance.

2. Building religious freedom beyond advocacy

Freedom of religion or belief (FoRB) is formally recognized as a universal human right under Article 18 of the Universal Declaration of Human Rights (UN General Assembly 1948). For decades, governments, international institutions, and civil society organizations have sought to protect this right through legal frameworks, diplomatic engagement, monitoring mechanisms, and public advocacy. These efforts have played an essential role in documenting violations, supporting victims of persecution, and establishing normative standards for religious liberty in international law.

Despite these efforts, however, global restrictions on religion have continued to rise. In many contexts, these restrictions translate into concrete experiences of discrimination, harassment, violence, imprisonment, and exclusion from economic and civic life. Religious persecution is not limited to dramatic episodes of violence; it is also embedded in everyday practices that limit access to employment, education, and social participation.

Traditional FoRB advocacy remains indispensable, particularly in contexts of acute persecution and state-sponsored repression. Legal protections, internation-

al pressure, and public accountability are often the only available tools for addressing severe violations. Yet long-term trend data suggest that advocacy alone has not been sufficient to reverse the global trajectory of rising restrictions. In many societies, governmental controls and societal hostilities reinforce one another, creating self-perpetuating cycles of repression that are resistant to legal or diplomatic intervention alone.

This empirical reality raises a pragmatic question: what additional strategies might expand FoRB in contexts where advocacy and legal reform have reached their practical limits? Addressing this question calls not for abandoning rights-based approaches but rather for complementing them with strategies that engage the social and economic structures shaping daily life.

The “builder’s approach” to FoRB is one such complementary strategy. Builders seek to advance religious freedom not only by appealing to legal norms but by cultivating inclusive environments within non-state institutions, including workplaces, educational settings, and civil society organizations. By engaging businesses and other influential actors, builder strategies expand the practical space in which individuals can live out their beliefs without coercion or discrimination.

From this perspective, religious freedom can be understood not only as a juridical right to be defended but also as a social capacity that can be strengthened through institutional practice. When religious inclusion is embedded in everyday economic and civic life, it can reduce conflict, foster trust across differences, and mitigate the social conditions that give rise to persecution.

3. Religious restrictions, persecution, and human consequences

Restrictions on religion rarely remain confined to belief or worship alone. Empirical research consistently demonstrates that limitations on religious freedom are associated with broader patterns of exclusion that affect employment, education, healthcare access, and participation in public life (Grim & Finke 2011). For many individuals and communities, religious restriction is experienced not primarily as a legal abstraction but as a daily reality shaping economic opportunity, social belonging, and personal security.

Cross-national studies of religious freedom have revealed a strong relationship between high levels of restriction and increased social conflict. Countries with extensive governmental controls on religion or high levels of social hostility toward religious groups are significantly more likely to experience religion-related violence, forced displacement, and intergroup tension (Grim & Finke, 2011; Hertzke, 2018). These patterns are especially pronounced where religious repression intersects with ethnic division, poverty, or weak political institutions.

Religious persecution also carries clear economic consequences. Members of religious minorities are often excluded from employment or face barriers to promotion and entrepreneurship. In some contexts, religious identity functions as a marker for discrimination in housing, education, or access to public services. Over time, such exclusion erodes human capital, undermines productivity, and weakens social trust. Where persecution escalates into violence or mass displacement, normal economic activity is disrupted, investment declines, and development gains are reversed.

Governmental restrictions and societal hostilities toward religion tend to reinforce one another. State actions that privilege or suppress particular religious groups can legitimize social prejudice, while widespread societal hostility can pressure governments to enact or enforce restrictive policies. When these forces operate in tandem, they can create self-perpetuating cycles of repression and conflict that are difficult to interrupt through legal reform alone.

These findings underscore why freedom of religion or belief matters not only as a matter of principle but also as a practical concern for peace, stability, and human flourishing. Where religious freedom is protected, societies tend to exhibit higher levels of social trust, greater capacity for cooperation across differences, and lower risks of violent conflict. Conversely, where religious freedom is denied, persecution and exclusion often become embedded in social and economic structures, amplifying their long-term impact (Fox 2013; Grim 2009; Grim & Finke 2011; Norenzayan et al. 2016; Putnam & Campbell 2010; Toft et al. 2011).

For this reason, addressing religious persecution requires attention not only to laws and policies but also to the institutional environments in which people live and work. While advocacy and legal protections remain essential for confronting severe violations, they are often insufficient on their own to dismantle the everyday mechanisms of exclusion that sustain religious repression. This gap points toward the need for complementary approaches that engage social and economic institutions as sites where religious freedom can either be constrained or actively constructed.

4. Economic contribution of religion to economies

Empirical research on FoRB has demonstrated that religious freedom is closely associated with the ability of religious individuals and institutions to contribute to economic and social life. Studies examining countries with relatively low levels of governmental restriction and social hostility toward religion provide a useful framework for understanding this relationship. In such environments, religion is not confined to the private sphere but operates openly across civil society and the economy, generating substantial social and economic value (Grim & Finke 2011; Grim et al. 2014).

Two national-level studies of the United States and Canada – countries with comparatively high levels of religious freedom – illustrate how low restrictions create conditions in which religious actors contribute robustly to economic activity. In these two studies, Grim and Grim (2016, 2020) showed that the contribution of religion to the national economy can be broadly categorized into three interrelated sectors: congregations, religious institutions, and faith-related or faith-inspired businesses.

4.1. Congregations

Local congregations constitute a significant economic and social presence within their communities. Each year, congregations in the United States spend tens of billions of dollars on operations, including personnel, facilities, and the purchase of goods and services such as utilities, maintenance, and supplies. The majority of this spending occurs locally, supporting neighborhood economies and employment.

Congregationally affiliated schools further extend this economic impact. These schools employ hundreds of thousands of full-time teachers and educate millions of students annually, contributing to workforce development and long-term human capital formation. In scale, the student populations served by these institutions rival those of small nations.

Beyond direct economic activity, congregations function as hubs that attract additional forms of economic engagement. Many congregations host events such as weddings, conferences, concerts, and lectures that generate demand for hospitality, transportation, and related services. Thousands of congregations also report visitors drawn by historical, architectural, or cultural significance, contributing to local tourism.

Moreover, congregations generate substantial socio-economic value through community-oriented programs that address pressing social needs. Large numbers of congregations operate addiction recovery programs, employment assistance initiatives, and educational support services. Others provide direct health interventions, often in partnership with public and private health organizations. These activities challenge common stereotypes about religious groups by demonstrating their broad engagement with social welfare and public health concerns.

Congregations also serve as important conduits for volunteer mobilization. Hundreds of thousands of congregations facilitate volunteer recruitment for both religious and non-religious organizations, including community charities and national service groups. In some cases, congregationally affiliated schools and programs achieve outcomes that significantly exceed local averages, particularly in underserved communities, illustrating how religious institutions can contribute to social mobility and neighborhood revitalization.

4.2. *Religious institutions*

In addition to the work of local congregations, religiously-affiliated institutions – including charities, healthcare systems, and institutions of higher education – add hundreds of billions of dollars in economic activity each year. These institutions employ large workforces, deliver essential services, and often operate in areas where public provision is limited or strained.

Religious charities respond to natural disasters, humanitarian crises, and long-term social needs, mobilizing volunteers and resources at scale. Faith-based healthcare systems operate hospitals and clinics that serve diverse populations regardless of religious affiliation. Religious colleges and universities educate millions of students, contributing to research, professional training, and civic leadership.

The economic and social contributions of these institutions depend fundamentally on the ability to operate freely within regulatory and cultural environments that respect religious liberty. Where such freedom is constrained, the capacity of religious institutions to serve broader society is correspondingly diminished.

4.3. *Faith-related and faith-inspired businesses*

A third category of economic contribution comes from faith-related and faith-inspired businesses. This category includes explicitly faith-based enterprises – such as religious media and food industries – as well as companies that are not religious in identity but intentionally accommodate religious diversity within their workforce.

Industries serving halal and kosher markets, for example, support extensive supply chains and international trade. Religious media organizations employ thousands of workers and reach global audiences. In addition, many large corporations have adopted practices that recognize and support the religious identities of employees, including chaplaincy programs, religious accommodation policies, and employee resource groups.

Such practices are often adopted not for ideological reasons but because organizations recognize their practical benefits. Accommodating religious identity can improve employee well-being, reduce conflict, and enhance retention in increasingly diverse workforces (Hicks 2003; Miller 2007; Ewest 2018). These outcomes illustrate how religious freedom, when embedded in organizational practice, can align with broader economic and managerial objectives.

Taken together, these three sectors demonstrate that religious freedom enables religion to function as a productive social actor rather than a source of marginalization or conflict. The economic contributions described here are not the purpose of religious freedom, but they are among its observable outcomes. Where religious

expression is restricted, these contributions are constrained or displaced, often with negative consequences for both religious communities and society at large.

5. The global economic impact of religious freedom

Beyond national case studies, cross-national research demonstrates that freedom of religion or belief is systematically associated with broader economic outcomes. Although economic performance is shaped by many factors, comparative analyses across a large number of countries indicate that religious freedom is among a small set of social conditions that consistently correlate with economic growth and stability.

A multi-country study examining the gross domestic product (GDP) growth of 173 countries found that freedom of religion or belief was one of three factors significantly associated with higher levels of economic growth, even when controlling for more than two dozen financial, regulatory, and social variables (Grim et al. 2014). Though such findings do not establish direct causation, they indicate that religious freedom merits serious consideration as part of the institutional environment that supports sustainable economic development.

Additional analysis shows that religious freedom is positively related to a wide range of economic and institutional indicators. Notably, higher levels of FoRB are associated with stronger performance across most pillars of global competitiveness as measured by the World Economic Forum, including innovation, labor-market efficiency, institutional quality, and business sophistication (Grim 2014). These relationships suggest that religious freedom contributes to environments in which trust, cooperation, and long-term investment are more likely to flourish.

Research has also highlighted several specific mechanisms through which religious freedom intersects with economic life. One such mechanism is corruption. Comparative data reveal that countries with high levels of governmental restrictions on religion tend to exhibit higher levels of perceived corruption (North & Gwin 2004). Restrictions that marginalize or exclude religious expression can weaken ethical norms in public and private life, whereas environments that permit individuals to draw on moral and spiritual resources can support ethical behavior in business and governance.

A second mechanism is peace and stability. When religious freedoms are not respected, societies are more vulnerable to violence and conflict, disrupting normal economic activity and deterring investment. Tourism, trade, and foreign direct investment are particularly sensitive to instability arising from religious hostility. In contrast, societies characterized by greater religious tolerance tend to exhibit higher levels of predictability and security, conditions essential for economic planning and growth.

A third mechanism concerns regulation and legal risk. Religious restrictions can directly affect economic activity by creating barriers for industries connected to religious practice, such as food production, media, or apparel. In some contexts, proscriptive laws and discriminatory policies expose businesses to legal liability and reputational risk. By contrast, inclusive approaches to religious accommodation can reduce conflict, litigation, and compliance costs.

Taken together, these findings suggest that freedom of religion or belief functions as an enabling condition within broader economic systems. It does not operate in isolation, nor does it guarantee prosperity. However, where religious freedom is respected, societies are more likely to cultivate the institutional trust, social stability, and ethical norms that support sustainable economic development. These dynamics help explain why intermediate actors, particularly businesses, have a tangible interest in environments that protect religious freedom – an insight that underpins the builder’s approach advanced in this article.

6. “Building” religious freedom: advocates and builders

The builder’s approach highlights the role of businesses and civil society in fostering religious freedom beyond legal advocacy alone (Grim 2023; Seiple 2023). Alongside covenantal pluralism and faith-at-work perspectives (Miller 2007; Hicks 2003; Seiple & Hoover 2021), it uses empirical data to demonstrate how religious inclusion within workplaces and civic institutions supports social trust while mitigating conflict and discrimination.

Advocates focus primarily on the moral and legal obligation to protect FoRB as a fundamental human right. Their work is grounded in international legal frameworks such as Article 18 of the Universal Declaration of Human Rights, which affirms the right to freedom of thought, conscience, and religion, including the freedom to manifest belief individually or in community, in public or private. Advocacy efforts typically emphasize documentation of violations, legal remedies, public accountability, and diplomatic engagement. In contexts of severe persecution or state-sponsored repression, advocacy may represent the only viable means of protecting vulnerable religious communities.

Builders share the same commitment to FoRB but approach its advancement through a different, complementary pathway. Rather than focusing primarily on governments and legal systems, builders seek to expand the *practical space* for religious freedom by engaging intermediate actors and institutions that shape daily life. Builders emphasize the social and economic relevance of religious freedom, presenting it not only as a moral imperative but also as a contributor to peace, stability, and human flourishing.

This distinction does not imply a hierarchy or competition between approaches. Advocacy and building are mutually reinforcing. Advocacy establishes normative standards and responds to acute violations, while building addresses the social and institutional conditions that often give rise to restriction and persecution in the first place. In societies where advocacy has limited reach or where political reform is slow, builder strategies can help shift social norms and institutional practices in ways that make religious freedom more durable over time.

6.1. Clarifying the builder's approach

While the builder's approach shares certain affinities with existing frameworks – such as covenantal pluralism, faith-at-work scholarship, and organizational ethics research – it is analytically distinct in several important respects.

Covenantal pluralism emphasizes moral commitments across deep religious and cultural difference, highlighting the importance of mutual respect and civic friendship in diverse societies. Faith-at-work scholarship examines how individuals integrate religious identity within professional life, often focusing on personal meaning, leadership, or organizational culture. Organizational ethics research explores how values, including religious ones, influence behavior within institutions.

The builder's approach adds to these frameworks by offering a pragmatic perspective that examines how religious freedom operates within concrete institutional settings – such as businesses, schools, and civic organizations – and how these settings can either constrain or expand human dignity and flourishing depending on whether religious liberty is prioritized and practiced.

Builders move beyond a recognition that pluralism is desirable and ask how it can be operationalized and sustained within environments shaped by incentives, regulations, and organizational constraints. By drawing on cross-national data, economic studies, and institutional case examples, the builder's approach demonstrates how religious inclusion can align with widely shared goals such as productivity, risk reduction, and social cohesion, without reducing religious freedom to instrumental utility.

6.2. Building through institutions

A defining feature of the builder's approach is its focus on institutions as sites where religious freedom is practiced or denied in everyday life. Workplaces, educational institutions, and civil society organizations are often the places where individuals encounter the most tangible constraints on religious expression, through hiring practices, accommodation policies, workplace culture, or informal norms.

By engaging with these institutions, builders seek to address forms of exclusion that may never reach the level of legal violation but nonetheless shape lived experience. In doing so, they complement advocacy efforts that target formal restrictions by addressing the informal and structural mechanisms through which religious repression is often sustained.

This institutional focus also helps explain why the builder's approach has particular relevance in economic contexts. Businesses and other intermediate actors operate across borders, influence large populations, and respond to incentives that differ from those shaping government behavior. When such actors recognize religious freedom as relevant to their organizational goals, they can become powerful allies in expanding the practical space for FoRB.

7. Examples of the builder's approach

The builder's approach to FoRB can be illustrated through several case examples that span different historical periods and institutional contexts. While these cases vary in form and scale, each one demonstrates how intermediate actors and socio-economic engagement can expand the practical space for religious freedom, often in environments where formal legal protections were limited or contested.

7.1. *Multifaith civic collaboration in Kazakhstan*

An historically significant illustration of the builder's approach occurred in Kazakhstan during the final months of the Soviet Union (Chute 1991). In 1991, large-scale people-to-people initiatives brought together religious leaders, professionals, and civic actors across confessional lines in a context where religion had long been suppressed under an officially atheistic regime.

These initiatives centered on collaborative activities that addressed concrete social and economic needs, including medical services, education, cultural exchange, and business engagement. By working together across religious and professional boundaries, participants expanded the public space in which religious identity could be expressed without coercion. Faith-motivated collaboration became visible in workplaces, schools, and civic venues, marking a departure from decades of religious marginalization.

A notable outcome of this period was the signing of Kazakhstan's first multi-faith declaration on religious freedom by senior Muslim, Orthodox, Protestant, and Adventist leaders. The declaration affirmed principles of non-interference and equal treatment, signaling a shift in social norms even before formal legal guarantees were established. Although subsequent political developments led to renewed restrictions, this episode illustrates how builder strategies can reconfigure institutional expectations and social attitudes toward religious freedom.

7.2. *Measuring restriction and its implications: The Pew indices*

A second illustration of the builder's approach emerges from the systematic measurement of religious restrictions through global indices (Pew Research Center 2007-2022). The development of cross-national measures such as the Government Restrictions Index and the Social Hostilities Index made it possible to document patterns of religious restriction with empirical rigor and to analyze their social consequences.

These data revealed that governmental restrictions and societal forms of hostility toward religion often reinforce one another, creating cycles of repression that are resistant to legal intervention alone. The indices also demonstrated that a large majority of the world's population lives under conditions of significant religious constraint, underscoring the scale of the challenge facing FoRB advocates and practitioners.

Importantly, the data further showed that rising restrictions were not being reversed through advocacy alone. This finding helped motivate greater attention to the role of social institutions and intermediate actors in shaping the lived experience of religious freedom. By identifying where restrictions were most acute and how they interacted with social forces, the indices provided a foundation for builder strategies that view educational institutions, business, and civil society as sites of intervention.

7.3. *Corporate and workplace-based initiatives*

A third illustration of the builder's approach can be found in the growing role of businesses and workplaces in advancing religious inclusion. In recent years, many multinational corporations have adopted practices that recognize religion as part of broader belonging and inclusion efforts supported by the Religious Freedom & Business Foundation. The Foundation helps organizations benchmark progress in workplace religious inclusion through an annual Faith-Friendly Workplace Benchmarking REDI Index. These practices include employee resource groups organized around faith or belief, accommodation policies for religious observance, and internal education initiatives addressing religious belonging and inclusion.

Such initiatives are often driven by practical considerations rather than ideological commitments. Companies increasingly recognize that accommodating religious identity can improve employee well-being, reduce conflict, mitigate legal risk, and enhance organizational performance. In this context, religious freedom becomes relevant to core business objectives, aligning with incentives related to productivity and retention.

The development of tools measuring religious inclusion in corporate environments further illustrates the builder logic. By assessing the degree to which work-

places are faith-friendly, such measures provide benchmarks that encourage institutional learning and diffusion of best practices (Religious Freedom & Business Foundation 2020-2025). In doing so, they translate abstract commitments to religious freedom into concrete organizational behaviors that shape daily experience for employees.

Taken together, these cases illustrate how builder strategies operate across diverse contexts. Whether through civic collaboration in restrictive environments, empirical measurement that informs institutional engagement, or workplace-based inclusion initiatives, builders seek to expand religious freedom by working within the social and economic structures that shape everyday life. These examples demonstrate that while legal advocacy remains essential, durable progress in advancing FoRB often depends on complementary efforts that engage intermediate actors as partners in building inclusive societies.

8. Core elements of a builder's approach

Empirical research and extensive field experience indicate that a builder's approach to FoRB can be analytically characterized by four interrelated elements. These elements do not embody a moral exhortation; rather, they describe recurring features observed in effective efforts to expand the practical space for religious freedom across diverse institutional contexts.

8.1. Motivational orientation

Builders are motivated by a commitment to human flourishing across deep differences of belief. This orientation emphasizes constructive engagement rather than adversarial posture. Instead of framing religious freedom primarily in oppositional terms – such as winners and losers, or majority versus minority – builders seek approaches that highlight shared interests, social goods, and mutual benefit. This motivational stance helps create conditions in which religious inclusion is perceived not as a threat but as a contribution to collective well-being.

8.2. Empirical evaluation

A defining characteristic of the builder's approach is its reliance on empirical evaluation. Builders attend closely to data, measurement, and institutional feedback in assessing what strategies are effective and where adjustments are needed. This emphasis on evaluation reflects an understanding that social conditions are dynamic and that interventions must adapt to changing contexts. Learning from both successes and failures is central to sustaining progress in environments marked by religious diversity and tension.

8.3. Institutional creativity

Builders operate entrepreneurially within existing institutional constraints. Rather than waiting for ideal legal or political conditions, they develop new tools, practices, and organizational forms that expand religious freedom incrementally. This creativity may take the form of new educational initiatives, workplace policies, measurement tools, or collaborative platforms that translate abstract commitments to FoRB into concrete institutional practices. Innovation, in this sense, is not an end in itself but a means of addressing unmet needs within specific social contexts.

8.4. Collaborative diffusion

Finally, the builder's approach is inherently collaborative. Builders do not seek exclusive ownership over initiatives but instead aim to catalyze broader participation across sectors and identities. Effective builder strategies encourage diffusion by empowering others to adapt and replicate practices in their own institutional settings. This collaborative orientation increases the durability of gains in religious freedom by embedding them within networks rather than relying on centralized control.

9. Conclusion

FoRB remains under significant pressure globally, with profound implications for individuals, communities, and societies. While legal advocacy and international norms are indispensable for addressing violations and protecting vulnerable populations, they are not sufficient on their own to reverse long-term patterns of restriction and persecution.

A builder's approach, grounded in empirical evidence, socio-economic engagement, and institutional pluralism, offers a complementary pathway for advancing religious freedom. By engaging intermediate actors such as businesses and civil society institutions while embedding religious inclusion within workplaces, civic institutions, and economic life, builders help transform FoRB from a contested abstraction into a lived social reality.

Understanding religious freedom as both a human right and a social capacity underscores the importance of institutional practice in shaping everyday experience. Where religious freedom is actively built within social and economic structures, societies are better positioned to reduce conflict, mitigate discrimination, and foster trust across differences. In this sense, the builder's approach does not replace advocacy but strengthens its long-term effectiveness by addressing the social conditions in which religious freedom is either constrained or sustained.

References

- Chute, M. (1991). "Perestroika, Kazakh Style." *Commission* 54(9) (December): 49-83. Available at: <https://tinyurl.com/4uhjnv9f>.
- Ewest, T. (2018). *Faith and Work within an Organizational Framework*. Palgrave Macmillan.
- Fox, J. (2013). *An Introduction to Religion and Politics: Theory and Practice*. Routledge.
- Grim, B. J. (2009). Religious Freedom and Social Well-Being: A Critical Appraisal. *International Journal for Religious Freedom* 2(1): 37-46.
- Grim, B. J. (2014). "The Link between Economic and Religious Freedoms." *World Economic Forum*, 16 December. Available at: <https://tinyurl.com/39wnu5aa>.
- Grim, B. J. (2023). "Religious Freedom: How Advocates and Builders Work Together." *Deseret News*, 10 April. Available at: <https://tinyurl.com/mt36ejz9>.
- Grim, B. J., & R. Finke. (2011). *The price of Freedom Denied: Religious Persecution and Conflict in the Twenty-First Century*. Cambridge University Press.
- Grim, B. J., & M.E. Grim. (2016). "The Socio-economic Contribution of Religion to American Society: An Empirical Analysis." *Interdisciplinary Journal of Research on Religion* 12 (Article 3). Available at: <https://www.religjournal.com/pdf/ijrr12003.pdf>.
- Grim, B. J., & M.E. Grim. (2020). *The Hidden Economy: How Faith Helps Fuel Canada's GDP*. Cardus. Available at: <https://tinyurl.com/yxc3zuxfp>.
- Grim, B. J., G. Clark & R. Snyder. (2014). "Is Religious Freedom Good for Business? A Conceptual and Empirical Analysis." *Interdisciplinary Journal of Research on Religion* 10: 1-19.
- Hertzke, A. D. (2018). *The Future of Religious Freedom*. Cambridge University Press.
- Hicks, D. A. (2003). *Religion and the Workplace*. Cambridge University Press.
- Hurd, E. S. (2015). *Beyond Religious Freedom*. Princeton University Press.
- Miller, D. (2007). *God at Work*. Oxford University Press.
- Norenzayan, A., A. Shariff, W. Gervais, A. Willard, R. McNamara, E. Slingerland & J. Henrick. (2016). "The Cultural Revolution of Prosocial Religions." *Behavioral and Brain Sciences*. 39: e1.
- North, C. M., & C. R. Gwin. (2004). "Religious Freedom and the Unintended Consequences of State Religion." *Southern Economic Journal* 71(1): 103-117.
- Pew Research Center. (2025). "Dataset: Global Restrictions on Religion 2007-2022." Available at: <https://doi.org/10.58094/tecg-6392>.
- Putnam, R. D., & D. E. Campbell. (2010). *American Grace: How Religion Divides and Unites Us*. Simon & Schuster.
- Religious Freedom & Business Foundation. (2020-2025). *Faith-Friendly Workplace REDI Index*. Religious Freedom & Business Foundation. Available at: <https://religiousfreedomandbusiness.org/redi>.

- Religious Freedom & Business Foundation. (2024). "Key Issues." *Religious Freedom & Business Foundation*. Available at: <https://religiousfreedomandbusiness.org/issues>.
- Seiple, C. (2023). "Advocates and Builders: Advancing Religious Freedom Together." *Religion News Service*, 25 January. Available at: <https://tinyurl.com/257ejdj6>.
- Seiple, C., & D. Hoover. (2021). *Covenantal Pluralism*. Routledge.
- Toft, M. D., D. Philpott, & T. S. Shah. (2011). *God's Century: Resurgent Religion and Global Politics*. W.W. Norton.
- UN General Assembly. (1948). *Universal Declaration of Human Rights*. 217 A (III), 10 December.

The First Right

Freedom to religion
Freedom from religion



VKW  Religious Freedom Series 10

Jacob Rudenstrand

Religious Freedom Series 10, VKW: Bonn, 2026. 221 pp. ISBN: 978-3-86269-335-1.

Free download at: <https://bit.ly/435HxrU>

Reasonable accommodation for religious minorities through trade unions and collective bargaining

A perspective on Italy's labour framework

*Michael Luther*¹

Abstract

This article analyses the role of trade unions and collective bargaining in guaranteeing freedom of religion or belief in Italian workplaces. It examines how these actors provide reasonable accommodations for religious and belief minorities within a fragmented legal framework that lacks a general law on religious freedom. Focusing on the mediating function of trade unions, the article assesses existing collective agreements and their contribution to promoting equality and inclusion.

Keywords

Freedom of religion or belief, religious and belief minorities, workplace, reasonable accommodation, intermediate actors, trade unions, collective bargaining, Italy.

1. Introduction

Trade unions have historically played a pivotal role in safeguarding workers' rights, including advocating for fair wages, reducing inequality, and promoting safer and more inclusive workplaces (Leigh et al. 2021:101502). In today's European context, which is characterised by increasing religious and ideological diversity, the role of trade unions acquires an additional human rights dimension related to the protection of religious liberty. This development is also observable in Italy, where the ongoing shift toward greater societal pluralism manifests itself clearly in contemporary workplace dynamics. As a result, questions concerning freedom of religion or belief (FoRB) and the rights of religious and belief mi-

¹ Michael Luther is a researcher at the Institute for Minority Rights of Eurac Research in Bolzano. This article uses British English. Article submitted: 25 July 2025; accepted: 12 Feb. 2025. Email: Michael.Luther@eurac.edu. ORCID: 0009-0000-7355-8134.

norities (RBMs) have acquired growing relevance in discussions of labour governance and workplace regulation.

This paper examines how trade unions, as intermediary actors, mediate fundamental rights through collective agreements and help shape equitable responses to religious diversity in the absence of a general Italian law on FoRB. It frames collective bargaining² as a legal instrument for implementing FoRB in the employment sphere. The analysis is situated within the broader constitutional and supranational framework governing religious liberty, drawing on Italian constitutional and doctrinal traditions as well as European human rights legislation and jurisprudence.

RBMs often face challenges in reconciling workplace obligations with faith-based practices such as weekly rest days, religious holidays, ritual prayers, dietary requirements, faith-based attire, and access to prayer spaces. These recurring issues underscore the need for structured solutions. Trade unions, through collective bargaining, are key actors in negotiating reasonable accommodation, ensuring that religious diversity is respected alongside commitments to equality and inclusion.

This article analyses the normative content of selected collective agreements in Italy, examining how trade unions use collective bargaining as a tool to advance FoRB. It addresses interrelated questions: How does the Italian labour law system interact with constitutional principles of FoRB and the jurisprudential evolution of labour rights? To what extent can collective agreements mitigate disparities in treatment and foster substantive equality for RBMs? The article concludes by addressing a broader normative concern: do general legal norms or ad hoc accommodations negotiated by trade unions offer a more effective model for ensuring FoRB at work? I aim to clarify the current role and future potential of collective agreements in advancing religious pluralism, equality and inclusion in Italy's labour market.

2. FoRB in the employment context: conceptual and legal framework

In Europe, the role of religion or belief in the field of employment may be assessed through two interconnected international legal frameworks: the human rights framework, which guarantees freedom of thought, conscience and religion, and EU anti-discrimination law, which prohibits disadvantage and discrimination on grounds of religion or belief in the specific context of employment and occupation (Alidadi 2017:7). FoRB is protected internationally by Article 18

² In the Italian labour system, collective bargaining (*contrattazione collettiva*) refers to negotiations between trade unions and employers to set employment conditions. These agreements can cover entire sectors or specific companies and are a key mechanism for protecting workers' rights.

of the Universal Declaration of Human Rights and Article 18 of the International Covenant on Civil and Political Rights, and also, in the European context, by Article 9 of the European Convention on Human Rights. Within the European Union, FoRB in employment is further shaped by the EU Charter of Fundamental Rights. Directive 2000/78/EC (the Employment Equality Directive) establishes a comprehensive framework prohibiting discrimination on grounds of religion or belief in employment and occupation.

These legal frameworks are interpreted and applied by both national courts and supranational judicial bodies, most notably the European Court of Human Rights (ECtHR) and the Court of Justice of the European Union (CJEU). The ECtHR approaches FoRB in the workplace by balancing employees' right to manifest their religion against competing interests, such as an employer's legitimate objectives or considerations of public safety.

According to various scholars, the two European regional courts that address religious issues – including those arising in the workplace – grant member states a certain degree of discretion when they translate international norms into domestic law (Henrard 2021, 2025; Hunter-Henin 2024; Alidaadi 2017). Consequently, judicial bodies tend to exercise restraint in scrutinizing constraints on religious liberty, offering ambiguous directives to national authorities (Henrard 2021, 2025). Henrard (2025) and Hunter-Henin (2024) assert that this practice is problematic because safeguarding fundamental rights should entail interpreting those rights broadly and strictly limiting restrictions, a process that necessitates rigorous scrutiny. In response to the limitations of a secularist perspective, scholars advocate for a legal duty to provide reasonable accommodation for essential religious practices wherever feasible, maintaining the neutrality of general and abstract laws, but placing the burden on the state to justify any restriction of significant religious practices rather than on the believer to seek an exemption (Sajó et al. 2025:25).

From the perspective of Italian constitutional law, the principle of FoRB is recognised in Article 19 of the Constitution. Some authors argue that although Article 19 is widely acknowledged as guaranteeing FoRB, its constitutional formulation remains insufficiently implemented in practice and is constrained by its literal wording in the face of growing religious diversity; accordingly, they contend, there is a need to broaden its interpretative scope (Ricciardi Celsi 2015:479; Dalla Torre 2017:68-69). Within this evolving landscape, several Italian authors have addressed the emerging challenges by outlining legal and methodological frameworks for balancing the competing rights and interests at stake and for reasonably accommodating religious needs (Baldassarre 2024; Viscomi 2011; Cardia 2008). In this regard, De Oto highlights that the protection of FoRB based on

Article 19 should not rely solely on abstract definitions or rigid categories. Instead, he advocates for a practical, case-by-case approach to ensure that both formal religious acts and everyday religiously motivated practices are adequately safeguarded, rather than leaving these matters entirely to legislative discretion (De Oto 2007:153). In this context, trade unions emerge as key intermediary actors capable of translating constitutional and doctrinal principles of FoRB into concrete workplace arrangements through collective bargaining and negotiated accommodations.

3. Literature review: Trade unions as intermediate actors pursuing reasonable accommodations in the Italian workplace

Trade unions, as organisations representing workers, traditionally aim to improve employment conditions by securing better wages, workplace safety, fair treatment and job security through collective action (Banerjee et al. 2021). Beyond these functions, they increasingly act as promoters of social inclusion. Research shows that although strong unions in the Global North initially contributed to a wider rights gap between citizens and migrants, this gap has since narrowed and is now smaller in countries with strong unions than in those with weak ones (Boräng et al. 2020).

Trade unions, along with actors such as human rights organisations and legal advocacy groups, serve as intermediaries in negotiations involving employees of faith (Pélisse 2019). Pélisse conceptualises “legal intermediaries” as non-lawyers who routinely engage with legal categories and influence how legality is interpreted and internalised within organisations, particularly in domains subject to public regulation. Within this framework, trade unions play a salient role in mediating normative tensions between religious practices and workplace requirements.

This mediating function is especially relevant when analysed through the lens of reasonable accommodation. As Bouchard and Taylor observe, “The law has come to recognise that the rule of equality sometimes demands differential treatment” (2008:22). Collective bargaining, a central tool of trade unions, can be an important mechanism for operationalising such differential treatment. Collective agreements, which establish binding rules between unions and employers (Hayter 2015; Leonardi 2018), increasingly incorporate provisions related to religious observance. They thus represent concrete legal instruments through which the principle of reasonable accommodation is applied in workplace settings, a trend that appears to be gaining relevance in Europe (Ojeda-Avilés 2019).

In Italy, the major confederations – CGIL (*Confederazione Generale Italiana del Lavoro - Italian General Confederation of Labour*), CISL (*Confederazione Italiana*

Sindacati Lavoratori - Italian Confederation of Trades Unions), and UIL (*Unione Italiana del Lavoro - Italian Labour Union*) – remain the dominant labour organisations, representing nearly 12 million members including pensioners (Leonardi et al. 2023:625). Membership is voluntary, though workers who choose to join must affiliate with the federation representing their sector (Ministero del Lavoro delle Politiche Sociali 2023). These confederations operate through federations at national, regional, and local levels, and collective bargaining is structured across corresponding tiers (Persiani 2019:12-13).

Collective agreements regulate working conditions and economic relations within a sector, establishing rights and obligations for employers and employees (Art. 2071, Civil Code). Although the Constitution (Art. 39) envisages collective agreements with *erga omnes* effect, the absence of implementing legislation means that agreements bind only the contracting parties (Torrente et al. 2023:1057-1058; Riva 2020:391). However, they are generally open to adherence by non-members, and they are often incorporated into individual employment contracts, extending their practical reach (Vallebona 2018:100-101).

The role of collective and individual labour contracts in regulating FoRB in the workplace has generated both scholarly support and criticism. A significant body of literature regards these instruments as effective and pragmatic tools for addressing FoRB-related issues within employment relationships (Pizzoferrato 2019). In particular, collective and individual agreements are seen as a flexible alternative to the often complex and protracted process of concluding a formal agreement (*intesa*) with the state (Botta 2000:377; Musselli 2000:193; Fusto 2023:23). By relying on private autonomy, this approach may help to reduce inequalities among workers and contribute to the harmonisation of working conditions and treatment (Sessa 2019).

In this regard, Botta argues that recognising collective and individual labour contracts as legitimate instruments for regulating the exercise of FoRB in the workplace constitutes a reasonable and pragmatic solution (2000). Such agreements make it possible to adopt tailored responses to the specific needs of workers belonging to RBMs – such as Muslims – while effectively bypassing the obstacles involved in negotiating formal agreements with the state.

Nevertheless, other scholars contend that the effective management of religious diversity in society cannot rely solely on private arrangements and instead requires comprehensive and inclusive legal frameworks capable of ensuring equal rights and protections for all religious communities (Casuscelli 2007:11). Although the inclusion of FoRB-related provisions in collective agreements reflects an intention to safeguard workers' rights in the absence of specific legislative guarantees, it also raises concerns regarding the nature of such protection, which

remains dependent on private negotiation rather than on binding legal norms (Coglievina 2007:106). The limitations of entrusting the representation of religious interests to trade unions thus become readily apparent, highlighting the inherent tension between the private nature of collective bargaining and the regulation of FoRB – a fundamental right that is, by its nature, non-negotiable and cannot be waived or disposed of through private agreements (De Oto 2007). Moreover, this approach places the observance of religious practices within the discretion of the negotiating parties and makes their effective recognition dependent on the relative bargaining power of those representing religious interests. As a consequence, unequal outcomes may arise, whereby the exercise of the same right varies according to the influence carried by specific religious affiliations within a given workplace (Coglievina 2007:106).

Gargiulo (2011:216) also warns that addressing diversity-related regulatory needs through collective bargaining – particularly at the company or local level – risks becoming an indirect form of social dumping. Although meaningful progress ultimately depends on political will, such legislative developments may take considerable time to materialise.

4. RBMs in Italy: Growing diversity, legal status, and workplace protections

Italy, like much of the Western world, has been undergoing a process of growing religious diversity in the workplace. Despite the critical limitations of collective bargaining, trade unions in this context function as key intermediary actors in translating constitutional and doctrinal principles of FoRB into concrete workplace arrangements through negotiated accommodations, particularly for newer RBMs. Even long-established communities often benefit from formal legal recognition, a dynamic that has become increasingly significant in light of Italy's growing religious diversity in the workplace.

The more difficult and restricted access to citizenship becomes, the more immigrants or representatives from RBMs are confined to non-conventional forms of political participation, such as engagement through trade unions (Martiniello 2006:103). In this context, trade unions have become central in representing vulnerable migrant workers in the Italian logistics sector. They have successfully leveraged strong and trusting ties among workers to build associational power and achieve high union density in their efforts to improve poor employment conditions and ensure respect for basic labour rights (Signoretti et al. 2025). This dynamic is particularly significant for RBMs, since many migrant workers belong to minority faith communities whose religious identities and related needs are frequently overlooked in both policymaking and workplace practices. By organizing around shared experiences of marginalisation – whether based on ethnicity, legal

status, or religion – trade unions can become important vehicles for amplifying the voices of RBMs and advocating for their inclusion.

To understand the reasons for the growing importance of trade unions for RBMs, we must examine the legal status of different religions in Italy. The Catholic Church, as the majority religion, enjoys a distinct legal status regulated by concordats, which are generally regarded as international conventions and therefore prevail over ordinary legislation (Bottoni et al. 2024; Petkoff 2007:30; Fumagalli 2011:438). By contrast, relations between the state and RBMs are governed by a fragmented and differentiated set of legal instruments.

As mentioned at the beginning, in Italy there is no general law on FoRB that applies to all RBMs. Several scholars have described this as the most significant deficiency in the current framework (Ferrari 2013; Zaccaria et al. 2020). A substantial body of academic literature has called for enacting a general law on FoRB in Italy (Ferrari 2017; Casuscelli 2021; Colaianni 2013:8). The absence of such a law has led to discriminatory and uneven treatment of RBMs, as highlighted by Domaniello (2022), who identifies the resulting legal distortions and emphasises the pressing need for reform. The authors see an urgent need for legislative intervention to safeguard the right to FoRB, particularly in the workplace and especially for members of religious groups that have not secured agreements under Art. 8(3) of the Italian Constitution (Ricciardi Celsi 2015:480). A specific law addressing RBMs has not yet been implemented across the European Union (Bottoni et al. 2024).

From a legal perspective, RBMs in Italy may be divided into three categories (Ferrari 2024; Bottoni 2023; Bouchard 2004:70-71). The first consists of religious organisations that have concluded so-called *intese* (formal agreements) with the state under Art. 8(3) of the Constitution. Their members enjoy the broadest range of rights, including tax benefits and specific legislative labour protections such as weekly rest and leave for religious observance, often accommodated through flexible working arrangements. This group includes several Christian denominations, Jewish communities, and recognised Buddhist and Hindu organisations.³ Their legal position is broadly comparable to that of the Catholic Church.

The second category comprises RBMs recognised as “admitted cults” under Law No. 1159 of 1929 and related decrees. These groups possess legal personality but occupy an intermediate legal position. The Christian Congregation of Jehovah’s Witnesses (D.P.R. 31.10.1986) and the Islamic Cultural Centre of Italy (D.P.R. 21.12.1974) fall into this category. They are excluded from public funding mechanisms and, crucially for the purposes of this paper, from workplace-specific legislative protections.

3 See: Presidency of the Council of Ministers (Italy), <https://tinyurl.com/mv62ze3m>.

Finally, the third group includes RBMs that are not recognised as religious organisations and are therefore governed by the laws applicable to other nonprofit organisations. They generally enjoy fewer rights than the other RBMs. This group includes Scientology and Sikh communities. Philosophical and non-denominational organisations are treated similarly.

In the absence of comprehensive legislative safeguards, workers belonging to RBMs outside the first category lack formal mechanisms to claim religious accommodation in employment. As a result, collective agreements have become a crucial tool for securing reasonable accommodation.

This issue is especially apparent in the context of Muslim workers, who constitute one of the largest RBMs in Italy. However, they have not yet established an *intesa* with the state, which has led to heightened scrutiny from trade unions within the Muslim community (Ricciardi Celsi 2015; Ascanio 2007; Timellini 2019). As a result, collective agreements have become a crucial tool for securing reasonable accommodation, including during periods of religious observance such as Ramadan. As such, their situation remains central to broader discussions on religious pluralism in Italy. In this context, scholars such as Rosiello (2020) and Di Carluccio (2017) have emphasised the importance of ensuring adequate and specific legal protections – particularly regarding health and working conditions – for Muslim workers during Ramadan. At the same time, other researchers have adopted a broader perspective, analysing collective agreements as legal instruments for the protection of RBMs in the workplace beyond the Muslim context (Coglievina 2007; Ojeda-Avilés 2019).

More broadly, the fragmented nature of the Italian legal framework has produced unequal treatment of RBMs in the workplace. In this context, trade unions play a potentially decisive role as intermediaries, using collective bargaining to negotiate accommodations and promote the inclusion of religious diversity within organisational practices, thereby partially compensating for existing legislative gaps.

5. Case study: How trade unions support religious minority workers in Italy

We now turn to the core of this analysis: a detailed examination of collective bargaining agreements that contain specific provisions addressing the rights and needs of adherents to minority religions in the workplace. These agreements are the product of negotiation processes in which trade unions play a central role, actively shaping the terms of inclusion and accommodation within the workplace. Areas of intervention typically addressed in these agreements include the following:

- The right to weekly rest days aligned with one's faith
- The right to abstain from work on religious holidays
- The right for daily ritual prayers
- Special leave for religious reasons (e.g. the Hajj) or accommodations during Ramadan
- Guaranteed access to religiously appropriate food
- The availability and maintenance of designated prayer spaces
- General accommodations for religious practices

The following discussion will analyse how each of these issues is addressed in the relevant collective bargaining instruments – ranging from the national level through regional and local frameworks and down to company-level agreements – so as to assess how religious rights are recognised and implemented across different layers of governance.

Interestingly, several national collective agreements explicitly provide accommodations for the right to a weekly rest day aligned with an employee's faith – an approach that contrasts with other policy areas, where such provisions are more commonly found at regional, local, or company levels. As already mentioned, national collective agreements in Italy play a crucial role in setting standardised workplace conditions across sectors. For example, Art. 14 of the 2013 National Collective Agreement (CCNL) governing domestic work relationships provides in paragraph 4, regarding weekly rest, that “If the employee adheres to a religious faith that observes a holy day other than Sunday, the parties may agree to substitute Sunday with another day for all contractual purposes.”

Similar provisions are found in the CCNL for cooperative members and employees in the sports and leisure sector (signed 20 July 2006), reiterated in Art. 78 of the CCNL for cooperatives operating in the public and private sectors (31 January 2007), and in Art. 25 of the CCNL for the auto rental sector (14 March 2007). These agreements recognise the right of non-Catholic workers to take their weekly rest on a different day and to recover any missed hours, including on Sundays, without entitlement to extra compensation. Notably, these provisions apply to all religious denominations without distinction.

Other national collective agreements merely implement the relevant legal provisions concerning employees of non-Christian faiths whose religious holidays are recognised by the state – for instance, Art. 125 of CCNL H019 (21 October 2009) for trade companies with 15 to 50 employees, and Art. 159 of CCNL H055 (4 March 2014) for tourism sector companies with up to 14 employees.

The two-day weekend – rooted in Christian and Jewish traditions – emerged in the West during the 20th century. In many parts of the Muslim world, Friday

is observed as the primary day of worship and rest, often entailing a full day of respite (Haines 2020). In Italy, accommodations for Muslim workers typically consist only of extended lunch breaks to attend Friday prayers, usually arranged through company-level agreements (Caldera 2004:16).

Another significant area of concern relates to the right to abstain from work on religious holidays. In this regard, Art. 95 of the CCNL dated 24 February 2015 (V910), which applies to all workers working in the tertiary sector who adhere to religions or beliefs other than Catholicism (where not already covered by law), provides that, upon request, the National Bilateral Commission for Guarantee, Interpretation, Certification, and Conciliation shall identify religious holidays that may substitute for Catholic ones, subject to compatibility with the operational needs of the company.

A further issue emerging from the regulatory framework is the protection of workers' right to daily ritual prayers. First, it should be noted that legislation imposes no duty on employers to accommodate prayer breaks, regardless of the employee's faith (Camera 2018). In practice, this has led to a patchwork of responses: rather than formalised national or regional agreements, accommodations are more commonly found in individual workplace-level agreements negotiated between employers and trade unions. In many cases, these are informal or verbal understandings, with employees using personal or unpaid breaks to fulfil their prayer obligations (Corriere della Sera 2013). This reflects a pattern of highly individualised, case-by-case arrangements, which we could refer to as *tailor-made accommodation*, shaped by the specific context of each workplace rather than by a standardised legal obligation. For example, as early as 2004, an agreement was reached between Essevi – a logistics services provider employing 160 workers, 90 of whom were Muslim – and the Italian trade union Fit-Cisl. The agreement acknowledged the right to religious practice by permitting prayer during work breaks, subject to organisational requirements (Arudini 2004). The issue of daily ritual prayers has been examined in detail by Ascanio (2007), whose work focuses specifically on this aspect.

Moving forward, it is also important to examine how labour agreements address special leave for religious observance. Even in this context, it is clear that among RBMs that do not have formal legal agreements with the state, Muslims receive the most extensive protections. Notably, Article 8 of the 1996 Provincial Collective Agreement for Agricultural and Horticultural Workers in the Province of Ragusa enables company-level agreements – upon employee request – to accommodate religious holidays for Muslim workers, placing special emphasis on observances during Ramadan. This provision was further specified in 2004 to allow, upon request, two hours of unpaid daily rest during Ramadan, with compensation arrangements to be determined through company-level negotiations (Art. 8 CCPL, 23 September 2004, Ragusa).

Frequently, employees request additional accommodations, including time off for pilgrimages to Mecca (D'Angelo 2017) and access to religiously compliant food options in workplace canteens (Gamba 2007). In this context, the provisions of the Alstom-FMI agreement signed in 2007 are particularly noteworthy, as they include protections for employees of religions other than Catholicism. In addition to other accommodations, the company ensures that at least one meal offered in the canteen complies with the dietary requirements of the employees' religious beliefs. Furthermore, the company facilitates the use of collective holiday periods to allow them to return to their countries of origin.

The recognition of the right to take prayer breaks brings with it the need to provide suitable spaces within companies that allow for the respectful and dignified practice of religious rituals, while also ensuring employee safety during prayer. In the 1990s, some companies began allocating dedicated prayer spaces for their staff. A notable example is Castelgarden in Castelfranco Veneto, where a small mosque was established on company premises for Muslim employees (Baratta 2012). In this regard, expanding the availability of *multi-faith spaces* appears to be one of the most effective strategies for addressing disparities faced by RBMs. Such spaces may offer the added benefit of fostering interreligious dialogue and mutual understanding (Ferrari et al. 2024).

I will now turn to examples of overarching accommodations aimed at fostering inclusion across a religiously plural workplace. Metalworkers are among the most protected groups, in part due to strong trade union advocacy, which led to the establishment of a National Commission for the Integration of Migrants (D'Angelo 2017). According to Art. 8, CCNL for metalworkers 2024 this commission is specifically tasked with ensuring respect for religious diversity, including adherence to dietary practices.

At the regional level, the Regional Agreement of 18 June 2018 in Molise for industrial companies provides that respect for cultural and religious specificities shall be promoted through targeted training programmes and multilingual informational materials prepared by joint sectoral bodies.

At the provincial level, several collective agreements, particularly in southern Italy's agricultural sector, demonstrate efforts to accommodate religious and cultural diversity. For example, Art. 4.10 of the CCPL of 16 July 2004 in Foggia generally acknowledges that increasing workforce diversity, driven by immigration and differing cultural and religious backgrounds, necessitates the affirmation of equal rights. It encourages employers to take these specific needs into account, insofar as they align with operational requirements. This provision is particularly significant for RBMs, as it opens space for the recognition of religious practice in the workplace.

Similarly, Art. 7 of the CCPL of 15 December 2008 in Agrigento stipulates that the most appropriate solutions must be ensured in terms of working hours, holidays, and general services, considering each worker's nationality, customs, and religion.

Further agreements – namely the CCPLs dated 1 December 2004, 18 December 2012, and 3 August 2017 in Agrigento, as well as those from 24 January 2013 and 28 October 2021 in L'Aquila – include similar provisions. These emphasise that specific needs stemming from cultural customs or religious practices should be considered during company-level negotiations to identify appropriate solutions regarding working hours, holidays, reception, and general services.

The Trade Union Agreement between CGIL, CISL, UIL, and Confindustria Monza e Brianza, signed on 25 July 2013, outlines several best practices aimed at fostering inclusivity in the workplace. It promotes respect for religious diversity, including provisions for leave for religious observance, flexible working arrangements to accommodate religious practices, and attention to religious dietary requirements in company canteens. As such, the agreement also serves as a valuable summary of inclusive workplace measures. However, since it is a framework agreement, its provisions are not automatically binding and become enforceable only when incorporated into specific company-level agreements.

Similarly, the Department of Linguistic and Cultural Studies at the University of Modena and Reggio Emilia recently introduced a 2024 Charter of Good Practices for the Respect of FoRB in the Workplace, aimed at fostering inclusivity and safeguarding religious rights at work. The charter encourages employers to provide reasonable accommodations for religious practices – such as prayer breaks, observance of religious holidays, and flexible scheduling during fasting periods – so long as these adjustments do not infringe on the rights, productivity, or well-being of other employees (Paragraph 3). It also stresses the importance of explicitly including protections for FoRB in collective bargaining agreements. Such provisions should ensure respect for both the right to practise one's faith and the right not to profess any religion or participate in religious activities (Paragraph 4). Accordingly, the charter highlights the role of trade unions as key stakeholders in fostering dialogue, raising awareness and supporting the implementation of religious accommodations through collective bargaining and workplace advocacy.

However, some noteworthy developments show a shift from voluntary agreements to formal legal recognition. A significant example is the Decree of the President of the Republic of 7 May 2008, which transposed the supplementary trade union agreement for non-managerial staff of the National Fire Brigade Corps – covering the 2006-2009 regulatory period and the 2006-2007 economic biennium – into binding law.

This section has made it clear that the realization of FoRB – anchored in national constitutional guarantees and supranational human rights norms – in the context of the Italian workplace relies increasingly on the role of trade unions. Through multi-level collective bargaining, they negotiate essential accommodations for RBMs and shape more inclusive labour practices in a legal landscape marked by the absence of concrete national protections.

6. Discussion

The regulation of FoRB in the workplace remains a highly sensitive and contested area, largely due to its frequent misinterpretation and its vulnerability to political instrumentalization (Camera 2018; Henrard 2021:11).

As demonstrated, European as well as some national courts have thus far exhibited a limited willingness to provide robust practical protection for employees – whether members of minority or majority religions – facing religious constraints at work (Alidaadi 2017). In Italy, the absence of a general law on FoRB – resulting in a fragmented legal framework that produces unequal treatment of RBMs, including in the field of employment – heightens the importance of collective bargaining as the primary mechanism for securing religious accommodations. This is especially true for RBMs that lack formal agreements with the state and therefore receive no specific legislative protections, but it also benefits those groups that do have such agreements by providing additional rights not otherwise guaranteed by legislation. Collective agreements thus emerge as crucial instruments for implementing FoRB in the workplace, mediating between individual religious rights and other fundamental workplace interests such as entrepreneurial freedom, safety and neutrality. Through these agreements, practical solutions are negotiated that accommodate religious diversity while respecting employers' operational needs and the rights of all employees. These agreements help to translate the abstract right to FoRB into practical workplace protections, ensuring that RBMs receive both recognition and effective legal safeguards.

The relatively limited number of formal contracts addressing the needs of RBMs reflects a prevailing tendency among employers to adopt pragmatic, case-by-case approaches. In many instances, companies favour informal, tailored arrangements – particularly with respect to flexible time off – to accommodate individual religious requirements, rather than formalising such accommodations in collective agreements

Smaller businesses, in particular, may face challenges due to limited staff and expertise with regard to recruiting, integrating, and supporting employees from minority backgrounds (Bona et al. 2024:4). However, this doesn't necessarily reflect a lack of interest in diversity. Rather, the efforts of smaller

firms tend to be less structured and more situational, shaped by the immediate needs of specific individuals (Bona et al. 2024:4). Even in these contexts, formal agreements are often avoided. Many employers prefer annually renewed verbal arrangements over written commitments concerning religious rights, frequently citing political sensitivities or concern about how other employees might perceive such measures (Corriere della Sera 2013). At the same time, the limited number of collective agreements protecting RBMs can also be attributed to the fact that traditional trade unions often struggle to effectively address the needs and wishes of employees from multicultural backgrounds (Gargiulo 2011:224).

7. Conclusions

This article has explored how trade unions in Italy are helping to advance FoRB in the workplace through collective bargaining. In the absence of a general law on FoRB, unions act as key intermediaries by negotiating practical accommodations – such as rest days, prayer breaks and dietary provisions – for RBMs. Furthermore, trade unions can serve as catalysts for legislative reform, as the collective agreements they negotiate often establish precedents that may inform and inspire the development of future legal frameworks.

This case study demonstrates that trade unions have been most effective in securing accommodations for Muslim communities, as evidenced by the relatively high number of collective agreements that explicitly address their religious needs. However, the support for other RBMs appears more limited, indicating that trade unions could expand further their efforts to more equitably represent the diverse religious landscape of Italy's workforce. In particular, there is room for improvement in addressing the specific religious requirements of smaller or less visible groups, which are often overlooked in collective negotiations. The case study also highlights the longstanding involvement of trade unions in promoting workplace inclusion, with notable activity as early as the 1990s – particularly in southern Italy's agricultural sector and in the industrial hubs of northern Italy. This early advocacy underscores trade unions' potential as key actors in fostering religious accommodation.

Based on the case study, trade unions appear most effective as intermediaries – particularly through collective bargaining – when local conditions are favourable. Their role becomes especially significant where employers are receptive and where local social dialogue is more open to questions of diversity and inclusion. Trade unions are also more likely to take action when RBMs make up a visible and sizable portion of the workforce, thereby making their needs more urgent and harder to ignore. Crucially, meaningful progress depends on a shared willingness amongst both union leadership and employers to recognise religious diversity as a legitimate

workplace issue. In such contexts, unions have successfully negotiated provisions for prayer breaks, recognition of religious holidays, and dietary accommodations.

Although collective agreements and company-specific accommodations have proven effective and valuable in practice, a comprehensive law on FoRB would provide uniform protection for all RBMs. Collective bargaining may serve as a useful interim measure, but it also presents several limitations, the largest of which is its uneven application: since collective agreements are binding only for the signatory parties, the extent of protection depends largely on the willingness of individual employers and the bargaining strength of trade unions, resulting in fragmented outcomes and inconsistent standards across sectors and regions. A general legislative framework would help to establish a baseline of rights and obligations applicable to all workplaces, regardless of sector or geographical location. It would also reinforce the legitimacy of religious accommodation as a matter of public interest, rather than leaving it to the discretion of private negotiation.

References

- Alidadi, Katayoun. 2017. *“Religion, equality and employment in Europe: the case for reasonable accommodation.”* Oxford, Hart Publishing.
- Arudini, Stefano. 2004. *“Lavoro: nel contratto entra la pausa preghiera.”* 29 March. Available at: <https://tinyurl.com/4ttun4re>.
- Ascanio, Lorenzo. 2007. “La preghiera islamica in orario di lavoro. Casi, materiali, ed ipotesi risolutive della problematica emergente in contesto immigrato.” *Diritto, immigrazione e cittadinanza*, 3:48-66.
- Baldassarre, Silvia. 2024. *“La libertà religiosa nei luoghi di lavoro tra tutela anti-discriminatoria e strategie di inclusione.”* Cosenza, Luigi Pellegrini Editore.
- Baratta, Lidia. 2012. *“La fabbrica veneta con moschea aziendale.”* 25 July. Available at: <https://tinyurl.com/4tc3yjevz>.
- Banerjee, Asha, Margaret Poydock, Celine McNicholas, Ihna Mangundayao and Ali Sait. 2021. *“Unions are not only good for workers, they’re good for communities and for democracy.”* Available at: <https://tinyurl.com/yp2nz9p5>.
- Bona, Marzia, Johanna Mitterhofer and Verena Wisthaler. 2023. *“Vielfalt zahlt sich aus Diversity Management in Südtirol.”* Eurac Research, Bozen.
- Boräng, Frida, Sara Kalm and Johannes Lindvall. 2020. “Unions and the rights of migrants in the long run.” *Journal of European Social Policy*, 5:557-570.
- Botta, Raffaele. 2000. “La condizione degli appartenenti a gruppi religiosi di più recente insediamento in Italia.” *Il diritto ecclesiastico*, 2:362-403.
- Bottoni, Rossella. 2023. “The legal regulation of religious minorities in Italy.” in *Contemporary challenges to the regulation of religions in Europe* edited by H. Vilaça, M. J. Oliveira and A. L. Zwilling, Porto, U. Porto Press, 177-188.

- Bottoni, Rossella and Ferrari Silvio. 2024. "Legal status of religious or relief minorities (RBMs)." *Atlas of religious and belief minority rights*. Available at: <https://tinyurl.com/4m393u4v>.
- Bouchard, Gerard and Charles Taylor. 2008. *Building the future: a time for reconciliation*. Québec, Gouvernement du Québec. Available at: <https://tinyurl.com/4z3zjjk5>.
- Bouchard, Giorgio. 2004. "Concordato e Intese, ovvero un pluralismo imperfetto." *Quaderni di diritto e politica ecclesiastica*, 1:65-72.
- Caldera, Davide. 2004. "Tempi di lavoro e di culto dei lavoratori musulmani, con uno sguardo all'Intesa, in Islam e Bologna." in *Un anno di ricerche di tirocinio all'Osservatorio provinciale dell'immigrazioni* edited by R. Lelleri., Bologna, Osservatorio delle immigrazioni, 1:14-16.
- Camera, Roberto. 2018. "*L'esperto risponde*." 18 October. Available at: <https://tinyurl.com/3zkn763f>.
- Cardia, Carlo. 2008. "Libertà religiosa e multiculturalismo." *Stato, chiese e pluralismo confessionale*. DOI: <https://doi.org/10.13130/1971-8543/1096>.
- Casuscelli, Giuseppe. 2007. "Dal pluralismo confessionale alla multireligiosità: il diritto ecclesiastico e le sue fonti nel guado del post-confessionismo." *Stato, chiese e pluralismo confessionale*. DOI: <https://doi.org/10.13130/1971-8543/916>.
- Casuscelli, Giuseppe. 2021. "A chiare lettere-editoriali- 2021: sempre in attesa di una legge generale sulle libertà di religione, tra inadeguatezza e paura del cemento." *Stato, chiese e pluralismo confessionale*. DOI: <https://doi.org/10.13130/1971-8543/14963>.
- Coglievina, Stella. 2007. "Festività religiose e riposi settimanali nelle società multiculturali. La normativa italiana alla prova del diritto antidiscriminatorio europeo." *Laicidad y libertades: escritos jurídicos*, 7:81-139.
- Colaianni, Nicola. 2013. "I problemi pratici della libertà religiosa." *Stato, chiese e pluralismo confessionale*. DOI: <https://doi.org/10.13130/1971-8543/3148>.
- Corriere della Sera. 2013. "*Menù etnico e pausa preghiera I diritti degli immigrati in fabbrica*." 20 May. Available at: <https://tinyurl.com/36hbyuek>.
- D'Angelo, Dario. 2017. "Islamici in fabbrica/mensa, riposo e preghiera: la convivenza con i musulmani è prevista dai contratti?" *Il Sussidiario*, 18 April.
- Di Carluccio, Carmen. 2017. "Salute e sicurezza sul lavoro del lavoratore migrante tra conferme e sviluppi." *Diritto della sicurezza sul lavoro*, 1:45-74.
- Dalla Torre, Giuseppe. 2011. *Lezioni di diritto ecclesiastico*. Torino, Giappichelli.
- Domaniello, Sara. "Effetti dell'assenza in Italia di una legge generale sulla libertà religiosa." *Il Diritto ecclesiastico*, 133:611-620.
- Ferrari, Alessandro. 2013. "*La libertà religiosa in Italia. Un percorso incompiuto*." Roma, Carocci editore.

- Ferrari, Silvio. 2017. "Perché è necessaria una legge sulla libertà religiosa? Profili e prospettive di un progetto di legge in Italia." *Stato, Chiese e pluralismo confessionale*, 21:1.
- Ferrari, Silvio. 2024. "Religious and belief minorities in Italy." *Atlas of religious or belief minority rights*. Available at: <https://tinyurl.com/nr9atx7j>.
- Ferrari, Silvio and Valenzi Ilaria. 2024. "Spiritual assistance in prisons, healthcare facilities and the army." *Atlas of religious or belief minority rights*. Available at: <https://tinyurl.com/tw3ve8mb>.
- Fumagalli Carulli, Ombretta. 2011. "Concordats as instruments for implementing freedom of religion." *Ius Canonicum*, 51:437-446.
- Fusto, Stella. 2023. "Libertà religiosa e rapporto di lavoro." Università degli studi di Padova. Available at: <https://tinyurl.com/36jtz4m3>.
- Gamba, Cristiana. 2007. "*Il Ramadan nel contratto di lavoro*." *Il sole24ore*, 25 August. Available at: <https://tinyurl.com/yxdzcsk>.
- Gargiulo, Umberto. 2011. "Identità culturale e tempo di lavoro: un'analisi della contrattazione collettiva." in *Diritto del lavoro e società multiculturale* edited by Viscomi A., Napoli, Editoriale Scientifica, 195-228.
- Haines, Chad. 2020. "What is the Islamic weekend?" Available at: <https://tinyurl.com/382p7dxu>.
- Hayter, Susan. 2015. "Unions and collective bargaining." in *Labour markets, institutions and inequality: Building just societies in the 21st century* edited by J. Berg, Cheltenham, Edward Elgar Publishing, 95-122.
- Henrard, Kristin. 2021. "EU Law's half-hearted protection of religious minorities. Minority specific rights and freedom of religion for all." *Religions*, 12:830.
- Henrard, Kristin. 2025. "The margin of appreciation for 'state-religion relations': critical reflections on the jurisprudence of the ECtHR and the CJEU." *International Journal for the Semiotics of Law/Revue internationale de Sémiotique juridique*, 38:2733-2755.
- Hunter-Henin, Myriam. 2024. "Religious expression and exemptions in the private sector workplace: spotting bias." *Current legal problems*, 77:233-258.
- Leigh, J. Paul and Bozhidar Chakalov. 2021. "Labor unions and health: A literature review of pathways and outcomes in the workplace." *Preventive Medicine Reports*, 24:101502.
- Leonardi, Salvo. 2018. "Trade unions and collective bargaining in Italy during the crisis." in *Rough waters: European trade unions in a time of crises*, edited by S. Lehdorff, H. Dribbusch and T. Schulten, Brussels, Etui, 83-116.
- Leonardi, Salvo and Roberto Pedersini. 2023. "Trade unions in Italy: pluralism and resilience." in *Trade unions in the European Union* edited by J. Waddington, T. Müller and K. Vandaele, Brussels, Peter Lang, 625-660.

- Martiniello, Marco. 2006. "Political participation, mobilization and representation of immigrants and their offspring in Europe." in *Migration and citizenship: legal status, rights and political participation*, edited by R. Bauböck, Amsterdam, University Press, 83-105.
- Ministero del Lavoro delle Politiche Sociali. 2023. "Information on worker and trade union representation." Available at: <https://tinyurl.com/cekxmez3>.
- Musselli, Luciano. 2000. "La rilevanza civile delle festività islamiche." in *Musulmani in Italia: la condizione giuridica delle comunità islamiche* edited by S. Ferrari, Bologna, Il Mulino, 187-199.
- Ojeda-Avilés, Antonio. 2019. "The collective negotiation of reasonable accommodation of the religious acts in the company." *Rivista di variazioni su temi di diritto del lavoro*, 5:1587-1602.
- Ottenberg, Daniel. 2013. "The European Court of Human Rights. Old and new findings on freedom of religion and belief." *The International Journal for Religious Freedom*, 6:1/2:143-156.
- Pélisse, Jérôme. 2019. "Varieties of Legal Intermediaries: when non-legal professionals act as legal intermediaries." *Studies in Law, Politics, and Society*, 81:101-128.
- Petkoff, Peter. 2007. "Legal perspectives and religious perspectives of religious rights under international law in the Vatican Concordats (1963-2004)." *Law & Justice*, 158:30-53.
- Persiani, Mattia. 2019. "Nozioni e fonti del diritto del lavoro." in *Fondamenti di diritto del lavoro* edited by M. Persiani, S. Liebman, V. Maio, M. Marazza, M. Martone, M. Del Conte and P. Ferrari, Torino, Giappichelli Editore, 1-18.
- Pizzoferrato, Alberto. 2019. "Freedom of religion in the workplace: the current state of the art." *Rivista di variazioni su temi di diritto del lavoro*, 5:1263-1274.
- Ricciardi Celsi, Francesco. 2015. "Fattore religioso e lavoratori di religione islamica: aspetti riguardanti la contrattazione collettiva e gli accordi sindacali." in *Comunità islamiche* edited by C. Cardia-G. Dalla Torre, Torino, Giappichelli, 479-505.
- Riva, Severino. 2020. "Compendio di diritto del lavoro." Napoli, Gruppo Editoriale Simone.
- Rosiello, Annalisa. 2020. "Tutela della salute e prevenzione delle discriminazioni di lavoratori provenienti da altri Paesi." *Igiene & sicurezza del lavoro*, 7:373-376.
- Sajó, András and Renáta Uitz. 2025. "A secular liberal defence of freedom of religion. The case for a duty of reasonable accommodation." in *Human dignity, religion and the law: pluralism and reasonable accommodation of religious practices (Iclars on Law and Religion)* edited by M.-J. Valero-Estarellas and M. Hill, London and New York, Routledge, 12-40.

- Sessa, Valentina. 2019. “Tra abito e divisa. L’abbigliamento religioso nei luoghi di lavoro.” Available at: <https://tinyurl.com/3e6aawkr>.
- Signoretti, Andrea, Marcello Pedaci, Sabrina Perra and Katia Pilati. 2025. “Competing for workers’ representation: established and grassroots unions in the Italian logistics sector.” *European Societies*. DOI: <https://doi.org/10.1162/euso.a.25>.
- Timellini, Caterina. 2019. “Islam subtly enters the labor relationship between trade union negotiations and inclusive safety.” *Rivista di variazioni su temi di diritto del lavoro*, 5:1231-1251.
- Torrente, Andrea and Piero Schlesinger. “*Manuale di Diritto Privato*.” Milano, Giuffrè Editore.
- Vallebona, Antonio. 2018. “*Breviario di Diritto del Lavoro*.” Torino, Giappichelli Editore.
- Viscomi, Antonio. “*Diritto del lavoro e società multiculturale*.” Napoli, Editoriale Scientifica.
- Zaccaria Roberto, Domaniello Sara, Ferrari Alessandro and Mazzola Roberto. 2020. “*La legge che non c’è. Proposta per una legge sulla libertà religiosa in Italia*.” Bologna, il Mulino.

Elias Munshya

Church and State Relations in Zambia

An Evangelical
Perspective

VKW  Religious Freedom Series 8



Religious Freedom Series Vol 8, VKW: Bonn, 2024. ISBN: 978-3-862269-284-2.

Download at www.iirf.global

Mediating religious intolerance in corporate workplaces

The legal and strategic role of faith-oriented employee resource groups in Fortune 500 and FTSE 100 companies

*Fábio Ferreira Nascimento*¹

Abstract

This article argues that faith-oriented Employee Resource Groups function as effective intermediate mechanisms for mediating religious intolerance in corporate workplaces. Drawing on United States and United Kingdom legal frameworks and corporate case studies, it finds that Employee Resource Groups enhance compliance with anti-discrimination laws, reduce workplace conflict, and promote religious literacy. The analysis shows that these groups translate formal legal duties into practical organizational strategies, contributing to inclusive corporate cultures. The article concludes that faith-oriented Employee Resource Groups play a critical role in operationalizing freedom of religion or belief beyond legal minimums.

Keywords

Religious diversity, employee resource groups, faith-oriented ERGs, workplace discrimination, Title VII, Equality Act 2010, diversity and inclusion, religious accommodation.

1. Introduction

Religion and belief are re-emerging as important facets of workplace diversity, prompting both challenges and opportunities for employers in increasingly multireligious societies. Conflicts over religious expression and accommodation

¹ Fábio Ferreira Nascimento is a Brazilian attorney and doctoral candidate in law at the Complutense University (Madrid). He currently serves as President of the *Aliança Lusófona pela Liberdade Religiosa* (Lusophone Alliance for Religious Freedom) and as a consulting member of the Religious Freedom Commission of the Federal Council of the Brazilian Bar Association (OAB). He has a special interest in workplace religious freedom. This article uses American English. Date of submission: 1 Aug. 2025; accepted 3 Feb. 2026. Email: fabferre@ucm.es. ORCID:0009-0002-4520-4894.

at work have been rising, as evidenced by a steady increase in religion-based discrimination claims in recent decades (Ghumman et al. 2013:441). In both the United States and the United Kingdom, robust legal frameworks prohibit religious discrimination and mandate that employers must maintain an outwardly tolerant environment. Yet formal compliance with the law may not suffice to address subtle forms of exclusion or to proactively foster understanding among employees of different faiths or none. This gap between legal obligations and lived workplace experience has led companies to turn to internal mechanisms to bridge the divide.

These workplace dynamics cannot be understood in isolation from broader societal trends. Globally, religious identity is becoming more salient rather than less so, with religious populations growing in both absolute and relative terms, while incidents of religious discrimination, social hostility, and violence have increased in many regions. Religious intolerance experienced in workplaces often reflects – and reinforces – patterns of exclusion and marginalization already present in the wider society. For many individuals, employment is one of the primary public spheres in which religious identity is negotiated. When religious exclusion occurs at work, it can compound existing social vulnerability, economic precarity, and psychological harm associated with religious discrimination more broadly.

Intermediate actors within organizations – notably faith-oriented Employee Resource Groups (ERGs) or Business Resource Groups (BRGs) – have emerged as key mediators of religious diversity and potential intolerance. These groups are voluntary associations of employees, officially recognized and often sponsored by the company, organized around shared religious identities or interfaith interests. They operate at the intersection of organizational policy, corporate culture, and individual rights, translating broad principles of nondiscrimination into concrete practices on the ground. In doing so, faith-oriented ERGs or BRGs help companies navigate tensions before they escalate into formal complaints, acting as a form of “soft governance” or internal advocacy that complements formal human resource and compliance structures.

Beyond mitigating conflict or facilitating compliance, faith-oriented ERGs actively contribute to the construction of freedom of religion or belief (FoRB) within corporate environments. As articulated in the U.K. report *Building Freedom of Religion or Belief Through Faith-and-Belief Friendly Workplaces: A Call to Action* (Religious Freedom & Business Foundation 2023), religious freedom in employment is not realized solely through formal legal protections but through everyday organizational practices that normalize belief, enable expression, and cultivate mutual respect. Faith-friendly workplaces thus operate as sites where FoRB is materially enacted rather than merely protected. By institutionalizing

dialogue, accommodation, and religious literacy, faith-oriented ERGs transform abstract rights into lived experiences, embedding FoRB within corporate culture and extending its influence beyond the workplace into surrounding communities. In this sense, ERGs do not merely respond to religious freedom norms – they help build and sustain them.

The policy-focused discussion in this paper integrates insights from prior research and reports on FoRB in the workplace, situating the role of ERGs in the context of intermediate actors that stand between individuals and institutions. By analyzing both legal frameworks and on-the-ground corporate examples, we aim to show how employee-driven initiatives can mediate religious intolerance in ways that law alone cannot – ultimately contributing to workplaces that are not only compliant with the law but also genuinely inclusive and respectful of religious diversity.

2. Legal frameworks for religious equality in the workplace

Effective mediation of religious intolerance in corporate settings must begin with an understanding of the legal duties that companies face regarding religion in the workplace. Both the U.S. and the U.K. have statutory regimes that prohibit religious discrimination and harassment at work, although the scope and mechanisms of these laws differ. This section outlines key features of U.S. and U.K. law – in particular, Title VII and the Equality Act 2010 – and examines how these laws frame employers’ duties to accommodate religious needs and maintain a workplace free from religious bias. These legal frameworks create the compliance baseline upon which many companies build further voluntary initiatives, such as ERGs, to address religious diversity more comprehensively.

2.1. United States: Title VII and the duty of reasonable accommodation

Title VII of the Civil Rights Act of 1964² is the principal legal safeguard against workplace religious discrimination in the U.S., prohibiting employers (with 15 or more employees) from discriminating based on religion in hiring, termination, and workplace conditions. Crucially, Title VII also imposes an affirmative duty on employers to provide reasonable accommodations for employees’ sincerely held religious beliefs and practices, unless such accommodations impose an “undue hardship”³ on business operations (USC 1964).

2 Title VII of the Civil Rights Act of 1964. 42 U.S.C. §2000e-2. Available at: <https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>.

3 “Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA.” Available at: <https://tinyurl.com/yc4uxn9n>.

For decades, courts interpreted “undue hardship” leniently in favor of employers, following the Supreme Court’s *TWA v. Hardison* (1977)⁴ standard, which allowed denial of accommodations for more than a *de minimis* cost. However, *Groff v. DeJoy* (2023)⁵ reversed this trend, ruling that employers must now demonstrate a substantial burden on their operations to lawfully deny a religious accommodation. This raised standard strengthens protections for religious observances such as Sabbath-keeping, prayer breaks, or religious attire (U.S. Supreme Court 2023).

Beyond accommodation, Title VII also prohibits religious harassment, including coercive proselytizing and hostile work environments where offensive or isolating behavior based on religion becomes pervasive. Employers can be held liable if they fail to prevent or address such conduct, including mocking religious attire or spreading stereotypes (Equal Employment Opportunity Commission [EEOC] 2021). Title VII thus requires both reactive and preventive measures.

To support compliance, the EEOC advises implementing clear anti-discrimination policies that explicitly include religion, providing training on religious inclusion, and creating complaint mechanisms (EEOC 2021; Advisory, Conciliation and Arbitration Service [Acas] 2024). Many companies go beyond legal minimums to foster inclusivity and reduce legal risks. In this proactive context, faith-oriented ERGs have emerged as key partners. They assist employers by identifying accommodation needs, educating staff, and de-escalating issues – effectively acting as internal agents of both legal compliance and cultural transformation.

2.2. United Kingdom: Equality Act 2010 and indirect discrimination

In the U.K., the Equality Act 2010⁶ serves as the foundational legal protection for religious rights in the workplace. “Religion or belief” (see section 10 of the Act) is one of nine protected characteristics, and the Act applies broadly across employment contexts (Equality Act 2010; Acas 2024). It prohibits four types of conduct: direct discrimination, indirect discrimination, harassment, and victimization based on religion or belief.

Direct discrimination refers to unfavorable treatment explicitly related to religion or belief, such as refusing to hire a Muslim applicant. This is rarely justifiable outside narrowly defined roles (Hill 2017:124). Indirect discrimination involves seemingly neutral policies (e.g., bans on head coverings) that disproportionately disadvantage religious groups. Under section 19 of the Act, employers must justify such policies as proportionate means to achieve legitimate aims. This effectively

4 *TWA v. Hardison*, 432 U.S. 63 (1977). Available at: <https://www.loc.gov/item/usrep432063/>.

5 *Groff v. DeJoy*, 600 U.S. 447 (2023). Available at: <https://tinyurl.com/54c7bdje>.

6 Available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>.

creates a duty similar to religious accommodation, even though that term is not formally used in U.K. law (Relaño Pastor 2018:66; Hill 2017:134).

Harassment is also prohibited, defined as unwanted conduct related to religion or belief that causes a degrading or hostile environment (Equality Act section 26). This includes jokes, bullying, or offensive displays, and protections extend to non-religious and philosophical beliefs such as humanism and veganism (Shoosmiths 2022).

Employers are expected to balance competing beliefs and foster a respectful, tolerant environment. The guidance provided by the Equality and Human Rights Commission (EHRC) on the duty to ensure public-sector equality and on best practices promotes this proactive stance (EHRC 2019). Although financial penalties in U.K. tribunals are capped (unlike in the U.S.), reputational and regulatory consequences are substantial (Relaño Pastor 2018:63).

Increasingly, British employers voluntarily exceed legal requirements by incorporating religion into diversity agendas. Initiatives include celebrating religious festivals, offering flexible holidays, and creating multifaith prayer spaces. In this context, faith-oriented employee groups have become vital actors in facilitating inclusion and resolving tensions where religious practices meet business needs, embodying accommodation as a cultural value and not merely a legal formality (Hill 2017:24; Relaño Pastor 2018:59).

3. Faith-oriented ERGs as intermediate actors in corporations

Robust laws provide a necessary foundation for religious equality, but the day-to-day reality of inclusion often depends on intermediate structures within organizations. ERGs, sometimes called Business Resource Groups when emphasizing their alignment with business objectives, have become key players in fostering inclusive environments for various identity groups (such as those related to gender, ethnicity, LGBTQ+ status, veteran status, or disability). ERGs are voluntary, employee-led associations that are officially sanctioned by the employer and centered around shared characteristics or life experiences. Their core purposes typically include building community and support for members of the affinity group, advising the company on related diversity issues, and contributing to business goals (e.g., through recruitment, marketing insights, or professional development) (Religious Freedom & Business Foundadtion [RFBF] 2020). When applied to religion, faith-oriented ERGs (also sometimes termed multifaith or interfaith networks) create a formal channel for employees to bring their faith identity into workplace discussions and initiatives. Although such groups were once rare, they have been growing as companies recognize that religious diversity merits attention alongside other diversity dimensions (Grim 2020).

According to the RFBF (2020), faith-oriented ERGs are “company-sponsored, employee-led affinity and allyship organizations” that embed religious inclusion into corporate structures. These groups not only foster a sense of belonging for their members but also provide business value by bringing diverse perspectives and increasing employee engagement. Notably, research indicates that companies that include faith as part of their diversity strategy tend to perform better on inclusion metrics across the board (Grim 2020; RFBF 2020). In other words, paying attention to religious inclusion can have a halo effect, strengthening overall workplace culture and retention. Faith-oriented ERGs often position themselves as bridges – between employees and management, among employees of different faiths internally, and between the company and external faith-based communities or stakeholders. In doing so, they exemplify the role of intermediate actors mediating between individual needs and institutional policies.

Until recently, explicitly religious ERGs were relatively uncommon in the corporate world, especially in secular industries. A seminal analysis in 2020 found that among hundreds of ERGs in Fortune 100 companies, only about 5 percent were faith-oriented (38 out of 775 ERGs surveyed), compared to far larger numbers of ERGs devoted to race/ethnicity or gender (RFBF 2020). Moreover, a majority of Fortune 100 company diversity websites at that time did not mention religion or faith as part of inclusion efforts. This marginalization of religion in corporate diversity programs has been attributed to several factors: a historical reluctance to mix religion and work due to fear of conflict, concerns about appearing to favor one religion over others or violating secular norms, and a general corporate culture that viewed religion as a private matter outside the scope of diversity initiatives (Grim 2020). However, this picture is changing rapidly. RFBF’s Corporate Religious Equity, Diversity & Inclusion Index (REDI), first published in 2020, signaled a potential tipping point toward more faith-friendly corporate environments. By 2022, more than 85 percent of Fortune 500 companies explicitly included religion in their diversity statements or initiatives – more than double the number in 2015. By 2024, RFBF reported that roughly 12 percent of Fortune 500 companies had established faith-oriented ERGs (Grim 2025), and this trend is continuing as executives recognize the business and ethical case for religious inclusion. Major firms in technology, finance, and other sectors have begun publicly affirming the importance of faith as part of employee identity, often inspired by pioneers in this space (RFBF 2025a).

Notably, the expansion of faith-oriented ERGs has continued in parts of the private sector despite broader political and regulatory backlash against diversity, equity, and inclusion (DEI) initiatives in the United States. However, this trend should be interpreted cautiously. Recent federal actions to dismantle DEI

programs have not exempted religious inclusion; in some cases, faith-based employee groups and related initiatives have also been suspended or eliminated as part of broader institutional rollbacks. Accordingly, while corporate data suggest continued investment in religious inclusion, this persistence does not necessarily reflect a distinct or protected trajectory, but rather variation across sectors and organizational contexts.

Internationally, the trend extends beyond the U.S. In the U.K., faith and belief networks have grown within top companies, albeit about a decade behind the U.S. trajectory. In 2018, very few FTSE 100 companies had any faith-oriented employee group, but by 2024, around 12 percent had formal faith or belief networks, and by 2025 that share had more than doubled to 26 percent (RFBF 2025a). Nearly all FTSE 100 firms now at least mention religion or belief in their diversity policies or reports, whereas previously many did not. This growth occurred despite some general pushback against diversity initiatives in the mid-2020s, suggesting that religious inclusion gained recognition on its own merits (ReadLion 2025; RFBF 2025c). In 2025, the U.K. Minister for Trade publicly praised faith-friendly workplaces and recognized the top 20 faith-and-belief-friendly companies, noting that enabling employees to bring their faith to work can yield “bottom-line competitive advantages” through improved team performance, retention, and talent attraction (as reported in RFBF 2025a). Such government endorsement further legitimizes faith-oriented ERGs as mainstream, valuable components of corporate inclusion strategy (Faith at Work UK 2025).

Why are companies turning to faith-oriented ERGs? Both qualitative and quantitative evidence points to multiple roles these groups play for organizations. Key functions of faith-based ERGs include the following:

3.1. Support and retention of talent

For employees who strongly identify with a faith or belief, the existence of an ERG signals that the company values that aspect of their identity. This can boost morale, loyalty, and retention. For instance, a Salesforce executive observed that young professionals “expect that you can have your faith and have it be seen in the workplace,” and some job candidates inquire about faith networks when choosing an employer (RFBF 2019b). There are documented cases of talented employees switching companies specifically because they felt unwelcome in their religious practice at a previous job and sought a more faith-friendly culture. A well-known example is an engineer who left a firm where he felt he “wasn’t allowed to pray” and joined Salesforce upon learning it had a vibrant faith ERG; he later said this dramatically improved his sense of belonging (RFBF 2019b). By making religiously observant employees feel included rather than alienated,

ERGs help reduce turnover and make the company more attractive to a diverse talent pool.

3.2. Facilitating religious accommodations and policy input

ERGs provide a structured forum for identifying common religious accommodation needs (such as prayer times, dietary requirements, and holiday observances) and for bringing those needs to management's attention collaboratively. Rather than requiring each request to be handled individually or reactively, the ERG can voice concerns collectively and suggest proactive solutions. Many faith ERGs work closely with human resources or diversity offices to establish facilities and practices that benefit religious employees, such as dedicated prayer or meditation rooms, flexible scheduling for holy days, or ensuring vegetarian, halal, or kosher options at company events. These initiatives help the company comply with non-discrimination laws (fulfilling the spirit of Title VII's accommodation duty or the Equality Act's indirect discrimination rules) in a preemptive way. Instead of waiting for a conflict or complaint, the ERG helps companies craft policies and toolkits (for example, interfaith calendars or manager guides) so that the workplace environment naturally accommodates religious diversity (Acas 2024). This not only prevents problems but also integrates accommodation into the company's standard operating procedures, making it part of the culture.

3.3. Education and religious literacy

A critical function of faith-oriented ERGs is to promote religious literacy – understanding of different religions and beliefs – among the broader employee population. Ignorance or misconceptions about a faith can breed prejudice, discomfort, or unintentional offense. ERGs tackle this threat by organizing educational events: lunch-and-learn sessions, interfaith dialogues, panel discussions, and cultural celebrations (Diwali, Eid, Passover, Easter, Vaisakhi, and more) that are open to all employees (RFBF 2019b). These events put a human face on religious traditions and allow colleagues to learn in an atmosphere of respect and curiosity rather than suspicion. Over time, as religious literacy increases, a company's culture shifts toward one where religious differences are normalized and bigotry (anti-Semitism, Islamophobia, etc.) is clearly outside the norm. In turn, this education reduces the likelihood of harassment or conflict (Ghumman et al. 2013).

3.4. Mediation of conflicts and prevention of harassment

When religiously charged conflicts or incidents do arise at work, faith ERGs can act as informal mediators or advisors to management. Members of an ERG, by

virtue of their cultural competency and trust within the community, can help address issues in a sensitive way. For example, if an employee feels they have been harassed or ridiculed because of their beliefs, they might approach the ERG for support. ERG leaders can then, with the employee's consent, raise the concern to human resources or leadership in a constructive manner, helping to resolve the situation before it escalates. Likewise, if tensions emerge between different faith groups among employees, an interfaith ERG can facilitate dialogue and mutual understanding (Texas Instruments 2019). The very presence of a faith-oriented network sends a message that the company is committed to a respectful culture, and that employees themselves are empowered to be stewards of that culture. This not only reduces the incidence of harassment but also provides an early-warning system, in which problems can be solved internally through conversation rather than through legal grievances.

3.5. *Advocacy for inclusive policy development*

On a structural level, faith-oriented ERGs can influence corporate policies to be more inclusive of religion or belief. Many companies, sometimes prompted by their ERGs, have updated their official diversity and inclusion statements to explicitly mention religion or belief as a valued aspect of diversity (where previously it might have been omitted). ERGs might advocate for adding clear religious accommodation guidelines to employee handbooks or for including religious holidays in the corporate holiday calendar or flexible holiday policies. Some have pushed to ensure that diversity training covers religious bias just as it covers racial or gender bias. The impact can extend to corporate governance structures: for example, a few firms have created Interfaith Councils or designated executive sponsors for religious inclusion as a result of ERG recommendations, thereby institutionalizing attention to religious diversity at high levels.

Faith-oriented ERGs do not operate in isolation; they often network across companies as well. In the U.S., faith ERG leaders from different corporations have formed informal coalitions (such as the annual Faith@Work ERG Conference convened by RFBF) to share best practices and collectively encourage more businesses to adopt faith-friendly policies (RFBF 2020). In the U.K., a cross-company initiative called Faith at Work UK has emerged with support from the Prime Minister's office, bringing together leaders of various corporate faith networks to discuss strategies for workplace inclusion (International Institute for Religious Freedom [IIRF] 2025). This kind of cross-organizational advocacy underscores that ERGs can have influence beyond their own company; they are helping to set broader norms in industry and encouraging peer organizations to follow suit in creating faith-friendly workplaces.

3.6. External engagement and community relations

Faith-oriented ERGs often extend their impact beyond the company's walls by engaging with external communities, clients, and civil society. Many such ERGs organize volunteer service projects or charitable initiatives that align with their members' values – for example, interfaith service days, fundraisers for disaster relief, or partnerships with faith-based charities. These activities enhance the company's community profile and demonstrate that the company supports employees' whole selves, including their altruistic or service motivations rooted in faith.

Furthermore, ERGs can offer insights into diverse customer bases. In dealings with regulators and civil society, companies that visibly support religious inclusion may also earn goodwill. In the U.S., having active faith ERGs could be cited as evidence of a company's good-faith efforts in an EEOC investigation, potentially heading off claims by showing a culture of accommodation. In the U.K., companies have engaged with bodies including the UK Equalities Office or interfaith NGOs to share their approaches, thus aligning with broader social goals of cohesion and FoRB. In short, faith ERGs often symbolize the company's commitment to religious freedom and inclusion, both internally and externally. They help the company avoid cultural missteps in global operations and position the firm as a positive actor in societal efforts to promote pluralism.

Faith-oriented ERGs have moved to the forefront as intermediate actors translating lofty legal and ethical principles into everyday practice. They stand between individual employees and corporate management, converting personal religious needs into organizational language (policy proposals, business cases) and conveying corporate values of inclusion back down to individuals in a relatable way. They also act as bridges between the company and the outside world, channeling the company's commitment to religious freedom into community engagement and market insight. By fulfilling these roles, faith-oriented ERGs help mediate instances of intolerance or ignorance – either by preventing them through proactive education and inclusive policies or by addressing them through support and intervention when they occur.

Seen through the lens of freedom of religion or belief, faith-oriented ERGs operate as a preventive institutional infrastructure, reducing the likelihood that ignorance, stereotyping, or unmanaged conflict will escalate into exclusionary practices that mirror – and potentially reinforce – forms of religious persecution observable in wider society.

4. Case studies: Faith-oriented ERGs in practice

Case studies from Salesforce, Texas Instruments, and HSBC reveal how faith-oriented ERGs mediate religious diversity, enhance inclusion, and align with legal and strategic objectives in both U.S. and U.K. corporations.

4.1. *Salesforce (U.S.): Building belonging through Faithforce*

Salesforce launched its interfaith ERG, Faithforce, in 2017 to create a space for employees to express their religious identities without stigma (RFBF 2019b). Faithforce emphasized inclusion from the outset: it barred proselytizing, welcomed secular allies, and focused on interfaith and intersectional collaboration. Notably, Faithforce partnered with the company's LGBTQ+ group to address tensions and build empathy between groups, exemplifying how faith and other identities can coexist constructively in diversity programming.

Faithforce received visible executive support, which bolstered credibility and participation. It hosted interfaith events, educated employees on major religious observances, and helped normalize dialogue about religion at work. Practical outcomes included increased cultural literacy and better accommodations, such as adjusting team schedules for Ramadan fasting, which improved employee morale and loyalty. Faithforce also played a compliance role, helping Salesforce proactively align with Title VII by offering early issue resolution and fostering a respectful culture. Its success inspired similar initiatives at Google, Facebook, and other tech companies (Grim 2025).

4.2. *Texas Instruments (U.S.): A long-term interfaith model*

Texas Instruments (TI) pioneered faith-based ERGs around 2000, integrating them into its broader diversity network alongside other identity groups (RFBF 2019a). Its religious ERGs – Christian, Jewish, and Muslim – are supported equally with other groups, and the company even offers volunteer chaplaincy.

TI's ERGs were grounded in business strategy, promoting collaboration, innovation, and community engagement. The company fostered interfaith cooperation by encouraging joint activities among the ERGs, including visits to houses of worship and events with guest speakers. This approach built trust, reduced prejudice, and created a workplace culture that strongly discourages religious intolerance.

From a legal perspective, TI's ERGs helped address accommodation requests informally and proactively, reducing the risk of formal complaints. Faith inclusion was viewed as a strength, not a liability. TI's long-standing success made it a model for others and earned it top scores on workplace inclusion indices, including tying for second place on RFBF's REDI Index in 2020 (RFBF 2020).

4.3. *HSBC and the U.K. landscape: Faith as cultural competence*

In the U.K., HSBC's Global Faith Network exemplifies the growing inclusion of religion in corporate diversity agendas. The network, which brings together employees of various faiths and none, has been credited with influencing

business operations in religiously diverse markets (RFBF 2025b). Events like Diwali and Eid celebrations, often attended by clients and senior leadership, help build trust and brand loyalty.

Beyond cultural outreach, HSBC's faith network contributes to internal policy adjustments, including accommodations for prayer, holidays, and religious dress. This aligns with the Equality Act 2010's indirect discrimination framework. Other U.K. companies, including KPMG and Network Rail, have developed similar networks that advise on policies and foster religious literacy.

U.K.-based efforts often emphasize cohesion and mutual respect rather than individual rights, reflecting the Equality Act's public-sector duty to foster good relations. Cross-industry initiatives like Faith at Work UK are helping to reduce workplace stigma around religion, with government support enhancing legitimacy (Faith at Work UK 2025).

These case studies illustrate how faith ERGs are evolving from niche support groups into central players in diversity strategy. Whether helping preempt legal conflicts, improving workplace morale, or contributing to market insights, these groups function as powerful intermediaries between corporate structures and employees' religious needs.

5. Comparative analysis: U.S. and U.K. contexts

Faith-oriented ERGs are gaining prominence in both the U.S. and U.K. as essential components of workplace diversity strategies. Despite differing legal frameworks and cultural traditions, companies in both countries increasingly recognize that supporting religious identity at work enhances inclusion, employee satisfaction, and business performance.

5.1. Commonalities

In both jurisdictions, ERGs emerged in response to rising religious diversity and employee demand for inclusive spaces. They help improve morale, reduce bias, and offer strategic insights for engaging diverse markets (Grim 2020; ReadLion 2025). These groups educate colleagues, advise on policy, and serve as informal mechanisms for preventing religious discrimination. Allyship and intersectionality are central themes; successful ERGs actively collaborate with other identity-based groups (e.g., LGBTQ+, women, mental health), emphasizing that religious inclusion complements rather than competes with other forms of diversity.

The growth of ERGs typically follows a "bottom-up meets top-down" dynamic, showing that grassroots employee initiatives gain traction when supported by executive leadership. Public recognition programs, such as the RFBF's REDI Index

in the U.S. and public awards in the U.K., also create external incentives for companies to adopt faith-friendly practices (Grim 2025; RFBF 2025a).

5.2. *Key differences*

Several differences arise from the respective legal and cultural environments:

- 1) Legal drivers: In the U.S., Title VII's duty to accommodate religious practices has been a primary motivator for ERG development. U.K. companies, operating under the Equality Act 2010 without a specific accommodation duty, have typically adopted faith networks as part of broader diversity commitments or in response to generational workforce expectations (RFBF 2025a; Grim 2025).
- 2) Religious expression: U.S. workplaces are generally more accepting of overt religious expression, reflecting strong constitutional free-exercise protections. ERGs may include prayer sessions and visible religious symbols. In contrast, U.K. workplaces have historically leaned in a more secular direction, requiring ERGs to frame activities more cautiously, focusing on education and mutual respect (Hill 2017; Faith at Work UK 2025). However, openness in the U.K. is increasing as societal diversity grows.
- 3) Scope of belief inclusion: U.K. law protects philosophical beliefs alongside religious ones. As a result, U.K. ERGs often adopt "faith and belief" language and include secular worldviews like humanism or ethical veganism. U.S. ERGs may welcome secular members but typically focus on religious traditions.
- 4) Government involvement: U.S. government engagement is largely regulatory (e.g., EEOC guidance), whereas U.K. officials have at times proactively promoted faith inclusion as part of social cohesion efforts under the public-sector equality duty (Equality Act 2010: section 149). Public commendation in the U.K. can further incentivize companies to embrace ERGs.
- 5) Scale and structure: U.S.-based multinationals often have large, formalized ERGs with global coordination. U.K. networks may be smaller or less institutionalized, especially in regionally focused companies, though this is changing as best practices proliferate.

Despite their divergent starting points, the U.S. and U.K. are converging toward a shared understanding of the value of faith-oriented ERGs. Whether framed around "reasonable accommodation" or "fostering good relations," these groups advance the realization of freedom of religion or belief in everyday workplace practice. Moving forward, mutual learning is likely: U.S. firms may adopt broader belief-inclusion models from the U.K., while U.K. firms may implement proactive accommodation tools pioneered in the U.S. In both settings, the core function of these ERGs remains the same: empowering employees to bring their whole selves to work and promoting inclusive, respectful organizational cultures (RFBF 2025a, Faith at Work UK 2025).

6. Strategic impacts of faith-oriented ERGs

Best-practice research indicates that faith-oriented ERGs are most effective – and least controversial – when guided by clear principles. These include (1) strict non-proselytization norms; (2) voluntary participation and allyship; (3) respect for internal diversity within religious traditions; (4) collaboration with human resource and legal teams to ensure that reasonable accommodations are consistent with operational needs; and (5) interfaith or multifaith engagement that avoids syncretism while fostering mutual respect. When such guardrails are in place, ERGs can advance religious inclusion without privileging particular beliefs or generating internal conflict.

Faith-oriented ERGs contribute significantly to mitigating religious intolerance in the workplace. Their impact can be analyzed across three interconnected strategic areas: promoting religious literacy, preventing harassment and discrimination, and fostering a rights-based organizational culture.

6.1. Advancing religious literacy

One of the core benefits of faith-based ERGs is the enhancement of religious literacy, which refers to an informed understanding of diverse religious and nonreligious belief systems. This knowledge reduces prejudice, as it humanizes unfamiliar practices and helps dismantle stereotypes. ERGs provide peer-led education through events and dialogues that are often more impactful than conventional training. Such initiatives cultivate a workplace where religious differences are normalized and respected.

Furthermore, literacy initiatives have external benefits. Salesforce reports high participation in Equality Groups, including faith-based ones, which enhances employees' ability to engage respectfully with clients and communities in global markets (Salesforce 2019; Grim 2025). Increased awareness reduces microaggressions and supports a culturally competent workforce (RFBF 2025b).

6.2. Preventing harassment and discrimination

Faith-based ERGs help combat religious harassment by legitimizing religious inclusion within company culture and providing informal support networks. Their visibility signals organizational commitment, encouraging employees to report incidents without fear. ERG leaders often serve as initial points of contact, helping to address issues before they evolve into formal complaints (RFBF 2020). They also contribute to policy development by incorporating religious inclusion in training and compliance efforts, ensuring that religion is not overlooked in diversity strategies.

ERGs can mediate conflicts when religious expression appears to clash with company DEI initiatives. The Salesforce collaboration between Faithforce and Outforce (ERG focused on LGBTQ+ employees and allies) illustrates how proactive dialogue can defuse potential factionalism (RFBF 2019b). By offering informal spaces for discussion, ERGs facilitate respectful negotiation of sensitive issues and reduce polarization. Additionally, regular celebration of diverse religious holidays creates a culture of inclusion that discourages discriminatory behavior and supports visibility of religious minorities.

6.3. Promoting a rights-based culture

Faith-oriented ERGs embed the principle of FoRB within corporate values, transforming compliance into genuine commitment. Rather than treating accommodations as legal obligations, companies with active ERGs increasingly frame inclusion as a matter of human dignity. Internal messaging like “bring your whole self to work – faith and all” mirrors human rights language (e.g., Universal Declaration on Human Rights Article 18) and promotes alignment with values-based frameworks (Accenture 2020; Petri 2025:30).

Some ERGs connect their work to global benchmarks such as the UN Sustainable Development Goals or civil society initiatives such as the Corporate Pledge on Religious Diversity and Inclusion (RFBF 2020). These commitments elevate internal practices and position corporations as public advocates against religious intolerance. In response to antisemitic or anti-Muslim incidents, for instance, companies with faith ERGs have publicly condemned hate, citing internal interfaith efforts as evidence of their integrity in this regard (Grim 2025; RFBF 2025b).

ERGs also balance rights within diverse workplaces. This avoids “zero-sum” conflicts and instead fosters collaborative solutions that respect all parties’ rights.

Moreover, ERGs contribute to the broader human rights ecosystem by holding their organizations accountable and promoting FoRB in external engagement. As companies align with frameworks like the UN Guiding Principles on Business and Human Rights, ERGs serve as internal stewards of those commitments (UN Global Compact 2020; Petri 2025). In encouraging corporate participation in interfaith forums or partnerships with NGOs, they extend their influence beyond the workplace into public life.

Beyond normative and legal considerations, religious exclusion in the workplace carries measurable economic costs. Employee disengagement and turnover linked to workplace discrimination impose billions of dollars annually in lost productivity, recruitment, and training expenses in the U.S. Voluntary turnover among employees who experience identity-based exclusion is significantly higher than organizational averages, while inclusive practices correlate with

improved retention and engagement. Faith-oriented ERGs contribute to reduced attrition and increased employee commitment by signaling dignity, belonging, and institutional trust.

7. Conclusion

Religious intolerance in the workplace lies at the intersection of law, corporate culture, and individual rights. Faith-oriented ERGs in Fortune 500 and FTSE 100 companies serve as essential intermediaries in addressing that challenge. These groups do more than respond to legal requirements; they proactively foster environments where religious diversity is recognized, accommodated, and celebrated.

Importantly, the impact of faith-oriented ERGs is not confined to corporate boundaries. By normalizing religious literacy, respectful dialogue, and accommodation within influential economic institutions, these groups contribute to shaping broader social norms. Employees carry workplace practices and attitudes into families, religious communities, and civic life. When large employers model principled engagement around issues of religious difference, they indirectly counter social polarization and reduce the conditions that enable religious persecution. In this sense, faith-oriented ERGs function as micro-level laboratories of pluralism whose cumulative effects extend into society at large.

As religious affiliation continues to grow globally, workplaces are increasingly becoming frontline arenas for negotiating religious differences, making the development of effective, rights-respecting institutional responses ever more urgent.

In the U.S., ERGs assist employers in complying with Title VII by promoting early dialogue and preventing discrimination through accommodation (Relaño Pastor 2018:59). In the U.K., faith networks support implementation of the Equality Act 2010 by highlighting how seemingly neutral policies may disproportionately affect religious employees, as well as by promoting equitable adjustments (Hill 2017:134). Across both contexts, ERGs move organizations from a minimal legal compliance posture to a robust culture of respect and inclusion.

Despite differences in legal frameworks, both countries reflect a convergence: modern employees value authenticity and expect workplaces to include faith identity within broader diversity efforts. The rapid growth of faith ERGs in the U.K. (117 percent in one year) and the increasing number of U.S. companies scoring highly in religious inclusion indices signal a paradigm shift: religion is becoming a legitimate and managed aspect of workplace diversity (Mercer 2020; Grim 2025).

However, challenges remain. ERGs must navigate tensions between religious inclusion and other identities, ensure broad participation beyond voluntary members, and secure institutional backing. Companies should also consider

evaluating the impact of faith inclusion on employee well-being, innovation, and retention to reinforce the business case.

From a legal and human rights perspective, the rise of faith-based ERGs underscores how intermediate structures can supplement the law's limitations. Law can mandate non-discrimination but cannot foster mutual understanding; that task falls to organizational actors. ERGs embody the principle that protecting FoRB is a shared responsibility, implemented not only by courts but by everyday workplace practices.

In sum, faith-oriented ERGs have emerged as key mediators of religious inclusion. They translate legal protections into lived experience, transforming potential conflicts into opportunities for engagement and solidarity. As corporations become more diverse, these groups will be vital in shaping environments where freedom of religion is not only protected but respected and celebrated. ERGs build bridges in increasingly divided societies, starting with in the workplace.

The durability of faith-oriented ERGs across divergent political and regulatory environments further underscores their role in institutionalizing FoRB within corporate governance. Even where broader diversity initiatives face retrenchment, faith-based ERGs have persisted as pragmatic, employee-anchored mechanisms that translate legal norms into organizational practice. Their continued growth confirms that religious freedom at work is increasingly understood not as a peripheral concern but as a core component of lawful, ethical, and sustainable business culture (Grim 2025; RFBF 2025c).

References

- Advisory, Conciliation and Arbitration Service (Acas). (2024). *What the law says: Religion or belief discrimination*. Available at: <https://tinyurl.com/ycy5a8tk>.
- Equality Act 2010*, ss 4, 10, 13-19, 26.
- Estruth, M. (2025). *Report: Religious freedom increasing in workplace*. The Lion. 29 May. Available at: <https://tinyurl.com/v3dtfdrp>.
- Ghumman, S., A.M. Ryan, L.A. Barclay, and K.S. Markel. (2013). Religious discrimination in the workplace: A review and examination of current and future trends. *Journal of Business and Psychology*, 28(4), 439-454.
- Grim, B. J. (2020). *Corporates often forget religious diversity – here's why they should not*. World Economic Forum. 16 January. Available at: <https://tinyurl.com/3rwdvfcf>.
- Grim, B. J. (2025). *Will UK outshine US in faith-friendly workplaces?* Religious Freedom & Business Foundation. 4 May. Available at: <https://tinyurl.com/ypatpy98>.
- Hill, M. (2017). Religious discrimination in the English workplace: Balancing competing interests. *International Journal for Religious Freedom*, 10(1/2), 47-62.

- Lambert, P. and A. Mims. (2023). *Working with faith: Making place for religion in the workplace*. Coalition for Faith & Media. Available at: <https://tinyurl.com/47s2y6vy>.
- Mercer. (2020). *Global Talent Trends 2020*. Available at: <https://tinyurl.com/4k68ucx6>.
- Mercer. (n.d.). *Gen Z: How to attract, retain and engage tomorrow's leaders today*. Available at: <https://tinyurl.com/bdhujxf>.
- Petri, D. P. (2025). *Religious freedom in the United States (IIRF Reports 2025/2)*. International Institute for Religious Freedom. Available at: <https://tinyurl.com/mrhpac7h>.
- Relaño Pastor, E. (2018). Combating religious discrimination in the workplace: Approaches by the EU Court of Justice and the European Court of Human Rights. *International Journal for Religious Freedom*, 11(1/2), 51-61.
- Religious Freedom & Business Foundation. (2025a). *Surge of FTSE 100 companies paying attention to religion*. 1 May. Available at: <https://tinyurl.com/yd9ktmvs>.
- Religious Freedom & Business Foundation. (2025b). *Business impact of HSBC's Global Faith Network*. 12 March. Available at: <https://tinyurl.com/3bn3kxw8>.
- Religious Freedom & Business Foundation. (2025c). *Fortune 500 embrace of religious inclusion continues to grow*. May. Available at: <https://tinyurl.com/mttm2ed5>.
- Religious Freedom & Business Foundation. (2023). *Building freedom of religion or belief through faith-and-belief friendly workplaces: A call to action*. Available at: <https://tinyurl.com/yx3krm2s>.
- Religious Freedom & Business Foundation. (2020). *Religious employee resource groups*. Available at: <https://religiousfreedomandbusiness.org/toolkit>.
- Religious Freedom & Business Foundation. (2019a). *Texas Instruments: Bring your faith to work*. 6 May. Available at: <https://tinyurl.com/yc7378t6>.
- Religious Freedom & Business Foundation. (2019b). *Salesforce is out to make the world a better place*. May. Available at: <https://tinyurl.com/vhx9r7ee>.
- Salesforce. (n.d.). *Salesforce interfaith leader on increasing understanding at work*. Available at: <https://tinyurl.com/y8k2ea5n>.
- Shoosmiths LLP. (2024). *Discrimination in the workplace: Protecting religion and belief*. 30 January. Available at: <https://tinyurl.com/5yuzmj57>.

Religious assertion from below

Religious actors representing new religious minorities in workplace accommodation

Alexandra Cosima Budabin and Zakaria Sajir¹

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-

¹ Alexandra Cosima Budabin is Senior Researcher at Eurac Research. ORCID: 0000-0003-1826-2220. Zakaria Sajir is Assistant Professor in the Department of Sociology and Communication, University of Salamanca. ORCID: 0000-0003-4980-7131. Both authors contributed equally to this article. The authors use American English. Article submitted: 14 Aug. 2025; accepted: 3 Feb. 2026. The authors can be reached at albudabin@eurac.edu and zakaria.sajir@usal.es.

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.

References

- Alidadi, K. (2017) *Religion, equality and employment in Europe: The case for reasonable accommodation*. Hart Publishing.
- Associated Press. (2008) “Muslim cab drivers lose round in court.” *MPR News*. Available at: <https://bit.ly/3Zgfkgo>.
- Bächtiger, A., J. Könemann, A. Jödicke, and D. Hangartner. (2013) “Religious reasons in the public sphere: An empirical study of religious actors’ argumentative patterns in Swiss direct democratic campaigns.” *European Political Science Review*, 5(1):105-131.
- Berger, J. (2003) “Religious nongovernmental organizations: An exploratory analysis.” *Voluntas: International Journal of Voluntary and Non-profit Organizations*, 14(1):15-40.
- Bhojani, A. & M. Clarke. (2023) “Religious Authority beyond Domination and Discipline: Epistemic Authority and Its Vernacular Uses in the Shi’i Diaspora.” *Comparative Studies in Society and History*, 1-24.
- Bielefeldt, H. (2014) *Elimination of all forms of religious intolerance*. Report submitted to the UN General Assembly. A/69/261.
- Bouchard, G. & C. Taylor. (2008) *Building the future: A time for reconciliation*. Government of Quebec.
- Bretscher, F. (2017) “Religious freedom of members of old and new minorities: A double comparison.” *Erasmus Law Review*, 10(3):151-162.
- Bretscher, F. (2018) “Immigrants or new religious minorities: Conflicting European and international perspectives,” in K. Topidi (ed.) *Normative Pluralism and Human Rights: Social Normativities in Conflict*. Routledge, 105.
- Bribosia, E., J. Ringelheim, and I. Rorive. (2010) “Reasonable accommodation for religious minorities: A promising concept for European antidiscrimination law?” *MJ*, 17(2):137-161.

- Brubaker, R. (2016) "A new 'Christianist' secularism in Europe." The Immanent Frame. Available at: <https://tinyurl.com/mr47bzfj>.
- Budabin, A. (forthcoming) "Bridging Religious Difference: Cultural Mediators and the Promise of Transcultural Capital." *Deusto Journal of Human Rights*. Special issue on Religions, diversities and human rights: Public policies for democratic coexistence.
- Budabin, A. & Z. Sajir. (2025) "Interpreting Intermediate Actors through a Secular-Religious Continuum in Negotiations for Reasonable Accommodations in the Workplace." Paper prepared for ECPR joint sessions workshop, "The Religious-Secular Cleavage Revisited: Actors, Strategies, and Contested Issues."
- Casanova, J. (2007) "La inmigración y el nuevo pluralismo religioso. Una comparación Unión Europea/Estados Unidos." *Revista CIDOB d'Afers Internacionals* 77:13-39.
- Cismas, I. (2014) *Religious actors and international law*. Oxford University Press.
- European Network Against Racism (ENAR) (2015) *Managing religious diversity in the workplace: a good practice guide*. Available at: <https://bit.ly/3ZMdOSW>.
- Ferrari, D. (2021) "New and Old Religious Minorities in International Law." *Religions*, 12:698.
- Ferrari, S. (2024). "Conclusions," in R. Medda-Windischer, K. Wonisch, & A.C. Budabin (eds.) *Religious minorities in pluralist societies: Critical perspectives on the accommodation of religious diversities*. Brill.
- Foblets, M.-C. (2013) "Freedom of religion and belief in the European workplace: Which way forward and what role for the European Union?" *International Journal of Discrimination and the Law*, 13(2-3):240-255.
- Fokas, E. (2011) "Secularization," in M. Juergensmeyer and W.C. Roof (eds.) *Encyclopedia of global religion*. Sage.
- Garbin, N. (2020) "Making room for religion in the workplace in a diverse society: A comparative perspective," in F. Fiorentini and M. Infantino (eds.) *Mentoring comparative lawyers: Methods, times, and places* (Ius Gentium: Comparative Perspectives on Law and Justice 77). Springer AG.
- García Yeste, C., O. El Miri Zeguari, P. Álvarez, and T. Morlà Folch. (2020). "Muslim Women Wearing the Niqab in Spain: Dialogues around Discrimination, Identity and Freedom." *International Journal of Intercultural Relations* 75: 95-105.
- García-Yeste, C., L.-C. Mara, L. de Botton, and E. Duque. (2022) "Building a more inclusive workplace for religious minorities." *Religions*, 13(6):481.
- Greenberg, J.R. (2024) "Justice suspended: Rethinking institutions, regimentation, and channels from a human rights law perspective." *Journal of Linguistic Anthropology*, 34(1):45-65.

- Gurnon, E. (2007) "Airport taxi controversy: Why here?" *Hiiraan Online*. Available at: <https://bit.ly/4as4BFA>.
- Habermas, J. (2008) "Notes on post-secular society." *New Perspectives Quarterly*, 25(4):17-29.
- Haynes, J. & A. Hennig. (eds.) (2011) *Religious actors in the public sphere: Means, objectives, and effects*. 1st ed. Routledge.
- Hendrickson, J. (2013) "Fatwa," in G. Böwering and P. Crone (eds.) *The Princeton encyclopedia of Islamic political thought*. Princeton University Press, 173-174.
- Hill, M. (2017) "Religious discrimination in the English workplace: Balancing competing interests." *International Journal of Religious Freedom*, 10(1-2):119-134.
- Lichterman, P. (2012) "Religion in Public Action: From Actors to Settings." *Sociological Theory*, 30(1):15-36.
- Medda-Windischer, R. (2008) *Old and new minorities: Reconciling diversity and cohesion*. Nomos Verlagsgesellschaft mbH & Co. KG.
- Medda-Windischer, R., K. Wonisch, and A.C. Budabin. (2024) "Introduction: Squaring the circle: Reflections on religious minorities, diversity governance and pluralist societies," in R. Medda-Windischer, K. Wonisch, and A.C. Budabin. (eds.) *Religious minorities in pluralist societies: Critical perspectives on the accommodation of religious diversities (Vol. 19)*. Brill and Nijhoff.
- Pélisse, J. (2019) "Varieties of legal intermediaries: When non-legal professionals act as legal intermediaries." *Studies in Law, Politics, and Society*, 81:101-128.
- Permoser, J.M., S. Rosenberger, and K. Stoeckl. (2010) "Religious Organisations as Political Actors in the Context of Migration: Islam and Orthodoxy in Austria." *Journal of Ethnic and Migration Studies*, 36(9):1463-1481.
- Pew Research Center. (2025). *2023-24 U.S. Religious Landscape Study Interactive Database*. Available at: <https://bit.ly/4ceqeue>.
- Piciocchi, C. (2023). *Courts, pluralism and law in the everyday: Food, clothing and days of rest*. Routledge.
- The Pluralism Project at Harvard University (2025) *Driven by Faith*. President and Fellows of Harvard College and the Pluralism Project at Harvard University. Available at: <https://pluralism.org/driven-by-faith>.
- Project ReligionsMN (n.d.) Exploring Minnesota's Religious Worlds through Public Scholarship. Available at: <https://religionsmn.carleton.edu/>.
- Raza, F. (2023) *Religious accommodation and its limits*. Bloomsbury.
- Reuters (2007) "Muslim cabbies in culture clash at airport," *NBC News*. Available at: <https://bit.ly/4cI4HJ5>.
- Ruiz Andrés R. & Z. Sajir. (forthcoming) "Genealogías del cultural backlash en España: reacciones frente a la secularización y la diversidad religiosa," in J. García Martín, I. Perugorría, and B. Tejerina Montaña. (eds.) *La oposición*

- neoconservadora a las políticas morales en España. Cuatro décadas de movilización antiderechos (1978-2024)*. Centro de Investigaciones Sociológicas (CIS), colección Academia.
- Ruggiu, I. (2019) *Culture and the judiciary: The anthropologist judge*. Routledge.
- Sajir, Z. (2025a) "Postsecularismo and transculturalismo: repensando la gobernanza de la diversidad religiosa en España," in E. Relaño Pastor (ed.) *Diversidad religiosa y gobernanza: desafíos y oportunidades*. Sección II: Diversidad y gobernanza religiosa en España. Aranzadi Editorial.
- Sajir, Z. (2025b) "Agency unveiled: The interplay of transcultural capital and the post-secularisation paradigm in the lives of Muslim migrant descendants in Europe," in Z. Sajir and R. Ruiz Andrés (eds.) *Religious diversity in post-secular societies. Boundaries of Religious Freedom*. Springer.
- Sajir, Z. (2023) "A post-secular approach to managing diversity in liberal democracies: Exploring the interplay of human rights, religious identity, and inclusive governance in Western societies." *Religions*, 14(10):1325.
- Sealy, T. (2025). "Multiculturalism and the post-secular: Dialogue and translation," in Z. Sajir and R. Ruiz Andrés (eds.) *Religious diversity in post-secular societies. Boundaries of religious freedom: Regulating religion in diverse societies*. Springer.
- Stensvold, A. (2018). "Religious NGOs: The new face of religion in civil society," in *The Routledge handbook of transregional studies*. Routledge.
- Suchman, M.C. (1995). "Managing Legitimacy: Strategic and Institutional Approaches." *Academy of Management Review*, 20(4):571-610.
- Topidi, K. and E. Relaño Pastor. (eds.) (2024). *Minority rights and social change: Norms, actors and strategies across the globe*. Routledge.
- Van Biema, D. (2007) "Religion: Minnesota's Teetotal Taxis." *Time*. Available at: <https://bit.ly/49XNr2B>.
- Ventura, M. (2021) "The two-way legal making of religious minorities. Introductory remarks," in M. Ventura (ed.) *The Legal Status of Old and New Religious Minorities in the European Union*. Editorial Comares.
- Wareham, S. (2007) "Muslim Taxi Driver Cultural Clash at the Minneapolis St. Paul International Airport (MSP): Does Accepting a Customer with Alcohol in their Possession Violate a Prohibition of the Koran?" Master's thesis, Bethel University.

BEYOND A REASONABLE DOUBT

DID THE ISLAMIC STATE
COMMIT GENOCIDE AGAINST
CHRISTIANS IN IRAQ?

- Áquila Mazzinghy



VKW

Religious Freedom Series Vol 7, VKW: Bonn, 2023. 403 pp. ISBN: 978-3-862269-267-5.

Download at www.iirf.global

Faith-based organizations as intermediate actors in mediating religious accommodations in postcolonial African contexts

Waithanji Mutiti¹

Abstract

This paper explores the Inter-Religious Council of Kenya and the Christian Association of Nigeria as places where people from different faiths come together to encourage dialogue and cooperate in solving shared problems in postcolonial African settings. The two organizations have gradually developed into structured platforms for interfaith dialogue, peacebuilding, and policy engagement. Through their meetings, consultations, mediation, and advocacy, they have shaped national conversations on religious diversity and more inclusive governance. Internal disagreements, political pressure, and the marginalization of smaller faith communities limit their effectiveness. However, they function as important bridge-building institutions in complex and often divided political environments.

Keywords

Faith-based organizations, intermediate actors, religious accommodation, interfaith dialogue, postcolonial Africa, peacebuilding.

1. Introduction

Postcolonial African societies today are defined by a lively and expanding mix of religious traditions, and this diversity brings questions of identity, rights, and belonging into the fabric of everyday life. As people of different faiths live and work alongside one another, the need for religious accommodation becomes im-

¹ Dr. Waithanji Mutiti teaches philosophy of religion at the University of Kabianga, Kenya. He is also Assistant Coordinator for Research and Grants, Centre for Human Rights and Development, University of Kabianga. ORCID: 0000-0002-4833-4216. This article uses British English. Article submitted: 4 August 2025; accepted: 23 April 2026. Email: wmutiti@kabianga.ac.ke.

mediate rather than theoretical. At its heart, accommodation is about making room, both in law and in practice, for individuals and communities to live out their beliefs openly, without fear, pressure, or discrimination. But beyond what is written in policies, what really matters is whether people actually feel free and safe to practice their faith in their daily lives.

Understood through a symbolic interactionist lens, religious accommodation is shaped in ordinary, everyday encounters, especially in workplaces such as schools, hospitals, non-governmental organizations (NGOs), and public offices, where people interpret and respond to religious difference in real time (Carter & Fuller 2015; Sarangi 2005). In this way, accommodation is not just decided in courts or policies; it is something people actively negotiate in their relationships and interactions.

The societal response to religious diversity is a matter of deep concern. When certain beliefs are restricted or privileged, tensions can grow; when differences are recognized and respected, social trust and stability are more likely to flourish (Grim & Finke 2010; Grim & Hsu 2011). Religious accommodation also safeguards the right to change one's faith, affirming personal freedom of conscience (Wazynska-Finck & Finck 2013), and it is supported by international frameworks such as Article 18 of the International Covenant on Civil and Political Rights (Scolnicov 2011). Within this context, faith-based organizations (FBOs) often act as important bridges between communities and the state. This paper explores how they shape religious accommodation in Kenya and Nigeria, and what this means for governance and the lived experience of religious freedom in workplace situations.

2. Conceptual background

Religious accommodation is, at its core, about how societies make room for people to live out their faith within public life without having to leave their beliefs behind (Modood 2013). In practice, this often takes simple but meaningful forms, such as wearing religious attire, observing faith-based holidays, or following dietary practices. However, accommodation is not only about what policies allow, but also about how people actually experience these freedoms in everyday life. From a symbolic interactionist perspective, accommodation unfolds in daily interactions, especially in workplaces where people of different faiths work side by side (Carter & Fuller 2015; Sarangi 2005). Questions about prayer times, dress, or participation in routines are often worked out informally, through conversations and shared understandings among colleagues. In this way, what counts as 'reasonable' accommodation is not fixed but continuously shaped through every-day encounters where ideas of respect, professionalism, and difference are negotiated.

To fully understand and appreciate how accommodation works, it is also important to look at the role of intermediate actors, i.e. those who operate between local communities and the state. These include NGOs, FBOs, and community leaders who help turn policy into lived reality while also voicing community concerns within broader systems of governance (Kuru 2009). They build trust and cooperation by connecting people and institutions (Tzanakis 2013), even as power dynamics influence whose voices are heard (Gelderblom 2018). In today's governance systems, where collaboration matters as much as authority, such actors play a vital role in shaping decisions and translating lived experiences into policy (Sorensen & Torfing 2016; Ney 2014). Within this broader picture, faith-based organizations stand out because of their deep roots in communities and their moral influence. Beyond connecting different groups, they actively shape how religious accommodation is understood and practiced, making them central to fostering coexistence in diverse societies.

3. Faith-based organizations in Africa

FBOs in Africa take many forms, ranging from church groups and Islamic councils to Hindu temples and interfaith networks (Abossey 2022). Although they are widely known for their work in practical areas such as health and education, the influence of FBOs extends far beyond service delivery. They often help shape moral values, engage in political advocacy, contribute to governance debates, and mediate conflicts. In postcolonial African societies, where religion continues to play a central role in public life, FBOs have become important bridge-builders, connecting religious communities, civil society, and the state. Their role in mediating religious accommodation reflects the realities of diverse societies that are navigating issues of coexistence, development, and peace. FBOs shape how communities think about development, justice, and responsibility by grounding these issues in moral and ethical values. This influence is strengthened by the deep trust many communities place in them and the high level of religious commitment across the continent (Marshall & Van Saanen 2007; Afolabi 2015; Bompani 2015; Bakker 2016; Agensky 2020; Chiabuotu 2022).

At the same time, FBOs are not distant and isolated institutions. They are woven into the everyday lives of people, as is especially visible in workplaces such as faith-based hospitals, schools, and humanitarian organizations. From a symbolic interactionist perspective, they help shape how people understand their roles and relate to one another. By offering shared moral language and meaning, FBOs influence workplace culture in subtle but powerful ways. For example, in a faith-based hospital, caregiving is often seen not just as a job but as a calling. This perception can shape how staff treat patients and colleagues, encouraging compassion, discipline, and a strong sense of ethical responsibility. Through these

everyday interactions, FBOs play an active role in constructing workplace norms, identities, and lived experiences.

4. Historical role of FBOs in political legitimization and public morality

FBOs' ability to move between grassroots realities and formal institutions makes them important bridges in efforts to build more inclusive, peaceful, and just societies. In the political sphere, FBOs carry significant influence in shaping public morality and perceptions of authority. As intermediate actors, they speak both to governments and to ordinary citizens, using moral and religious language to either affirm or question political power. By framing issues like corruption, justice, and human rights in ethical terms, they connect with people's lived experiences and impact public attitudes and actions (Bompani 2015). In contexts where trust in government may be limited, FBOs often step in as moral voices, acting as watchdogs, advocates, and mediators who encourage accountability and civic participation.

Their role, however, does not exist in a vacuum; it is shaped by wider political and legal systems. As Kuru (2009) points out, the balance between secular and religious governance can either open space for FBOs or place limits on their work. In any case, FBOs continue to influence political life through advocacy and moral engagement, at times challenging authoritarian tendencies and promoting accountability (Riedl 2012). They also connect global donors with local communities, mobilizing resources through trusted religious networks while reinforcing accountability through shared values (Thornton et al. 2016). Pertinently, the impact of FBOs is not only seen in public debates but also in everyday life, especially in workplaces. Here, people often draw on religious beliefs to navigate ethical questions, whether they are resisting corruption, promoting fairness, or thinking about leadership issues. Over time, these shared values shape how organizations function, showing how FBOs influence not just public systems but the daily experiences and decisions of individuals.

5. FBOs as ethical-developmental intermediaries

Faith-based organizations play a deeply trusted role in many postcolonial African societies because they connect people's spiritual and moral worlds with the practical realities of everyday life. In areas such as healthcare, education, governance, and conflict resolution, they do more than deliver services. They help communities understand development in ways that feel familiar, grounded in their own religious and cultural values. Consequently, they often enjoy a level of trust that more technical or externally driven organizations struggle to achieve, sitting in a "middle space" between global development agendas and local ways

of life. They shape not only how development is delivered but also how it is understood and experienced.

Various scholars have captured this role in related ways. Bakker (2016) describes FBOs as cultural and ethical intermediaries who translate between donor frameworks and local realities. Eshuis (2016) calls them “frame brokers,” highlighting how they connect different ways of understanding development, while Marshall and Van Saanen (2007) emphasize that they respond to the whole person, in terms of material, emotional, moral, and spiritual needs. Olupona (2014) shows that African religious traditions already carry strong ethical systems that shape daily life, and that FBOs draw on these traditions in community work and governance.

Practically, FBOs are especially important where state services are limited or uneven. They provide healthcare, education, and humanitarian support while also encouraging civic responsibility, peacebuilding, and accountability. Davis et al. (2011) and Lunn (2010) show that their religious grounding helps build trust and stronger community relationships. Ndzovu (2020) adds that they “sacralize” humanitarian work by linking it to local meanings, making communication and advocacy more effective; moreover, because they are locally trusted yet globally connected, they bridge everyday needs with wider development systems. Saliiently, FBOs also shape how development is experienced in everyday spaces like schools, clinics, NGOs, and workplaces. In such situations, development is not just delivered but lived and interpreted. In a faith-based HIV/AIDS organization, for example, staff may see their work as both their professional duty and a moral calling, which affects how they respond to stigma and suffering. In schools, teachers may weave moral and religious values into learning, influencing how students understand responsibility and social life. Thus, in these everyday interactions, development becomes something lived, relational, and continuously given meaning through practice.

6. Identity formation and transnational networking

FBOs are deeply woven into the everyday ways people understand who they are, especially in postcolonial African societies where many face marginalization or live between homelands and diaspora. They help people hold on to a sense of religious, cultural, and community belonging while also connecting them to wider global networks of faith, care, and development. In doing so, they create real bridges by means of which ideas, support, and solidarity move across borders, helping people live with identities that are not purely either local or global but something in between.

In societies marked by diversity, Modood (2013) reminds us that public recognition of religion matters, and African FBOs often step into this space by giving

minority voices a place in national conversations. In diaspora settings, Garbin (2014) shows how Congolese Christian FBOs in cities like London and Atlanta help migrants feel at home while they adjust to new environments, shaping both their spiritual and civic lives. Likewise, Ngo (2015) shows that along migration routes, FBOs provide not just practical help but also emotional support, dignity, and a sense of safety. Jong (2025) further describes how they create spaces where different faiths can meet, talk, and live alongside each other in increasingly diverse societies.

These processes are also visible in everyday work life within transnational FBO networks. In such spaces, identity is shaped through daily interactions with people from different backgrounds. For instance, an African worker in an international faith-based organization may learn to blend global influences with local traditions. Over time, these everyday encounters show that identity is not fixed but continually formed through relationships, work, and lived experience.

7. Interfaith boundary solidarity

Across Africa, FBOs play a quiet but practical role in helping people of different religions live and work together. In contexts where religious differences can easily generate tension, they create spaces for dialogue, cooperation, and shared action around common concerns. Instead of emphasizing doctrinal divides, they encourage communities to focus on shared moral values. Through peacebuilding, humanitarian work, and advocacy, FBOs help build trust, reduce divisions, and strengthen more resilient societies. In this sense, they function as spaces of common witness where interfaith collaboration is lived in practice (Jennings 2016). In Nigeria, they support dialogue and peaceful coexistence among religious groups (Olowo 2021), while in Kenya they contribute to addressing challenges such as extremism (Kapinde 2025). This cooperation also grows in everyday spaces like schools, hospitals, NGOs, and community projects, where repeated interaction helps people move beyond stereotypes, build trust, and develop mutual respect through daily shared experience.

8. FBOs and health issues

In different parts of Africa, especially in rural and underserved areas where public health systems are overstretched, FBOs are often the first and most trusted point of care. Beyond filling service gaps, they also combine medical treatment with emotional, social, and spiritual support, reflecting how many communities actually understand illness and healing in everyday life. In this way, they care not only for the body but also for the wider impact of sickness on families, relationships, and community well-being. Owing to being rooted in local settings, they

play an important role in public health efforts such as maternal care, HIV/AIDS prevention, mental health awareness, and vaccination campaigns, linking global health goals with lived local realities.

FBOs' trusted position also allows them to speak about sensitive health issues in ways that people can relate to and accept. They often help connect spiritual understandings of illness with medical approaches, especially in sensitive areas like HIV/AIDS care (Rheeder 2017; Morrin 2013). In fragile health systems, they provide essential services such as safe delivery, maternal health care, and family planning while also improving health education and access to immunization in remote communities (Widmer et al. 2011; Nicol et al. 2022). At the same time, they bring governments, donors, and religious groups together in more cooperative and inclusive forms of health governance (Awuah-Nyamekye & Appiah 2022).

These dynamics are also visible in everyday hospital and clinic settings. In faith-based facilities, care is shaped not only by medical knowledge but also by shared beliefs and meanings. Healthcare workers may understand their work as an act of compassion rooted in faith, while patients may interpret illness through spiritual lenses that shape how they respond to treatment. This highlights how healthcare is always both medical and deeply human, shaped by belief, meaning, and lived experience.

9. FBOs in peace and reconciliation

In many African societies, conflict and instability remain part of everyday life, and FBOs often step in as trusted companions in the long process of healing and rebuilding relationships. FBOs are closely rooted in local communities and carry moral and spiritual authority, enabling them to reach across ethnic, religious, and political divides in ways that formal institutions struggle to do. Through dialogue spaces, community activities, and religious teaching, they help people begin to forgive, rebuild trust, and imagine life beyond violence. Unlike short-term emergency responses, FBOs usually stay with communities long after crises fade, walking with them through the slower journey of reconciliation.

Their presence is visible across different contexts, including Mozambique, Algeria, and Nigeria, where they have supported peace efforts and recovery processes (Haynes 2009; Hegertun 2010). In Kenya, Christian FBOs played a key role during the 2007-2008 post-election violence by encouraging dialogue and truth-sharing (Murang'ai 2022). In places such as Kaduna State, Nigeria, Christian and Muslim actors have also worked together to address sectarian tensions (Orebiyi 2016), while wider networks continue to influence peacebuilding across sub-Saharan Africa (Rugar 2020; Wafula 2014; Schwarz 2018; Sampson 2020; Stor-

er 2025). Much of this work unfolds in ordinary settings such as community forums and mediation centres, where people gradually rebuild trust through conversation and shared reflection on painful histories.

10. FBOs in religious urbanity

FBOs are an important part of everyday life in many postcolonial African cities, especially in informal settlements where state services are often limited. In these spaces, they are often the closest and most trusted source of support for residents. They help meet basic needs, encourage people to take part in community life, and offer emotional, moral, and spiritual care (Rakodi 2014). In Nairobi, for instance, they not only focus on worship but also help people navigate daily struggles while strengthening neighbourhood ties (Mburu 2011) and contributing to broader changes in the city (Jennings 2013). They also create “spaces of encounter” where people from different backgrounds meet, talk, and learn to live together (Beaumont 2008). Over time, they shape the physical and social fabric of cities by building churches, schools, clinics, and other community spaces that influence how urban life is experienced (Garbin & Coleman 2022).

11. Case studies

11.1. Inter-Religious Council of Kenya

The Inter-Religious Council of Kenya (IRCK) emerged in 1983 as the Kenyan chapter of the World Conference of Religions for Peace, originally established to coordinate Kenya’s participation in the 1984 global assembly held in Nairobi (Ochanda 2012). For nearly two decades, it operated informally, focusing on ad hoc interfaith dialogues and cooperative actions. In 2004, the council was formally institutionalized as the IRCK, adopting a structured governance framework and broadening its mandate to include peacebuilding, social justice, interfaith cooperation, and public policy engagement (Wambugu and Kyalo, 2024). Today, the IRCK functions as a national coalition of major religious communities, including Christians, Muslims, Hindus and African Instituted Churches, and therefore serving as a central platform for dialogue, advocacy and coordinated responses to national crises.

The IRCK’s core objectives are anchored in promoting religious pluralism, fostering mutual understanding and enhancing national cohesion. These objectives are implemented through interfaith collaborations addressing issues such as electoral justice, gender-based violence, reproductive health, HIV/AIDS prevention and peace education (Irwin & Kyande 2023). The council’s interventions during the 2007-2008 post-election violence exemplify its capacity for communi-

ty-level peacebuilding, while its lobbying on constitutional reform illustrates its influence at the policy level (Wambugu & Kyalo 2024). Its programming is rooted in culturally sensitive and theologically grounded approaches that allow for both grassroots acceptability and institutional legitimacy, particularly in areas where state institutions struggle to engage religious constituencies effectively.

As an intermediate actor, the IRCK mediates between religious communities, civil society and the state, using its multi-faith legitimacy to articulate moral arguments in support of inclusive governance and social cohesion. The council provides a structured platform for religious groups to collectively address sensitive national issues such as violent extremism, youth radicalization, environmental degradation and public health emergencies (Golicha 2022). The IRCK's role in translating human rights and democratic values into religiously relevant terms enables it to engage both policymakers and communities, fostering policy outcomes that are not only legally sound but also spiritually grounded. Its institutional evolution from an informal dialogue network into a nationally recognized faith-based intermediary illustrates the transformative potential of FBOs in shaping inclusive public discourse in postcolonial African societies.

11.2. The Christian Association of Nigeria

The Christian Association of Nigeria (CAN), established in 1976, emerged as a unifying platform for Nigeria's diverse Christian communities amid rising concerns about Christian marginalization and increasing Islamization of public policy in the post-civil war era. It brought together five major Christian blocs – Catholics, Mainline Protestants, Pentecostals, evangelicals and African indigenous churches – to advocate for Christian interests and unity in a complex, multi-religious society (Mbachirin 2006; Olorunnimbe 2017). CAN's political role intensified following the Nigerian government's controversial attempt to join the Organization of Islamic Cooperation (OIC) in 1986, prompting its transition from a spiritual fellowship to a strategic socio-political actor (Ogunbadejo & Ojo 2024).

The CAN's five primary objectives include fostering Christian unity, defending Christian rights, promoting ethical leadership, engaging in interfaith dialogue with Islamic bodies such as the Nigerian Supreme Council for Islamic Affairs (NS-CIA), and addressing national development issues such as education, health and poverty (Ilo 2015; Oko 2015; Adedotun & Ikeola 2024). As an intermediate actor, the CAN bridges religious constituencies and the state, particularly in volatile regions including northern Nigeria, where it mediates conflict and provides humanitarian relief to internally displaced persons.

The CAN's advocacy against Sharia implementation in secular states and demand for equitable Christian representation in governance exemplify its polit-

ical relevance (Olorunnimbe 2017). Despite facing internal fragmentation and accusations of politicization, the CAN remains a vital force in promoting religious pluralism, peacebuilding and civic engagement in Nigeria's postcolonial society. Its efforts in youth and clergy development through capacity-building initiatives ensure continuity in Christian ethical leadership, reinforcing its role in shaping Nigeria's democratic and interfaith landscape (Adedotun & Ikeola 2024).

11.3. Challenges faced by IRCK and CAN

FBOs like the IRCK and the CAN are critical intermediate actors in promoting religious accommodation in postcolonial Africa. However, their effectiveness is challenged by internal fragmentation, political interference, and limited resources. The IRCK, comprising Christians, Muslims, Hindus, and African traditionalists, often grapples with internal theological disagreements on issues such as reproductive rights and gender equity, which complicate its ability to form and express unified positions (Irwin & Kyande 2023). Additionally, the IRCK's reliance on donor funding affects its sustainability, while secular political structures in Kenya limit its influence in public policymaking (Wambugu & Kyalo 2024; Golicha 2022).

The CAN, on the other hand, operates in Nigeria's volatile religious and political environment, and its internal divisions among Catholic, Protestant, Pentecostal, Evangelical, and Indigenous blocs hinder its cohesion (Olorunnimbe 2017). Perceptions of political bias further erode its neutrality, and its interfaith dialogue with Muslim bodies like the NSCIA is undermined by deep-seated mistrust and recurrent violence, especially in northern Nigeria (Ogunbadejo & Ojo 2024; Ilo 2015). The ongoing threat of terrorism complicates the CAN's advocacy and peacebuilding strategies. Both organizations also struggle with limited youth and female representation in leadership, hindering inclusivity and innovation. To sustain their legitimacy and impact, the IRCK and the CAN must strengthen their internal unity, financial autonomy and political neutrality while fostering structural reforms that reflect diverse religious constituencies in their governance frameworks.

11.4. Towards inclusive religious accommodation

FBOs have evolved as crucial intermediate actors in the mediation of religious accommodations across postcolonial Africa. Rooted in historical legacies of missionary engagement and indigenous religious traditions, FBOs possess both moral authority and structural reach that allow them to act as effective intermediaries between governments, civil society and local communities (Beaumont 2008; Rheeder 2017). In postcolonial societies where colonial-era religious hierarchies and administrative divisions often institutionalized religious inequality,

FBOs play a critical role in reconstructing inclusive spaces for religious expression (Agensky 2017). Their role extends beyond mere religious propagation; they engage in policy advocacy, conflict mediation, and cultural translation of human rights principles into faith-based language that relates with local populations (Awuah-Nyamekye & Appiah 2022). In Kenya, for instance, the IRCK exemplifies this intermediary role through its work in advancing interfaith harmony and lobbying for religious representation in public decision-making (IRCK 2023). Through structured interfaith platforms and local dialogue forums, such organizations help to bridge divides among religious groups, especially in regions historically affected by sectarian violence or marginalization (Orebiyi 2016).

In countries like Nigeria, where religious plurality intersects with regional and ethnic identities, FBOs such as the CAN and the NSCIA have become key actors in ensuring religious accommodation and political inclusion (Abossey 2022; Rugar 2020). These organizations serve as institutionalized voices for their respective faith communities, engaging with the state on constitutional reforms, educational policies and humanitarian interventions (Jennings 2013). Their involvement in governance processes, whether through peace negotiations, policy consultations or disaster response, underscores the ability of FBOs to function as mediating agents that transform grassroots religious concerns into national discourse (Widmer et al. 2011). In addition, FBOs contribute to the formation of ethical public spaces where divergent religious worldviews can coexist (Garbin et al. 2022). This is particularly significant in urban areas where migration, economic disparity and demographic change often produce tensions over religious identity and spatial belonging (Mburu 2011). In such settings, FBOs help facilitate mutual recognition among different faiths, promoting not just tolerance but shared civic values grounded in spiritual teachings. However, this intermediary role is not without challenges. FBOs may be hindered by internal doctrinal divisions, politicization or lack of inclusive representation for non-dominant religious groups, such as indigenous or new religious movements (Nicol et al. 2022). These limitations often affect their legitimacy and capacity to mediate effectively.

Moving towards more inclusive religious accommodation in postcolonial Africa requires FBOs to continuously adapt and reflect on their own structures and ideologies. To serve as truly pluralistic agents of mediation, FBOs must cultivate internal mechanisms for interfaith learning and accountability, ensuring that their engagement is not limited to dominant religious narratives but extends to the full spectrum of Africa's religious landscape (Agensky 2020; Awuah-Nyamekye & Appiah 2022). Strengthening transnational and regional networks among FBOs can also enhance their capacity to share best practices, coordinate peacebuilding efforts, and engage international partners in support of locally grounded, faith-sensitive approaches to

reconciliation and governance (Orebiyi 2012). Moreover, FBOs must strategically engage youth and marginalized communities within their constituencies, empowering them as stakeholders in inclusive religious discourse (Rheeder 2017).

As Africa continues to grapple with the legacies of colonial religious policy and contemporary religious extremism, FBOs have a unique opportunity to model dialogical, peaceful, and inclusive modes of religious co-existence. By doing so, they not only address immediate social and political needs but also contribute to the long-term cultivation of a civic culture in which religious diversity is embraced as a democratic asset rather than a source of division.

12. Conclusion

Faith-based organizations such as the IRCK and the CAN play important, often quiet roles in holding societies together in postcolonial Africa. They act as trusted bridges between religious communities, the state, and wider society, creating spaces for dialogue, advocacy, and peacebuilding. Their influence is not limited to big national conversations, but it shows up in everyday places like hospitals, schools, and NGOs, where they help people navigate religious differences, ease tensions, and find practical ways to live and work together respectfully.

In countries like Kenya and Nigeria, where religion shapes daily life and trust in government institutions can sometimes be uncertain, FBOs help make formal policies feel more relatable and meaningful within local faith contexts. Seen from everyday life, they are not just formal organizations but active participants in how people interact, negotiate differences, and build a sense of belonging. Through these ongoing, ordinary encounters, they help make peaceful coexistence something that is lived, not just discussed.

References

- Abossey, N. D., 2022. *Religious organisations' role in conflict and peacebuilding in West Africa: A case study of the Catholic Church*. Doctoral dissertation, University of Ghana.
- Adedotun, A. P., & W. E. Ikeola. 2024. Christian Association of Nigeria: An indispensable tool for national unity. *Voyages Journal of Religious Studies*, 9(2), 130-140.
- Adenitire, J., 2020. *A general right to conscientious exemption: beyond religious privilege*. Cambridge: Cambridge University Press.
- Afolabi, B. T., 2015. *The politics of engagement: Diaspora and religious actors' involvement in the Liberian peace process*. Doctoral dissertation, University of St Andrews.
- Agensky, J. C., 2020. Who governs? Religion and order in postcolonial Africa. *Third World Quarterly*, 41(4), 583-602.

- Agensky, J. C., 2024. Religion, refugees, and international order: A global history of solidarity, dislocation, and reintegration in South Sudan. *Global Studies Quarterly*, 4(4), ksae084.
- Awuah-Nyamekye, S., and S. K. Appiah, 2022. Colonial Marginalities and Post-Colonial Fragments: Inter-Faith Networking for Development in Ghana. In E. Chitando & I. S. Gusha, eds. *Interfaith Networks and Development: Case Studies from Africa*, Cham: Springer International Publishing, 231-251.
- Bailey, M., & G. Redden, eds., 2011. *Mediating faiths: Religion and socio-cultural change in the twenty-first century*. Farnham: Ashgate.
- Baker, C., & J. Beaumont, 2011. Postcolonialism and religion: New spaces of 'belonging and becoming' in the postsecular city. In J. Beaumont and C. Baker, eds. *Post-secular cities: Space, theory and practice*, London: Continuum, 33-49.
- Bakker, M., 2016. *Concerning development: An ethnography of contingency and ethics in a cross-cultural, faith-based aid relationship*. Doctoral dissertation, Concordia University.
- Basson, M., & C. Botha, 2012. Towards meaning: Symbolic interactionism and workplace bullying. In C. G. Fitzgerald & L. M. Gerace, eds., *Bullying: An assault on human dignity*, Leiden: Brill, 77-91.
- Beaumont, J., 2008. Introduction: Faith-based organisations and urban social issues. *Urban Studies*, 45(10), 2011-2017.
- Ben-Porat, G., D. Filc, A. E. Ozturk, & L. Ozzano, 2023. Populism, religion and family values policies in Israel, Italy and Turkey. *Mediterranean Politics*, 28(2), 155-177.
- Bompani, B., 2015. Religion and development in sub-Saharan Africa: An overview. In: E. Tomalin, ed. *The Routledge handbook of religions and global development*. Milton Park: Routledge, 101-113.
- Bowers, J., 2021. Accommodating difference: How is religious freedom protected when it clashes with other rights; is reasonable accommodation the key to levelling the field? *Oxford Journal of Law and Religion*, 10(2), 275-297.
- Bunk, J. A., J. Karabin, & T. Lear, 2011. Understanding why workers engage in rude behaviors: A social interactionist perspective. *Current Psychology*, 30(1), 74-80.
- Burchardt, M., & A. Swidler, 2020. Transplanting institutional innovation: Comparing the success of NGOs and missionary Protestantism in sub-Saharan Africa. *Theory and Society*, 49(3), 335-364.
- CAN Constitution. Available at: www.canng.org.
- Carter, M. J., & C. Fuller, 2015. Symbolic interactionism. *Sociopedia. isa*, 1(1), 1-17.
- Chiabuotu, G.A., 2022. *Workers' experiences of workplace bullying in faith-based organizations: Developing a policy framework for Christian faith-based organizations in south-eastern Nigeria*. Doctoral dissertation, Auckland University of Technology.

- Chomczyński, P., 2020. Mobbing from the standpoint of symbolic interactionism. *Qualitative Sociology Review*, 16(4), 52-62.
- Davis, C., A. Jegede, R. Leurs, A. Sunmola, & U. Ukiwo, 2011. *Comparing religious and secular NGOs in Nigeria: Are faith-based organizations distinctive?* Religions and Development, Working Paper 56.
- Eshuis, D., 2016. *Western faith-based organizations in Buddhist Cambodia: 'Religious' and 'secular' frames in aid and development*. Doctoral dissertation, University of Groningen
- Ferrari, S., M. Hill, A. A. Jamal, & R. Bottoni. (eds.). 2021. *Routledge handbook of freedom of religion or belief*. Milton Park: Routledge.
- Fields, J., M. Copp, & S. Kleinman, 2006. Symbolic interactionism, inequality, and emotions. In J. E. Stets & J. H. Turner, eds. *Handbook of the Sociology of Emotions*. Boston, MA: Springer US, 155-178.
- Garbin, D., 2014. Regrounding the sacred: Transnational religion, placemaking and the politics of diaspora among the Congolese in London and Atlanta. *Global Networks*, 14(3), 363-382.
- Garbin, D., G. Millington, & S. Coleman, 2022. Ideologies and infrastructures of religious urbanization in Africa. *Urban Studies*, 59(5), 1007-1024.
- Gelderblom, D., 2018. The limits to bridging social capital: Power, social context and the theory of Robert Putnam. *Sociological Review*, 66(6), 1309-1324.
- Golicha, I. B., 2022. *Preventing and countering violent extremism: A case study of faith-based organizations in Isiolo County, Kenya*. Master's thesis, UiT Norges arktiske universitet.
- Green, M. C., 2017. Religious Pluralism, Heritage and Social Development in Africa. Conference RAP.
- Grim, B. J., & R. Finke, 2010. *The price of freedom denied: Religious persecution and conflict in the twenty-first century*. Cambridge: Cambridge University Press.
- Grim, B. J., & B. Hsu, 2011. Estimating the Global Muslim Population: Size and Distribution of the World's Muslim Population. *Interdisciplinary Journal of Research on Religion*, 7.
- Hackett, R. I., 2025. Sounds Electronic: New sonic mediations of gender and spiritual empowerment. In C. Lorea & R. I. Hackett, eds. *Religious Sounds Beyond the Global North*, Milton Park: Routledge, 130-150.
- Haynes, J., 2009. Conflict, conflict resolution and peace-building: The role of religion in Mozambique, Nigeria and Cambodia. *Commonwealth & Comparative Politics*, 47(1), 52-75.
- Hegertun, N. H. W., 2010. *Faith-based mediation: Sant'Egidio's peace efforts in Mozambique and Algeria*. Master's thesis, University of Oslo.

- Hitlan, R. T., & J. Noel, 2009. The influence of workplace exclusion and personality on counterproductive work behaviours: An interactionist perspective. *European Journal of Work and Organizational Psychology*, 18(4), 477-502.
- Ilo, P., 2015. Faith-based organisations and conflict resolution in Nigeria: The case of the Christian Association of Nigeria (CAN). *Journal of Global Initiatives*, 9(2), 9.
- Inks, L. W., 1992. *An interactionist perspective on work value change*. Doctoral Dissertation, Ohio State University.
- Inter-Religious Council of Kenya (IRCK), 2023. *About us*. Available at: <https://inter-religiouscouncil.or.ke>.
- Irwin, D., & M. Kyande, 2023. Policy advisory committees in Kenya: Interest group participation and effectiveness. *International Review of Public Policy*, 5(1), 5-25.
- Jennings, M., 2013. FBOs in Tanzania. In E. Tomalin, ed. *Handbook of research on development and religion*. Cheltenham: Edward Elgar, 491-504.
- Jennings, M., 2016. 'Common witness, common cause': Beyond boundaries in faith-based development action. In G. Clarke and M. Jennings, eds. *Development across faith boundaries*. Milton Park: Routledge, 26-42.
- Jong, A., 2025. The post-secular cosmopolitanization of religion. *Religions*, 16(3), 334.
- Kapinde, S. A., 2025. 'Mixing religious logics in peacebuilding': An integrated interfaith approach to counter-violent extremism in Kenya. *Theologia Viatorum*, 49(1), 295.
- Kerre, B. W., 2005. Interfaith initiatives-news from the inter-religious council of Kenya (IRCK). *Wajibu* 20(3), 13-14.
- Kuru, A. T., 2009. *Secularism and state policies toward religion: The United States, France, and Turkey*. Cambridge: Cambridge University Press.
- Lunn, J., 2010. *Faith in action: Religious organisations and development in Kolkata, India*. Doctoral dissertation, Royal Holloway, University of London.
- Maritato, C., 2018. Addressing the blurred edges of Turkey's diaspora and religious policy: Diyanet women preachers sent to Europe. *European Journal of Turkish Studies. Social Sciences on Contemporary Turkey*, 27. Available at: <https://doi.org/10.4000/ejts.6020>.
- Maritato, C., 2021. Pastors of a dispersed flock: Diyanet officers and Turkey's art of governing its diaspora. *Italian Political Science Review/Rivista Italiana di Scienza Politica*, 51(3), 321-338.
- Marshall, K., & M. B. Van Saanen. 2007. *Development and faith: Where mind, heart, and soul work together*. Washington, DC: World Bank.
- Mbachirin, A. T., 2006. *The responses of the church in Nigeria to socio-economic, political, and religious problems in Nigeria: A case study of the Christian Association of Nigeria (CAN)*. Doctoral dissertation, Baylor University.

- Mburu, P. W., 2011. *The role of faith-based organizations in the delivery of urban services to the poor*. Doctoral dissertation, Murdoch University.
- Modood, T., 2013. Multiculturalism, citizenship and national identity. In Engin F. Isin, Peter Nyers, Bryan S. Turner, eds. *Citizenship between past and future*. Milton Park: Routledge, 113-122.
- Morrin, A., 2013. *Encounters of development knowledge, identities and practices: Participation of faith-based organisations in multi-stakeholder partnerships for HIV/AIDS mitigation in Botswana (2003-2005)*. Doctoral dissertation, University of East Anglia.
- Mubashir, M. & L. Vimalarajah, 2016. Tradition- and faith-oriented insider mediators (TFIMs) as crucial actors in conflict transformation. *The Network for Religious and Traditional Peacemakers Publication*, 1.
- Murang'ai, P., 2022. *Christian-based interventions to mitigate the effects of interethnic conflict in Njoro Sub-county, 1992-2012*. Doctoral dissertation, University of Nairobi.
- Ndzovu, H. J., 2020. Sacralization of the humanitarian space: Faith-based organizations, mission-aid and development in Africa. In E. Chitando, M. R. Gunda, & L. Togarasei, eds. *Religion and development in Africa*, Bamberg: University of Bamberg Press, 123-136.
- Ney, S., 2014. The governance of social innovation: Connecting meso and macro levels of analysis. In M. D. Jones, E. A. Shanahan, & M. K. McBeth., eds. *The science of stories: Applications of the Narrative Policy Framework in public policy analysis*, New York: Palgrave Macmillan US, 207-234.
- Ngo, M., 2015. *Religious space, transnational space, humanitarian space: Case study of a faith-based organisation on the African migration route*. Doctoral dissertation, Swinburne University.
- Nicol, J. U., C. J. Iwu-Jaja, L. Hendricks, P. Nyasulu, & T. Young, 2022. The impact of faith-based organizations on maternal and child health care outcomes in Africa: Taking stock of research evidence. *Pan African Medical Journal*, 43(1).
- Ochanda, R. M., 2012. Faith organizations and socio-economic welfare in Kenya. *Revista Românească pentru Educație Multidimensională*, 4(3), 81-105.
- Ogunbadejo, A. V. & C. M. Ojo. 2024. The Christian Association of Nigeria and national unity. *American Journal of Multidisciplinary Research & Development*, 6(3), 58-66.
- Oko, A. E., 2015. The role of the Christian Association of Nigeria in the management of socio-religious conflicts in Nigeria. *Contemporary Journal of Interdisciplinary Studies*, 2(2), 287-305.
- Olarinmoye, O. O., 2024. Faith-based organizations and social welfare: Associational life and religion in Nigeria. In M. Glatzer, P. C. Manuel, & C. Gus-

- tafson, eds. *Faith-based organizations and social welfare in contemporary Africa and Latin America*. Cham: Springer, 241-269.
- Olorunnimbe, M. O., 2017. An appraisal of the contributions of the Christian Association of Nigeria on Nigerian society. *HUMASS Journal*, 1(2), 34-46.
- Olowo, A. F., 2021. *A discourse on inter-religious tension in a pluralized Nigeria: Examining the role of interfaith dialogue as a panacea*. Master's thesis, Hamad Bin Khalifa University.
- Olupona, J. K., 2014. *African religions: A very short introduction*. Oxford: Oxford University Press.
- Orebiyi, T. P., 2019. *An assessment of faith-based organisations and peacebuilding in Kaduna State, Nigeria, 1999-2012*. Doctoral dissertation, University of Ibadan.
- Philpott, D. 2019. *Religious freedom in Islam: the fate of a universal human right in the Muslim world today*. Oxford: Oxford University Press.
- Rakodi, C., 2014. Religion and social life in African cities. In E. Pieterse & S. Parnell, eds. *Africa's urban revolution*. London: Zed Books, 82-109.
- Raza, F., 2020. Limitations to the right to religious freedom: Rethinking key approaches. *Oxford Journal of Law and Religion*, 9(3), 435-462.
- Rheeder, A. L., 2017. Faith and health care in sub-Saharan Africa: An ethics evaluation of faith-based organisations. In M. Welker, N. Koopman, & J. M. Vorster, eds. *Church and civil society: German and South African perspectives*. Stellenbosch: African Sun Media, 333-368.
- Riedl, R. B., 2012. Transforming politics, dynamic religion: Religion's political impact in contemporary Africa. *African Conflict and Peacebuilding Review*, 2(2), 29-50.
- Rugar, D., 2020. *Role of religious organizations in conflict and peacebuilding in sub-Saharan Africa*. Doctoral dissertation, University of Nairobi.
- Sampson, E., 2020. *The role of civil actors in peace mediation and post-war reconstruction: A focus on Nigeria*. Doctoral dissertation, University of Huddersfield.
- Sarangi, S., 2005. Social interaction, social theory and work-related activities. *Calidoscópio*, 3(3), 160-169.
- Schwarz, T. B., 2018. *Faith-based organizations in transnational peacebuilding*. London: Bloomsbury.
- Scolnicov, S., 2011. After Irony: Reading Plato Seriously. *Arctos-Acta Philologica Fennica*, 45, 123-131.
- Sorensen, E. & J. Torfing, 2016. The politics of self-governance in meso level theories. In E. Sørensen & P. Triantafyllou, eds. *The politics of self-governance*. Milton Park: Routledge, 43-60.

- Storer, E., 2025. Negotiating faith in exile: Learning from displacements from and into Arua, North West Uganda. *Global Policy*, 16(1), 114-125.
- Teague, C., D. Leith, & L. Green, 2013. Symbolic interactionism in safety communication in the workplace. *Studies in Symbolic Interaction*, 40, 175-199.
- Thornton, A., M. Sakai, & G. Hassall, 2016. Givers and governance: The potential of faith-based development in the Asia Pacific. In C. Rakodi, ed. *Religion, religious organisations and development*. Milton Park: Routledge, 159-171.
- Tzanakis, M., 2013. Social capital in Bourdieu's, Coleman's and Putnam's theory: Empirical evidence and emergent measurement issues. *Educate*, 13(2), 2-23.
- Wafula, N. M., 2014. *The role of the church in promoting reconciliation in post-election violence Kenya (2008-2013)*. Unpublished thesis, University of Nairobi.
- Wambugu, J. W., & D. Kyalo, 2024. Religious leaders' stewardship and COVID-19: A sustainable approach to advocacy on health emergency response in Kenya. *European Journal of Development Studies*, 4(4), 1-6.
- Wazynska-Finck, K. & F. Finck. 2013. The right to change one's religion according to Article 18 of ICCPR and the universality of human rights. *J. Islamic St. Prac. Int'l L.*, 9, 36.
- Widmer, M., A. P. Betran, M. Merialdi, J. Requejo, & T. Karpf. 2011. The role of faith-based organizations in maternal and newborn health care in Africa. *International Journal of Gynecology and Obstetrics*, 114(3), 218-222.

Identity choice, intercultural learning and inclusive citizenship:

Advocacy by British civil society for ethno-religious accommodation in the workplace

Pier-Luc Dupont,¹ Thomas Sealy² and Tariq Modood³

Abstract

Drawing on semi-structured interviews with the leaders of civil society organisations that represent or advocate for ethno-religious minorities in Britain, this article reconstructs the justifications they put forward for religious freedom and accommodation in the workplace. Findings suggest that, in line with theories of multiculturalism, progressive and pro-diversity political actors view ethno-religious accommodation as a way of promoting individual choice of religious and national identities, intercultural dialogue and learning, and inclusive conceptions of citizenship. In this sense, they conceive demands for accommodation as part of a struggle for respect or recognition, and workplaces as a key site where this struggle unfolds.

Keywords

Ethno-religious accommodation, multiculturalism, deliberation, recognition, national identity, Muslims.

1. Introduction

Whether and why religious practices that conflict with employer policies should be accommodated, either through individual exemptions or a general revision of

1 Dr Pier-Luc Dupont Picard is Lecturer in Politics, Philosophy and International Relations at Swansea University Comparative Politics and Policy Research Centre. This work was funded by Humanities in the European Research Area (HERA) through the project PLURISPACE: Negotiating Diversity in Expanded European Public Spaces (grant number HERA.2.057). The authors thank all research participants as well as their PLURISPACE partners at Sciences Po, University of Oslo and Pompeu Fabra University for the comparative design of the project, led by Riva Kastoryano, John Erik Fossum, Tariq Modood and Ricard Zapata-Barrero. This article uses British English. Article submitted: 16 Sept 2025; accepted 27 March 2026. Email: p.l.dupont@swansea.ac.uk. ORCID: 0000-0003-1610-4667.

2 Dr Thomas Sealy is Senior Lecturer, School of Sociology, Politics and International Studies at the University of Bristol Centre for the Study of Ethnicity and Citizenship. Email: thomas.sealy@bristol.ac.uk. ORCID: 0000-0002-3211-6900.

3 Prof Tariq Modood is Professor of Sociology, Politics and Public Policy, School of Sociology, Politics and International Studies, University of Bristol. Email: T.Modood@bristol.ac.uk. ORCID: 0000-0001-8712-5508.

those policies, has been a contentious issue in predominantly Christian but highly secularised Western societies. While some controversies have concerned the demands of observant Christian workers, many have involved claims made by ethno-religious minorities, especially Muslims. Notable examples have included requests to adjust working time to Islamic worship and holidays, cater to Islamic dietary norms, offer prayer spaces, and allow visible expressions of the Muslim faith in dress (e.g. the hijab, jilbab or niqab) and grooming styles (such as long beards).⁴ In addition to enabling Islamophobic rhetoric and triggering the creation of high-profile public commissions,⁵ these debates have encouraged many public and private employers to develop sweeping bans on religious expression in the workplace, often justified by a language of ‘secularism’ or ‘neutrality.’⁶

In part to counteract their limited representation in political institutions, Muslims have responded by lodging a series of complaints in domestic and international courts, alleging violations of their fundamental rights to religious freedom and protection from discrimination on the grounds of religion.⁷ The relative weakness of international legal duties has come to the fore in a series of cases upholding blanket bans on the display of religious symbols such as hijabs and turbans by teachers and students.⁸ This being said, the European Court of Human Rights has proved willing to push back against interferences with religious freedom that were not couched in secularist terms. In the 2013 case of *Eweida*,⁹ it found that British Airways’ temporary refusal to allow the wearing of a visible cross by a Coptic Christian employee violated Article 9 (on religious freedom) and Article 14 (on non-discrimination) of the European Convention on Human Rights. The ruling marked a significant departure from previous judicial expectations that aggrieved employees should simply look for a new job.¹⁰

These judicial developments have received considerable attention from legal and political theorists, who have reconstructed and critically assessed the

4 K. Alidadi, M. C. Foblets & J. Vrieliink (Eds.). (2016). *A test of faith? Religious diversity and accommodation in the European workplace*. Routledge; K. Alidadi (2017). *Religion, equality and employment in Europe: The case for reasonable accommodation*. Hart.

5 S. Lefebvre & P. Brodeur (Eds.). (2017). *Public commissions on cultural and religious diversity: Analysis, reception and challenges*. Routledge.

6 L. Vickers (2014). The relationship between religious diversity and secular models: An equality-based perspective. In M.-C. Foblets, K. Alidadi, J. Nielsen & Z. Yanasmayan (eds). *Belief, law and politics: What future for a secular Europe?* Ashgate, 123-128.

7 K. Alidadi & M. C. Foblets (2012). Framing multicultural challenges in freedom of religion terms: Limitations of minimal human rights for managing religious diversity in Europe. *Netherlands Quarterly of Human Rights*, 30(4), 388-416.

8 P. L. Dupont (2018). Perpetuating anti-Muslim discrimination through the interpretation of religious equality in the European Court of Human Rights. *Journal of Muslims in Europe*, 7(1), 27-46.

9 *Eweida and Others v United Kingdom*, App no 48420/10 (ECtHR, 15 January 2013).

10 R. McCrear (2014). Religion in the Workplace: *Eweida and Others v United Kingdom*. *The Modern Law Review*, 77(2), 279.

arguments put forward by claimants (see section 2 of this paper). Existing academic analyses, though insightful, have paid comparatively little attention to non-legal and extra-institutional discourses in civil society. From an empirical and normative perspective, this comparative neglect is consequential since the arguments put forward by highly specialized and committed activists are often more informed, detailed and transformative than those of generalist courts and policymakers.¹¹ Therefore, they can reveal experiences and aspirations that are rarely articulated by other stakeholders and are often excluded from the political arena, as well as foreshadowing future developments in human rights litigation.¹² Civil society arguments can also shed indirect light on everyday workplace negotiations, which sometimes involve third-party experts.¹³ Although sociological research conducted in Belgium suggests that business concerns often take priority in such negotiations,¹⁴ the way in which these interests are weighed against worker demands depends partly on broader political values and norms, whether or not these surface explicitly.¹⁵

This article explores how grassroots charities, faith-based umbrella organisations and think tanks supporting ethno-religious communities through tailored service provision and political advocacy justify the need for religious freedom and accommodation in and beyond the workplace. It also examines whether their rationales align with those found in legal and political theory, with a focus on the multiculturalist tradition, broadly defined.¹⁶ Our analysis seeks to enable cross-fertilization between descriptively ‘thick’ forms of political sociology and more normative political theory, an approach developed within the Bristol School of Multiculturalism that has alternatively been characterised as contextual political theory or normative sociology.¹⁷ In line with this approach,¹⁸ we foreground the bottom-up political agency and claims of organised ethno-religious minorities. Although we bring these claims into dialogue with liberal principles, we refrain from treating specific interpretations of liberalism as a boundary condition for their legitimacy.

11 P. L. Dupont (2022). Religious governance and the politics of equality in education. *Ethnic and Racial Studies*, 45(5), 966-987.

12 C. Nardocci (2026). Accommodating religious minorities before the EU Court of Justice: Any standing for non-governmental organizations and legal entities? *International Journal for Religious Freedom*, 19(1), 1-17.

13 A. C. Budabin & Z. Saifir (2026). Religious assertion from below: Religious actors representing new religious minorities in workplace accommodation, *International Journal for Religious Freedom*, 19(1), 95-113.

14 I. Adam & A. Rea (2018). The three “I” s of workplace accommodation of Muslim religious practices: Instrumental, internal, and informal. *Ethnic and Racial Studies*, 41(15), 2711-2730.

15 Alidadi, *Religion, equality and employment in Europe*, 233.

16 Geoffrey B. Levey (2025). *Research handbook on multiculturalism*. Edward Elgar.

17 T. Modood & S. Thompson (2018). Revisiting contextualism in political theory: Putting principles into context. *Res Publica*, 24, 339-357; T. Modood (2022). Bristol School of Multiculturalism as normative sociology. *Civic Sociology* 3(1), 57379.

18 G. Brahm Levey (2019). The Bristol School of Multiculturalism. *Ethnicities*, 19(1), 205.

The empirical context is the contemporary United Kingdom, a society that has been identified alongside Canada, Australia, New Zealand, Sweden and Finland as comparatively hospitable to multicultural policies for minorities formed through immigration (including Muslim minorities).¹⁹ Assuming a general correlation between public policies and socio-political values in democratic states, such a context appears favourable to the unearthing of complex diversity narratives which may be difficult to find in societies where ethno-religious assimilation is more strictly enforced, such as Austria, Italy, France, Denmark, Switzerland and the Netherlands.²⁰ Since British Muslims, who make up 6 percent of the population and overwhelmingly identify as non-white,²¹ have nevertheless grappled with similar forms of racialised Islamophobia to their counterparts in other societies,²² our findings arguably hold broader relevance for the comparative politics of ethno-religious accommodation in the workplace.

The article proceeds in four main steps. Section 2 briefly reviews how the case for religious accommodation has been developed in multiculturalist theory. Section 3 explains how the views of civil society actors presented in this article were gathered and analysed. Sections 4 to 6 reconstruct civil society rationales for religious accommodation, paying specific attention to its manifestations and implications in the workplace. The conclusion highlights areas of convergence, as well as some differences, between academic and civil society arguments.

2. Theoretical perspectives on religious accommodation

Previous research examining UK civil society discourses around the governance of ethno-religious diversity has shown that despite the Europe-wide rejection of the term ‘multiculturalism’ in the early 2000s,²³ the ideas around cultural recognition, accommodation and inclusion that developed within multiculturalist theory continue to animate grassroots politics.²⁴ These ideas are often qualified, rather than displaced, by a concern to foster everyday contact between racial, ethnic and religious groups, most fully theorised by

19 Multiculturalism Policy Index. Available at: <http://www.queensu.ca/mcp/>.

20 Ibid.

21 M. Asaria, M. Asaria, S. Shafi, J. Sherif, F. Sunderji, & Z. Uddin (2024). *British Muslims: Striving for fairness*. Muslim Council of Britain, 8. Available at: <https://tinyurl.com/mwd46h76>.

22 T. Modood (2005). *Multicultural politics: Racism, ethnicity and Muslims in Britain*. Edinburgh University Press; T. Modood, A. Triandafyllidou, & R. Zapata-Barrero (2006). *Multiculturalism, Muslims and citizenship*. Routledge; N. Meer (2010). *Citizenship, identity and the politics of multiculturalism: The rise of Muslim consciousness*. Palgrave Macmillan; K. Elshayyal (2019). *Muslim identity politics: Islam, activism and equality in Britain*. I. B. Tauris.

23 S. Vertovec & S. Wessendorf (2010). *The multiculturalism backlash: European discourses, policies and practices*. Routledge.

24 P. L. Dupont, T. Sealy, & T. Modood (2023). The relation between multiculturalism, interculturalism and cosmopolitanism in UK diversity politics. *Identities*, 30(6), 785-804; T. Sealy, P. L. Dupont, & T. Modood (2025). Difference and diversity: Combining multiculturalist and interculturalist approaches to integration. *The Sociological Review*, 73(1), 104-122.

‘interculturalist’ critics of multiculturalism.²⁵ While organisations vary with regard to the respective emphasis they place on multicultural recognition and intercultural contact, contemporary diversity politics is best described as simultaneously shaped by multiculturalism and interculturalism, as well as related normative paradigms such as anti-racism and cosmopolitanism. Since the accommodation of minority religious practices in and beyond the workplace, a specific but important aspect of religious governance, has primarily been discussed by multiculturalist thinkers, this overview of the literature will focus on multiculturalist work.

Broadly speaking, legal and political theorists of multiculturalism have put forward four distinct reasons for conceiving accommodation as a fundamental principle of justice: psychological integrity; equal political participation; cultural dialogue and enrichment; and recognition and belonging. Whereas the first two reasons are endorsed by nearly all theorists, the latter two play a more peripheral role in the pro-diversity literature, in the sense that they are articulated by fewer theorists and may not be relevant for all practices or in all workplaces. Since these secondary or contingent reasons generally build on the primary, more widely applicable ones, this brief literature review will start by setting out the core reasons and use them as a basis on which to scaffold the secondary ones.

The fundamental empirical and normative insight underlying defences of religious accommodation is that religious practices frequently express deep, meaningful or existential commitments, and that prohibiting or disrupting them would compromise believers’ psychological integrity. In some cases, living out these commitments (including at work) is perceived as a moral obligation, and renouncing them would amount to acting against the believer’s convictions or conscience. Even when this sense of moral duty is absent, religious workers may view the practice as required by a community that allows them to pursue significant purposes, and they may wish to maintain the practice in order to retain their position as respected members of this community. While the perceived importance, morality and social implications of specific practices inevitably evolve over time, adapting to this evolution while maintaining existential meaning, self-coherence and self-esteem normally requires adherents to develop authentic narratives that can help them to make sense of the change. Since this is almost impossible to do when the change is externally imposed and rapid, workers can perceive organisational requirements interfering with their

25 T. Cante (2012). *Interculturalism: The new era of cohesion and diversity*. Palgrave Macmillan; R. Zapata-Barrero (2016). Theorizing intercultural citizenship. In N. Meer, T. Modood and R. Zapata-Barrero (eds) *Multiculturalism and interculturalism: Debating the dividing lines*. Edinburgh University Press, 53-76.

religious practices as unacceptable and certain employment opportunities as therefore out of their reach.²⁶

In democratic societies and organisations attuned to the wellbeing and preferences of citizens and workers, strong commitments, convictions and social norms are normally taken into account during policymaking and are therefore unlikely to be compromised by general rules and practices. However, this pattern does not necessarily hold for ethno-religious minorities, whose commitments are regularly overlooked by policymakers due to ignorance, incomprehension, indifference or hostility. Seen in this light, the obligation to heed and accommodate ethno-religious practices appears as a way to empower oppressed minorities, ensure that their interests are adequately weighed when formulating and implementing laws and policies, and allow them to act as equal citizens. In some cases, this can be achieved by devising a new general policy that will be acceptable to all interested parties. In other cases, divergences in commitments may be such that workers' wellbeing and democratic equality can be achieved only by applying different rules (for example, around working times or dress codes) to different religious groups.²⁷

Enhancing the deliberative processes that precede the adoption of organisational policies can not only allow the peaceful co-existence of diverging commitments but can also transform these commitments and reduce the conflicts between them over time. As indicated above, subjectively important beliefs and practices typically evolve, and the exchange of views on both religious and secular commitments can lead parties to incrementally revise their own values and behaviour, provided that the dialogue is respectful and genuine. In this sense, religious accommodation and associated deliberations provide an opportunity for all groups to explore different perspectives and ways of life, obtain fresh insights into the strengths and limitations of their own group, and sometimes

-
- 26 A. Robinson (2007). *Multiculturalism and the foundations of meaningful life: Reconciling autonomy, identity and community*. UBC Press, 56-63; A. Eisenberg (2009). *Reasons of identity: A normative guide to the political and legal assessment of identity claims*. Oxford University Press, 91-117; L. Beaman (2011). Assessing religious identity in law: Sincerity, accommodation, and harm. In A. Eisenberg and W. Kymlicka (eds), *Identity politics in the public realm: Bringing institutions back in*. UBC Press, 238-259; J. Maclure (2011). Reasonable accommodations and the subjective conception of freedom of conscience and religion. In A. Eisenberg and W. Kymlicka (eds), *Identity politics in the public realm: Bringing institutions back in*. UBC Press, 260-280; P. Jones (2015). Liberty, equality and accommodation. In V. Uberoi and T. Modood (eds), *Multiculturalism rethought: Interpretations, dilemmas and new directions*. Edinburgh University Press, 126-156; C. Laborde (2017). *Liberalism's religion*. Harvard University Press, 197-217; J. Waldron (2002). One law for all? The logic of cultural accommodation. *Washington and Lee Law Review*, 59(1), 3-34.
- 27 C. Eisgruber & L. Sager (1994). The vulnerability of conscience: The constitutional basis for protecting religious conduct. *University of Chicago Law Review*, 60, 1245-1315; A. Shorten (2010). Cultural exemptions, equality and basic interests. *Ethnicities*, 10(1), 100-126; J. Jacob Levy (2010). Multicultural manners. In M. Seymour (ed), *The plural states of recognition*. Palgrave, 61-77; P. T. Lenard (2025). Deliberative and contextual approaches to multiculturalism. In G. B. Levey (ed). *Research Handbook on Multiculturalism*. Edward Elgar, 138-145.

adopt new practices. In the ideal scenario, the results enrich both majority and minority cultures, broaden the opportunities available to their members, build empathy, cooperation and solidarity between religious and non-religious groups, and reduce polarisation. When deliberations are conducted in an inclusive way, such ongoing cultural critique and dynamism can be especially beneficial for ‘minorities within minorities,’ or people subjected to multiple and intersectional discrimination.²⁸

Finally, the intercultural learning facilitated by ethno-religious minorities’ active participation in public debates, as well as their visible presence in public spaces and positions of authority, can increase their social status, reduce perceptions that they pose a cultural or material threat, and make national and other collective identities more ethno-religiously inclusive. While detailed cultural discourses, close interpersonal relationships and deep self-disclosure are especially effective in this regard, the mere display of recognisable religious symbols (such as the hijab) in the performance of everyday labour can be enough to transform collective prototypes and create shared belonging. Since being seen as and feeling that one is part of a community promote participation in that community, the accommodation and recognition of ethno-religious minorities can be a self-sustaining process that gradually erodes religious prejudices and the broader connection between religious identities and inequality.²⁹

3. Methodology

The views on religious accommodation presented in this article were collected through semi-structured interviews with senior representatives of civil society organisations representing religious minorities or otherwise active in the field of race equality and diversity in Britain. A list and brief description of the organisations are provided in Table 1. All organisations supported religious minorities’ economic participation directly or indirectly, not only through campaigning and political advocacy but also by producing rigorous research on the topic (British Future, Runnymede Trust, Race Equality Foundation); mentoring minority work-

-
- 28 B. Parekh (2000). *Rethinking multiculturalism: Cultural diversity and political theory*. Macmillan, 264-294; A. S. Laden (2007). Negotiation, deliberation, and the claims of politics. In A. S. Laden and D. Owen (eds), *Multiculturalism and political theory*. Cambridge University Press, 198-218; M. Malik (2014). Religious freedom and accommodation in the United Kingdom. In M.-C. Foblets, K. Alidadi, J. Nielsen and Z. Yanasmayan (eds), *Belief, law and politics: What future for a secular Europe?* Ashgate, 89-90; M. Deveaux (2006). *Gender and justice in multicultural liberal states*. Oxford University Press, 89-126; S. Song (2007). *Justice, gender, and the politics of multiculturalism*. Cambridge University Press, 41-84; A. Shachar (2004). *Multicultural jurisdictions: Cultural differences and women’s rights*. Cambridge University Press, 117-145.
- 29 E. A. Galeotti (2002). *Tolerance as recognition*. Cambridge, 115-136; M. Tariq (2007). *Multiculturalism: A civic idea*. Polity; Cécile Laborde (2008). *Critical republicanism: The hijab controversy and political philosophy*. Oxford University Press; P. L. Dupont (2016). Human rights and substantive equality in the adjudication of ethnic practices. *Nordic Journal of Human Rights*, 34(4), 289-313; T. Modood & T. Sealy (2024). *The new governance of religious diversity*. Polity, 99-121.

ers in key employment sectors such as journalism, culture, education and charities (Black South West Network, Muslim Engagement and Development); supporting victims of discrimination (Stand against Racism and Inequality); offering diversity training in the public and private sectors (Nilaari, Brent Multi Faith Forum); or advising the unemployed (Somali Advice and Forum of Information).

The sample was designed to capture the accommodation rationales of progressive and pro-diversity elites, as opposed to all elite views. This targeted approach primarily derives from our aim of exploring the social embeddedness of arguments developed in the political theory of cultural diversity, and the contextual ways in which they are articulated. Sampling civil society elites rather than the broader citizenry allows us to uncover comparatively detailed and systematic rationales that are informed by sustained reflection, collaboration with minority workers and participation in political debates. In this sense, the sample maximises the methodological strengths of semi-structured interviews as opposed to less targeted forms of data collection, such as the retrieval of written policy statements. Given the predominance of majority perspectives in political and media discourses, focusing on minority narratives can also shed light on frequently overlooked normative paradigms and therefore expand our understanding of contemporary political ideas. Since the dominant perspectives themselves are largely and intentionally omitted from our sample, the analysis should not be interpreted as reflecting the whole landscape of accommodation politics in Britain.

Interviews were conducted on Zoom between May and September 2021, and each one lasted approximately one hour. The questions were designed to gauge respondents' positions on four pro-diversity paradigms broadly distilled from political and social theory, namely multiculturalism, interculturalism, transnationalism and cosmopolitanism, without naming the paradigms themselves. Only the questions related to the first two paradigms, reproduced in Table 2, directly tap into views on religious accommodation and are discussed here. Many of the questions referred to culture and ethnicity rather than religion, and only one question directly mentioned the workplace. Yet given the frequent intertwining of racial, ethnic and religious identities, as well as the religious (and specifically Muslim) character of several organisations in the sample, respondents often mentioned religion spontaneously. Likewise, employment was a recurring theme in respondents' narratives. To maintain the natural flow of the conversation, both the phrasing and the order of the questions varied across interviews. Follow-up questions were also asked when appropriate to clarify responses or probe specific views more deeply.

All interviews were recorded, transcribed and thematically analysed. As a first stage, views were coded against the four paradigms and synthesised in an internal report for the research team. Second, multiculturalist and intercultural-

ist views within the report were re-coded against theoretical rationales for religious accommodation, and references to the workplace were specifically singled out. The most developed and salient views were then used to reconstruct civil

Table 1. Civil society leaders interviewed*

Organisation	Self-description	Location	Interviewee	Role
Black South West Network	Black-led racial justice charity	Bristol	Sado Jirde	Director
Brent Multi Faith Forum	Organisation advocating for 21 faith communities in the London Borough of Brent	London	Frank Dabba Smith	Member and former chair
Bristol Muslim Cultural Society	Charity advising public bodies on issues affecting Muslim communities in Bristol	Bristol	Ismaeel Akram	Director of Operations
British Future	Think tank specialising in public attitudes toward immigration, integration, race and identity	National	Sunder Katwala	Director
Muslim Council of Britain	Umbrella body for British Muslim organisations including mosques, schools, charitable associations and professional networks	National	Zara Mohammed	Secretary General
Muslim Engagement and Development (MEND)	Charity supporting Muslim involvement in British media and politics	National	Anonymised	Anonymised
Nilaari	Minority-led charity delivering social care support, talk therapies and training to adults and young people in Bristol	Bristol	Shelagh Hetreed	Training Coordinator and Business Officer
Race Equality Foundation	Charity promoting race equality in social support and public services	National	Jabeer Butt	Chief Executive
Runnymede Trust	Race equality think tank	National	Halima Begum	Chief Executive
Somali Advice and Forum of Information	Community-based organisation founded in Brent and led by British-Somali mothers	London	Rhoda Ibrahim	Chief Executive Officer
Stand against Racism and Inequality	Community-oriented agency providing support to victims of hate	Bristol	Alex Raikes	Director
St Paul's Carnival	Charity bringing African Caribbean history and the heritage of Carnival to communities	Bristol	LaToyah McAllister Jones	Executive Director
* Adapted from P. L. Dupont, T. Sealy, & T. Modood (2023). The relation between multiculturalism, interculturalism and cosmopolitanism in UK diversity politics. <i>Identities</i> , 30(6), 785-804.				

Table 2. Interview guide

Do you think people can/should have hyphenated or multiple identities, such as British-Muslim, British-Asian, or Black British, or should everyone just be British? Why or why not?
Do you use race, ethnicity or religion to identify those you work for and, if so, why? If not, why not?
Do you think governments should target some policies to specific ethnic, religious or racial groups? Would this be a form of equal or unequal treatment? Can you provide some good or bad examples?
Should laws and policies actively help people retain their identities and cultures? What are the advantages and risks of doing this? What can it look like in practice?
Should people be protected from having their cultural identities disparaged in the public sphere? If so, how? What (if anything) should the state do to promote positive discourses on minority cultures?
Do you think cultural diversity is an advantage or a problem and a source of conflict? Can you give me some arguments and examples?
Is there enough contact between people from different national and cultural backgrounds in the public space, such as in parks, streets or markets?
Do you think people from different national or cultural backgrounds are sufficiently present/visible in public sector jobs? If not, is it a problem?
In managing diversity, do you think policies should focus on differences between people or on what is common and shared?
Can you think of policies promoting contact between people from different national and cultural backgrounds? Can you give me two examples of good practice in this sphere?

society discourses evoking each theoretical rationale. Like our approach to sampling, this analytical method is especially suitable for unpacking the normative assumptions underlying political claims, some of which are often left implicit and best identified through inter-discursive interpretation. However, it does come at the cost of backgrounding individual organisational perspectives and potentially obscuring areas of disagreement. Because data collection and analysis were guided by multiculturalist and interculturalist concepts, the findings may also overlay the centrality of these ideas in organisations' concerns and claims.

4. Psychological integrity: Protecting ethno-religious identification

Like theorists of multiculturalism, the civil society leaders interviewed generally concur that people should be free to choose, maintain and cultivate ethno-religious identities. British Future asserts that 'the strength of someone's faith identity or heritage from their parents should be up to them,' and Bristol Multi Faith Forum considers that migrants and minorities should have the right to preserve their culture if they wish. Others specify that people should also be able to express their identities openly. According to Stand Against Racism and Inequality, 'The more we can explain our identity and be able to be out and proud about it, the better. ... You want to be able to take your whole person to work, to different parts of your life and feel safe about that.' The Muslim Council of Britain points out that 'Islam isn't a religion that you keep in a cupboard, it's literally one that you live just from wearing the headscarf.'

Respondents expressed wide agreement that religious and national identifications need not be mutually exclusive, and that many people want to retain and express their religious identities while participating in national life. Hence, MEND strongly rejects the either/or choice between being Muslim and British: ‘British Muslims want to be British Muslims. They want to be British and they want to practice their faith and there is no conflict between the two.’ The organisation’s representative illustrates this with their own volunteers, who are ‘wholly participating in British society, wanting to get involved in politics, wanting to get involved in media – many of our volunteers are highly professional’. British Future notes that hyphenated citizenship identities have been quite common in Britain, particularly for minorities whose faith is prominent. The Muslim Council of Britain ratifies this state of affairs:

Many of us [Pakistanis], we feel really British. It depends how cultural you are in your upbringing and stuff. For me this is home, this is where I am building a life and that’s why those multiple identities are really important, because a British Pakistani is very different from a Pakistani Pakistani. We’re really different in our thinking, ideas and vision.

Nevertheless, respondents consider that the relative importance of each identity in a person’s life should also ultimately be an individual choice. Bristol Muslim Cultural Society notes that ‘some people are more than happy to be classed as British Muslim whereas others just want to be classed as British,’ and Brent Multi Faith Forum, with a hint of irony, takes the view that people should be free to closely affiliate with their ‘own community’ or to join into ‘some mythical British [community] whatever that is.’ More generally, St Paul’s Carnival and Runnymede Trust note that everyone’s identity is multi-layered, and several respondents (Runnymede Trust, MEND, Race Equality Foundation and Muslim Council of Britain) emphasise that different aspects of identity surface in different contexts. As the Muslim Council of Britain representative puts it:

I went to do the Hajj pilgrimage and found that you are so British when you are in a foreign place! We queue, we like organisation, and I’ve worked in an international team and I like an agenda. And then my Scottishness comes out when the football’s on, and my cultural identity when it comes to food and weddings and traditions.

According to Black South West Network, ethnic identities often take on special significance when a person is racialised and marginalised, so that the notion of

identifying exclusively as British is a ‘quite idealistic’ one that would probably come from a white British person.

Referring specifically to the workplace, respondents underscore that expressing religious identities often makes people vulnerable to exclusion. MEND claims that Muslim women face a triple gender, ethnic and religious employment penalty, and Runnymede Trust observes that those who wear a hijab do not seem to attain desired jobs or to progress in their careers at the same rate as their white counterparts. To counter these patterns, St Paul’s Carnival insists that employers, especially in the public sector, should raise awareness of inequality and be more inclusive of minorities, for example in how they accommodate religious dress, holidays and diets. MEND explains how it engages with local stakeholders such as police forces, councils and schools, pointing out that councils could generate greater inclusion through simple gestures:

There are really simple things that we have been doing across society with such ease – for example, big companies, or even councils or political functions, whenever there is an event, not always having it in a pub, not always having alcohol. That is something that would make these environments a lot more inclusive for Muslims. When you have a conference, having tea and coffee instead of a bar. ... Just making sure that in everything that we do we are being as inclusive as possible. That can be something for all faiths, for example Jewish communities having prayer spaces or not holding important events on Friday for the Jewish community.

Several respondents (Somali Advice and Forum of Information, Stand against Racism and Inequality, and Nilaari) explicitly endorse the adoption of laws and policies supporting or requiring such initiatives and therefore preventing forced assimilation. As Nilaari puts it:

If you become citizens you’re supposed to integrate but then you should have your identity protected, so that might be the way you dress, if you want to wear a niqab it should be okay, and of course it is okay, except actually it isn’t unless you’re in Easton [a diverse area within the city of Bristol] where you’re used to seeing them.

5. Cultural dialogue and enrichment: Learning from ethno-religious difference

Civil society leaders do not view religious accommodation merely as a way for different groups to peacefully co-exist but also as a vehicle for intergroup dia-

logue, learning and transformation. Hence, Nilaari claims that people want to be ‘valued, respected and listened to’ and St Paul’s Carnival insists that the role of schools and education is to build beyond tolerance:

Tolerant is the least thing that you can be. ... If I am tolerant of you, I would say that I don’t like you very much and I just have to deal with you being in my environment. So the role of the education system is to build ... respect and empathy for the multiple people that live within communities.

Respondents describe minorities’ participation in public life, and the learning it enables, as a source of cultural dynamism and enrichment. Brent Multi Faith Forum sees difference as reflecting the ‘absolute richness, strangeness and mystery of all creation’ and explains how it can be celebrated in and through workplaces:

My engagement with the police very much involved training officers, especially young officers, in the different faiths. I worked with an imam, so here was a rabbi and an imam; we would take turns, whether it was in the synagogue or in the mosque, and we would spend the morning with the officers. [We would discuss] the principles of our faiths and also the fact that they could ask any question that they wanted, no matter how awkward, and we could be really open. The whole idea was about making relationships between people rather than dispensing facts and recipes. Then we would serve a wonderful lunch, [which might be] bagels, smoked salmon and cream cheese, or it would be curries. By the time we were finished with this programme, the vast majority of the officers did not want to go back to work; they wanted to stay. So, it was about making relationships and when we did introductions, the officers would discuss their own sorts of backgrounds. We did that a number of times and worked with hundreds of officers. We also did faith fairs at the Wembley police station, which is a huge station. We set up booths for all these different groups. Food was a part of it and giving away various samples of things, and the officers absolutely loved it.

Bristol Muslim Cultural Society points out that ‘if we are all classed [only] as British, it may not allow us to explore those different values and experiences.’ For the Runnymede Trust, a public space should be created to value minority religions ‘because otherwise, they are being practised in the domestic, private space

where they cannot be shared with anybody.’ To enable this, public space should be constantly renegotiated and evolving rather than static:

There is an implicit assumption that the cultural terrain is neutral already, when it’s not because no public space or country or institution is void of any culture or history. There is already culture and history [baked in] institutions and processes. So when there is a suggestion that, you know, could we make some space and room for other aspects of Britain or France’s fantastic culture – that’s evolving as we speak ... countries evolve as we speak. If there is then an adverse nervous reaction to that, we’re essentially saying that we want to be reactionary to any change that should be a normal part of social process.

The Muslim Council of Britain sees workplaces as ideal sites to tackle disparaging discourses toward minorities, as they bring together people with different views, cultures and identities:

The willingness and the openness to want to understand, not everybody is going to want to understand different religions and different cultures, some people are just not ... they just want to go to work, live their life whatever it is. So there has to be a willingness and an openness to not see difference as a threat, and to want to engage and to learn. I think at the workplace is probably the best place to start, you know, where you’ve got people that are different in views, never mind in just culture and identities. So creating spaces that really support and champion learning and all that kind of stuff, I think, is really positive.

Along similar lines, Runnymede Trust observes, ‘If you look at middle class socio-economic dynamics, there’s a lot of contact there in the professional workplace, around black lawyers, white lawyers or black accountants, white accountants.’

Respondents still identified a number of obstacles to interaction and learning in the workplace and beyond. Demographically, British Future highlights that the elderly tend to be less exposed to intergroup contact than the young. Geographically, mixing may be more common in urban environments, but St Paul’s Carnival points to a Runnymede Trust report³⁰ describing its home city of Bristol as

³⁰ Centre on the Dynamics of Ethnicity/Runnymede Trust (2017), Bristol: A city divided? Ethnic minority disadvantage in education and employment. Available at: <https://tinyurl.com/43e4dv8f>.

one of the most segregated in the country. Stand against Racism and Inequality concurs, noting that many nationalities and cultures can be found in the shops and streets of Bristol's multi-ethnic areas, but in its two biggest shopping centres as well as most restaurants, staff members are overwhelmingly white.

6. Recognition and belonging: Developing a multi-faith British identity

As explained above, religious minority representatives and advocates emphasise the possibility and importance of hybrid ethno-religious and national identities. However, they also deplore that dominant conceptions of Britishness often deny and impede such complex, multiple identifications. As MEND puts it, 'The frustration is trying to be Muslim, but being told they can't be too Muslim. The fact that parents are struggling to get prayer space in schools for their children There is an active repression of Muslim identities, assuming that it is not compatible with being British.'

Bristol Muslim Cultural Society observes that having multiple identities may prevent people from doing certain things, as certain identities have negative connotations. Being seen as British may be advantageous to progress in jobs and careers, yet 'if we don't accept who we are as individuals, then really we are just feeding into the systemic racism problem.' The representative from St Paul's Carnival complains that the call for everyone, including migrants and those of different ethnicities, to identify as British comes with an implicit requirement to 'set down your heritage':

At the moment, identity is at the forefront of how politics is done in the UK; you're either with us or against us. And for those who are British and something else, there is no space to be something else because the push is 'this is our space and you need to be like us.' Even if you put on the clothes of being thoroughly British, you will never fit in, because it's not a part of how you grew up and also the country doesn't accept people like that.

The Muslim Council of Britain notes how Muslims have had their Britishness and their British values called into question, 'so I think it kind of gets to a point where you're born in this country, your parents are born in this country, you've ... what is it that's going to make me, how do I get in, you know, is the passport not enough? Recently with the football team, we've seen that if you're winning, you're great; if you're not winning, you're an immigrant.' According to this respondent, the problem is not new and has historically been faced by other religious minorities, such as Jews:

If you were a postwar Jewish immigrant or Eastern European migrant, you probably felt a level of tension between your faith and your desire to be British. However, that has been resolved. Other groups arrived with plural identities that included the British identity. This is particularly true of the Windrush generation [who came to Britain from the Caribbean after World War II] that grew up with a real sense of being British and was disoriented when they arrived in a society that didn't have the same account of national identity. They thought they were already an in-group but were seen as an out-group.

To address these issues, according to British Future, the state should cultivate citizenship and national identities but should work hard at preventing them from being a barrier due to people's faith or national origins. In other words, it should invest in civic and inclusive versions of citizenship identities, with the aim that migrants' children should have as much ownership over the national identity as they choose to. In addition, the national identity should allow mixed-race people to identify with any part of their heritage, without that becoming a deficit in their British identity.

British Future suggests that there might be 'useful soft ways' of eliminating the assumption that one isn't really British unless one is in the majority group, and other respondents single out employment as a key area through which national identity could be pluralised. Hence, Runnymede Trust mentions Singapore as a country that has made space in the calendar of national holidays for different religions:

I think we could do that in the UK, but we don't. So, for example, when you want to take a day off for Eid, it has to be your day off; it's not actually public holiday, right? We haven't made room for other people's religions and cultures. It falls on the individual to create that space within the national holidays for their celebrations.

Similarly, MEND indicates that employers and other national stakeholders could become more involved with Islamophobia Awareness Month as a way of pluralising national identity:

There are very simple things that we can be doing to promote inclusion. One of the big things that MEND does is Islamophobia Awareness Month, which is a campaign that runs throughout November. The idea is that police forces, schools, councils, universities, political representatives, and basically all national stakeholders spend the month dedicated

to highlighting and raising awareness about Islamophobia in the UK and highlighting the contributions of Muslim communities in the UK. So getting involved with those campaigns and with Black History Month – all these things can contribute to creating a more inclusive society.

7. Conclusion

The civil society discourses analysed in this article demonstrate that justifying the accommodation of minority religious practices in workplaces is not an exclusively legal or academic concern but also an important area of advocacy in the British context. The discourses also reveal considerable alignment between the rationales for accommodation developed in multiculturalist theory and those endorsed by progressive and pro-diversity civil society leaders. Intriguingly, the contribution of ethno-religious accommodation to the mitigation of power inequalities and the promotion of democratic deliberation is discussed less often and systematically than are issues of identity choice and psychological integrity, cultural dialogue and enrichment, and recognition and belonging. While this comparative neglect may be partly an artifact of our interview guide, it could also reflect the protracted decline of British trade unions and the participatory values they embody and promote.

Delving into individual rationales sheds light on the potential strengths, shortcomings and appeal of various theoretical arguments. For example, civil society leaders insist on the meaningfulness of religious and national identities in many people's lives, but they equally emphasise the need for these identities to be freely chosen and expressed in context. In this way, they integrate both the multiculturalist insight that identities are frequently valued or cherished by their bearers and the interculturalist critique that policies should not confine people to externally ascribed groups.

One reason why minorities sometimes wish to express their religious identities, either at work or in the broader public space, is to be noticed and respected. Respondents in this study insist that Muslims often feel strongly British despite suffering discrimination and exclusion, and that they wish to make British identity more inclusive by participating in economic life (and other areas). Insofar as national policies such as official holidays and Islamophobia Awareness Month shape employer practices, leaders perceive a dialectical relationship between occupational and national identities. This view chimes with the argument, most developed within the Bristol School of Multiculturalism, that recognition is an ongoing struggle waged from the bottom up rather than a policy endpoint,³¹ and

³¹ G. Brahm Levey (2018). The Bristol School of Multiculturalism. *Ethnicities*, 19(1), 204-207.

it suggests that demanding ethno-religious accommodation in the workplace constitutes an integral part of this struggle.

Civil society leaders also indicate that the struggle for recognition can be achieved only through dynamic and creative, rather than reactionary and defensive, forms of cultural transmission, as multiculturalists have continuously acknowledged and re-emphasised in response to interculturalist critiques.³² Leaders insist that dominant cultures can be enriched through dialogue with ethno-religious minorities and that workplaces offer important opportunities for learning, whether in the context of targeted diversity-related events or informal interaction among diverse workers. Opportunities for such learning nevertheless vary by class, geography and age, suggesting a need to pay greater attention (in both theory and practice) to the dynamics of ethno-religious accommodation in specific industries, occupations and localities, as well as beyond the workplace itself.

³² T. Modood (2017). Must interculturalists misrepresent multiculturalism? *Comparative Migration Studies*, 5(1), 15.

Noteworthy

The noteworthy items described here are structured in three groups: annual reports and global surveys, regional and country reports, and specific issues. Though we apply serious criteria in the selection of items noted, it is beyond our capacity to scrutinize the accuracy of every statement made. We therefore disclaim responsibility for the contents of the items noted. The compilation was produced by Janet Epp Buckingham.

Annual Reports and Global Surveys

2026 Annual Report

USCIRE, 4 March 2026

<https://tinyurl.com/bdhyh3hv>

This report documents religious freedom conditions throughout 2025 and sets forth US policy recommendations to the President, the Secretary of State, and US Congress to advance freedom of religion or belief abroad. Eighteen countries are recommended for Country of Particular Concern (CPC) designation and 11 for the Special Watch List.

2026 GCR Red List

Global Christian Relief, 8 January 2026

<https://globalchristianrelief.org/resources/red-list>

This annual report covers the countries with the highest rate of Christian persecution. It is based on data from the International Institute for Religious Freedom's Violent Incidents Database.

World Watch List 2026

Open Doors, 14 January 2026

<https://www.opendoors.org/en-US/persecution/countries/>

This is Open Doors International's annual report on the 50 countries where Christians face the worst persecution. North Korea was the top country, with Somalia and Yemen close behind.

Regional and Country Reports

Algeria: Country Update

USCIRE, April 2026

<https://tinyurl.com/33vzb3y7>

This report identifies interrelated challenges and ongoing religious freedom restrictions in Algeria, with particular attention to state limitations on access to religious materials and the wider legal environment shaping FoRB in that country.

China: The Supremacy of the Party: China’s Weaponisation of Legislation and Policy to Curtail Freedom of Religion or Belief

Christian Solidarity Worldwide, 1 December 2025

<https://www.csw.org.uk/chinareport2025.htm>

With an extensive analysis of case studies, this report documents the expansion of violations of FoRB in China. The ‘sinicisation’ of religion, which refers to the effort to reshape religions comprehensively to make them consistent with Chinese Communist Party (CCP) ideology and to promote allegiance to the party and President Xi Jinping, is at the root of increased persecution.

Democratic People’s Republic of Korea: “Daring to Even Dream of Freedom”: North Korean Women in the Hermit Kingdom, China, and South Korea

Jubilee Campaign, North Korea Freedom Coalition, March 2026

<https://tinyurl.com/3t2j7j7y>

This report documents the serious and ongoing repression North Korean women face.

Democratic Republic of the Congo: Nonstate Violators of Religious Freedom in the DRC

USCIRF, March 2026

<https://tinyurl.com/2tk366ph>

This publication provides an overview of the worsening religious freedom conditions in the DRC at the hands of nonstate actors, with an emphasis on the Allied Democratic Forces (ADF).

East Africa: Evolving Legal Threats to Religious Protections in East Africa

USCIRF, December 2025

<https://tinyurl.com/3vmv7ksc>

This factsheet examines current and proposed regulatory frameworks in five East African countries – Burundi, Ethiopia, Kenya, Rwanda, and Uganda – that collectively demonstrate a mix of growing restrictions alongside constitutional protections.

India: Christianity in Punjab: History and Challenges

International Institute for Religious Freedom, 3 February 2026

<https://tinyurl.com/zaykqp6n>

This report by Simran Sidhu provides a balanced and evidence-based understanding of the historical roots, demographic changes, and lived realities of Christianity in Punjab today.

India: Hate and Targeted Violence Against Christians in India: Yearly Report 2025

Religious Liberty Commission of Evangelical Fellowship of India, 24 March 2026

<https://bit.ly/4uySgae>

The report documents 747 incidents of hostility, intimidation, violence, and discrimination that occurred during 2025. These cases were drawn from over 915 reports received through the commission's nationwide network and have been included following a process of verification involving corroboration by multiple independent sources.

Iran: Scapegoats: Rights Violations against Christians in Iran

Article 18, Open Doors, CSW, MEC, 19 February 2026

<https://articleeighteen.com/news/23529/>

The scapegoating of Christians, especially after the Twelve-Day War with Israel (13 to 24 June 2025), is the focus of this 2026 joint annual report.

Iraq: Country Update

USCIRF, December 2025

<https://tinyurl.com/42krp622>

This report provides an expanded overview of recent religious freedom conditions in Iraq, identifying areas in which the government has failed to ensure freedom of religion or belief (FoRB) for Iraqis of all religious backgrounds and belief systems.

Latin America: Annual Report 2025

Observatory of Religious Freedom in Latin America, 17 February 2026

<https://tinyurl.com/34y3chxf>

This report analyzes the main restrictions on religious freedom in Latin America recorded between January and December 2025. It shows that the violations are not isolated incidents, but rather part of structural dynamics that affect not only the individual but also the community dimension of the exercise of faith in the region.

Malaysia: Country Update

USCIRF, November 2025

<https://tinyurl.com/3vzvr2rb>

This country update outlines recent and ongoing religious freedom challenges in Malaysia.

MENA: Religious Freedom and Peacebuilding in the Middle East and North Africa

MENA Platform for Religious Freedom and Peacebuilding, December 2025

<https://tinyurl.com/2kj7dcdb>

This report presents the findings of a regional dialogue process in the MENA region. By gathering diverse voices across the region, including civil society leaders, religious actors, academics, youth, women's groups, legal experts, and diaspora representatives, the platform interprets how FoRB is experienced in daily life and explores its role in stability, citizenship, and coexistence in the MENA region.

Nicaragua: No Respite: Another Year of Increasing Repression in Nicaragua

Christian Solidarity Worldwide, 30 March 2026

<https://www.csw.org.uk/nicaraguareport>

CSW recorded 309 separate FoRB cases in 2025. Most cases involved multiple FoRB violations, and many affected large numbers of people. The report also emphasizes that a significant percentage of violations likely goes unreported due to the climate of fear created by the government of Daniel Ortega and his wife Rosario Murillo.

Nigeria: Analytical Intelligence Report: Nigerian Christians as Victims of Islamic Extremism

International Institute for Religious Freedom, 19 December 2025

<https://tinyurl.com/42xmt5pe>

This report on Islamic extremism in Nigeria has been endorsed by leading global experts in security, terrorism, intelligence studies, and hybrid threats.

Nigeria: Hijacking Innocence: The Underreported Crisis of Abductions, Forced Faith Conversions, and Child Marriage in Nigeria

Jubilee Campaign, November 2025

<https://jubileecampaign.org/wp-content/uploads/2025/11/11182025.pdf>

This report examines the interconnected human rights violations of abductions, forced religious conversions, and child marriage in Nigeria, with a particular focus on their devastating impacts on Christian women and girls in the northern region.

Nigeria: Invisible Exodus: Toward a Methodology for Estimating Religious Displacement in Nigeria

International Institute for Religious Freedom, 20 January 2026

<https://iirf.global/publications/reports/invisible-exodus/>

This study assesses the religious affiliation of Nigerian displaced persons, specifically to estimate the number of internally displaced Christians. Because major displacement datasets lack religious identifiers, this study develops a proxy-based estimation model that infers the religious composition of displacement through patterns of targeted violence.

Sudan: Policy Brief

Open Doors, April 2026

<https://bit.ly/41zziDK>

This policy brief gives an overview and recommendations to address the civil war, displacement, and escalating violations against Christians in Sudan.

Venezuela: Self-Censorship and Social Control: The Situation of Freedom of Religion or Belief in Venezuela

Christian Solidarity Worldwide, 9 March 2026

<https://www.csw.org.uk/venezuelareport>

This report emphasizes that despite the United States' forcible removal of President Nicolás Maduro from power on 3 January 2026, leaders in the Socialist Union of Venezuela Party (PSUV) and allied parties remain entrenched in power and responsible for extensive violations of FoRB and other human rights.

Vietnam: Country Update

USCIRF, December 2025

<https://tinyurl.com/49pexdtx>

Despite enacting gradual reforms over the last two decades and experiencing an elevation in its international profile in recent years, Vietnam remains a country with significantly poor religious freedom conditions.

Specific Issues

Education: Freedom and Faithfulness: A Catholic Guide to Religious Liberty

Knights of Columbus, Religious Freedom Institute, November 2025

<https://tinyurl.com/3ckb7tmx>

This nine-session course is designed primarily to help Knights of Columbus college councils explore the meaning and value of religious freedom, recognize

how this freedom is protected in America, and identify ways to exercise it – as Catholics, Knights, and citizens.

Terrorism: Global Terrorism Index 2026

Institute for Economics & Peace, March 2026

<https://tinyurl.com/36bvy2zf>

Although this year’s index showed a substantial decline in terrorism worldwide, Nigeria is among the countries that experienced an increase in both incidents and the number of deaths. Of particular interest is Jessica Moody’s article on “Jihadists in the Sahel.”

Book reviews

Publishers: Do you have a new book published? We have expert reviewers. Do you want to advertise your book? We have space in future issues.

Reviewers: Have you seen a recent book that you would like to review? The book review editor can get a review copy.

Contact: bookreviews@iirf.global

Book Reviews

Blood and Water: The Life and Martyrdom of Shahbaz Bhatti

Matt Youcum, illustrated by Jordon Holt

San Francisco: Ignatius Press, 2026, 120 pp., ISBN: 978-1621648918, US \$17.99

Reading *Blood and Water* felt personal. For me, the story of Shahbaz Bhatti, the Pakistani Christian politician who rose to become his country's minister of minority affairs before being assassinated in 2011, is not just something in a novel. It captures the experience of growing up as a Christian in Pakistan.

This graphic novel takes us back to Bhatti's early life and shows how deeply rooted he was in Christ. It makes clear that his courage didn't come from politics or personality but from his faith. The author powerfully juxtaposes Bhatti's actions alongside biblical stories. For example, when Bhatti stands up for others, it echoes the Good Samaritan. Youcum's presentation demonstrates that Scripture wasn't just something he believed in, but something he lived out.

The book effectively depicts Bhatti's heartfelt concern for people – not only Christians but all who suffer. He expressed a love that went beyond community lines. It was the agape love of Christ. His mission was never limited in scope; he stood for anyone who needed justice.

Youcum does not ignore reality. He writes honestly about the marginalization of Christians in Pakistan. But instead of leaving you with heaviness, he points to something deeper: how faith in Christ can give a person courage even in the hardest situations. Bhatti's life is proof of that.

For me, this story connects to a memory I cannot forget. Shahbaz Bhatti was my father's friend as well. When he was martyred, I was in fifth grade. Someone came to pick me up from school early. When I reached home, my father was in tears. He said, "Shahbaz was a lion. He is martyred." I didn't fully understand then, but I remember the weight of that day. It was a very long day. My father kept talking about him, his courage, his faith, and his stand for truth. That was the day Shahbaz Bhatti became my hero.

As I read Youcum's retelling, I understood the story better. Bhatti's life reminds me of David. When you know you are called by God, you don't fear giants. And he didn't fear bullets.

Blood and Water explains where that courage came from. Bhatti's relationship with Christ shaped everything in his life: his decisions, his voice, and his willingness to stand firm, even when it cost him his life. As a result, this book is not just a biography; it is a testimony.

Pakistan still needs people like Shahbaz Bhatti who will stand up not only for their own group, but for others too. His life reminds us that even in persecution, faith can still speak, and that faith grows stronger amidst persecution.

Youcum does not inflate Bhatti into a larger-than-life person, but the book doesn't reduce him either. It simply tells the truth about a man who lived with conviction. For me, it brought back memories, but it also gave them meaning.

Benjamin Daniel, Daniel Khokhar Foundation, Lahore, Pakistan

Freedom of Religion or Belief in the European Convention on Human Rights: A Reappraisal

Caroline K. Roberts

Cambridge: Cambridge University Press, 2023, 276 pp., ISBN 978-1009233620, £95.00

In this published version of her doctoral thesis, Caroline K. Roberts sets out to challenge what she refers to as the “classic approach” to defining the fundamental right to Freedom of Religion or Belief (FoRB) in the European Convention on Human Rights (ECHR) as a two-part norm. According to this approach, ECHR Article 9 (1) defines the “forum internum,” which enjoys unlimited protection, and Article 9 (2) defines the “forum externum,” which can be limited by law if certain conditions are met. Roberts endeavours to show that the jurisprudence of the European Court of Human Rights (ECtHR) itself does not support such a hierarchical distinction between the two fora, but rather sees these dimensions of FoRB as interrelated and sets limits on both of them at times, depending on the merits of each case. Therefore, she concludes, the right to FoRB is better understood by applying a “loose concentric circles model,” in which the level of protection depends on two crucial criteria: how close the imposed limitation comes to the “forum internum” and how relevant are the colliding legal goods that need to be balanced against FoRB in the given case.

Roberts begins by describing the theoretical framework she is about to deconstruct, based on the textual basis of the ECHR, relevant *travaux préparatoires*, and comparable norms in international law. She also provides a systematic analysis of the core principles governing the right to FoRB under the ECtHR's jurisprudence. In the second and main part of the book, she examines and categorizes the Court's case law on Article 9, substantiating the loose concentric circles model and disproving a strict binary and hierarchical approach. In the third part, she elaborates her own thesis on how FoRB is correctly understood in the context of the ECHR.

I agree with Roberts's assumption that Articles 9 (1) and (2) must be understood as a coherent right, not two essentially different rights. Likewise, her de-

scription of the ECHR's concurring understanding, as deduced from the overview of its jurisprudence, is apt. However, from the German legal perspective, this information is not surprising or even new. What Roberts described as the "classic approach" to understanding FoRB in the ECHR is simply not the prevailing opinion in German-language publications on the issue. From a German perspective, therefore, her theses rather amount to stating the obvious.

I tend to believe that scholars' understanding of norms of international law is still very much shaped by their legal training and by the most common interpretations in their home context of the fundamental right in question. In Germany, the Constitutional Court has consistently held since 1968 that all the different aspects of freedom subsumed under FoRB are in fact a unitary and coherent right. And while the text of the respective norm of the German Basic Law (Article 4) does not authorize the state to impose limitations on this fundamental right, it is undisputed practice that colliding fundamental rights of third parties and other constitutional values must be weighed against the exercise of FoRB by both legislators and courts.

Jurisprudence of the German Constitutional Court and academic literature have examined the process of balancing rights in much detail. It is the prevailing opinion that the forum internum must indeed not be restricted, whereas limitations of the forum externum may be justified and even obligatory so as to protect other competing legal rights. However – and this is a very important point of difference from Roberts – the forum internum and forum externum cannot be superimposed on and are not congruent with the rights listed in ECHR Articles 9 (1) and (2), respectively. Rather, the forum internum signifies the right to religious thought, while the forum externum is the right to manifest a religion or belief in public, i.e. in necessary contact with other holders of fundamental rights.

At the very moment when a thought leads to public action, it may collide with other people's fundamental rights or core constitutional values. There is a very thin line between thought and deed, as even making a thought public could, in theory and depending on its nature and content, place an imposition on other people. But does this mean that the stout protection of the forum internum is of no practical value? By no means! The key function of the concept of forum internum, as understood in the German legal context, is about the scope of FoRB in the first place. People can have many thoughts, opinions, convictions, principles and values. However, only a few of them are matters of religion or belief. Though similar in outlook, some might be philosophical or political, for instance. But if a thought leads to an action, and if that action is limited by the state, the level of protection that action enjoys or the level of limitations open to the state might well depend on the right invoked or, more concretely, on the wording of the norm protecting the respective right.

The forum internum, therefore, remains highly relevant for legal practice for two reasons:

- 1) If someone can demonstrate that the relevant action is based on a religious conviction, that person may enjoy a higher level of protection as if the very same action were based on different grounds, depending on the wording of the norm invoked. The closer an action is to a firmly held conviction grounded in religion or belief, the more legal weight it carries when compared to colliding or competing rights, especially if these have a lesser level of protection in the law.
- 2) At the same time, the more extensively an action affects other people, i.e. the higher the level of interaction with another party or society in general, the heavier becomes the weight of colliding rights in the balancing. Therefore, proximity to the forum internum is determined not only by the character of a conviction as “religious” but also by the extent to which its manifestation causes interactions with others – potentially including collisions. For this simple reason, each juridical decision must always be based on the merits of the case, not in a merely schematic manner.

Although I concur that the loose concentric circles model is the best way to illustrate these interdependencies, I would have wished for a deeper reflection on the function of the forum internum, which can only be hinted at here. Instead, Roberts’s analysis remains relatively static in its concentration on disproving the so-called classic model. However, to the extent that the “classic” understanding is indeed present in English and French legal literature on the issue, the book does serve an important purpose in furthering the discourse.

Revd Dr Patrick Roger Schnabel, Senior Advisor to the Representative of the Council of the Protestant Church in Germany to the Federal Republic of Germany and the European Union, Berlin. He is also a lecturer for state-church- and ecclesiastical law at the University of Potsdam.

Religiously Exclusive, Socially Inclusive? A Religious Response

Bernhard Reitsma and Erika van Nes-Visscher (eds.)

Amsterdam: Amsterdam University Press, 2023, 316 pp., ISBN 978-1041185222,

€55.99

In a time of growing religious diversity and interfaith tensions, this volume explores a significant paradox: can an individual or tradition hold exclusivist religious beliefs while promoting an inclusive and welcoming society? The book

brings together a diverse group of scholars from fields such as biblical studies, theology, religious studies, and missiology to examine this issue.

The editors frame their inquiry within the traditional typology of religious attitudes: exclusivism, inclusivism, and pluralism. However, they challenge the perceived rigidity of these categories, asking whether doctrinal exclusivism must inevitably result in social exclusion. The book argues that all religions make exclusive claims to some extent, which creates a natural tension in pluralistic societies. How can a tradition that claims its own truth avoid marginalizing or displaying hostility towards others?

A key element of the book's theoretical framework is the concept of humble exclusivism, introduced by contributor Dirk-Martin Grube. This approach redefines exclusivism not as a strict, binary true/false dichotomy but as a *justification-ist* stance. Humble exclusivists can regard their religious claims as true for themselves while also recognising the limits of human understanding and adopting an epistemically modest attitude. This stance enables deep personal conviction without the arrogance or hostility often linked to fundamentalism. This framework, which supports much of the volume's discussion, implies that one can be faithful to their tradition while engaging respectfully with others.

Methodologically, the book is interdisciplinary and comparative. Its 18 chapters guide the reader from abstract concepts to practical applications. Contributions from Jewish, Christian, and Muslim scholars ensure a broad and balanced perspective.

Early chapters conduct conceptual analysis, deconstructing and defining terms like "exclusivism" to reveal their nuances. Much of the book focuses on analyzing religious texts and historical contexts. For instance, Joep Dubbink and Klass Sponk examine passages from the Hebrew Bible concerning apostasy, while Peter-Ben Smit discusses 1 Corinthians and the Pauline understanding of exclusion. Yaser Ellethy contributes to Islamic hermeneutics, addressing the concept of *al-walā' wa al-barā'*). These explore how various traditions have historically navigated inclusion and exclusion.

The volume includes social-scientific essays that use methods such as social identity theory employed to explain group dynamics, particularly in chapters discussing apostasy and the strong in-group reactions it provokes. It also incorporates postcolonial critiques, ethnographic insights from the Pacific Islands, and sociological studies of contemporary church communities to ground the theoretical discussion in real-world consequences.

The overarching argument, synthesized by the editors in the concluding chapter, is that religious exclusivism and social inclusion, though they exist in tension with each other, are not inherently incompatible. The key lies in how a tradition

interprets and lives out its doctrines. If exclusivism is tempered by virtues like humility, charity, and a recognition of common humanity, it can coexist with social harmony. The editors argue for a continuous process of self-criticism and hermeneutical renewal within religious communities, to ensure that exclusive claims do not devolve into social harm.

The volume's case studies provide significant insights, with Leo Mock explores how modern rabbis operate online and offer nuanced responses to questions about idolatry that go beyond simple exclusion. Yaser Ellethy and Razi Quadir examine Islamic doctrines concerning "otherness" and apostasy, highlighting a spectrum of interpretations – from strict classical law to modern re-interpretations emphasising social cohesion. Other authors look at how early Christian communities managed boundaries and how Jesus Christ interacted with outsiders as models for inclusiveness today.

Beyond interreligious dynamics, the book also considers intra-church relations. Laura Dijkhuizen and Jack Barentsen's chapter on Dutch evangelical churches discusses gender-related inclusion and exclusion, highlighting that the challenge of inclusivity extends to issues such as women's roles and LGBTQ members. This broadens the conversation, suggesting that a genuinely inclusive ethic must address exclusion at every level.

One of the book's key strengths is its broad, comparative perspective. By uniting Jewish, Christian, and Muslim scholars in a single discussion, it shows how the tension between exclusive truth and social harmony is a challenge across different faiths. This approach promotes a deeper understanding of common difficulties and the distinct solutions each tradition offers, making it a useful resource for interfaith dialogue.

The development of "humble exclusivism" as an alternative to inflexible fundamentalism and relativistic pluralism marks another significant contribution. It provides a philosophically and theologically strong framework for individuals to affirm their faith without disparaging others. This concept is compelling in its focus on epistemic humility – the notion that one can believe something is true while recognising that one's understanding is fallible.

Moreover, the book intentionally highlights marginalized voices. Eleonora Hof's chapter on Native American communities criticizes how exclusionary religious narratives were used to justify colonial oppression, urging a re-evaluation of these stories in the quest for justice. Simon Ririhena's contribution from the Pacific Islands introduces the indigenous concept of *Pela* ("to be one") as a practical approach for peacebuilding across religious divides. These insights from the Majority World and postcolonial settings are essential for a fair and balanced theological discussion.

The volume does not shy away from controversy. It directly addresses the difficult issue of apostasy, which Bernard Reitsma describes as “the most exclusive form of religious and social exclusion.” Chapters by Robert Ermers, Laura Dijkhuizen and Jack Barentsen, and Quadir analyse the historical punishments for leaving a faith, the social dynamics behind those punishments, and the modern movements towards more lenient interpretations. By approaching this sensitive topic with academic rigour, the book provides an honest reflection on the darkest aspects of religious exclusivism and suggests that traditions must evolve on this issue to truly become socially inclusive.

The book’s central premise may not satisfy everyone. Staunch exclusivists might see humble exclusivism as a dilution of true faith. At the same time, ardent pluralists or secularists might argue that abandoning all exclusive claims is the only path to genuine inclusion. The book acknowledges this tension, aiming not to resolve it for all but to show that theological particularity does not have to engender social divisiveness.

Religiously Exclusive, Socially Inclusive? is a timely, nuanced, and courageous volume. It provides a robust framework and compelling examples demonstrating that religious communities can hold firm to their convictions while actively contributing to the common good. The book demonstrates that deep faith and social harmony are not mutually exclusive, but instead require a deliberate and ongoing commitment to humility, self-reflection, and compassion. It offers a hopeful path forward for navigating religious differences in our pluralistic world, encouraging a religious response that reconciles truth with love and conviction with cooperation.

Prof Dr Godfrey Harold, Principal Cape Town Baptist Seminary, Research Associate, Stellenbosch University

Human Dignity, Religion and the Law: Pluralism and Reasonable Accommodation of Religious Practices

Mark Hill KC and María-José Valero-Estarellas (eds.)

Abingdon/New York: Routledge, 2025, 198 pp., ISBN 978-1032820767, € 175 (hardcover).

This book distinguishes itself by balancing conceptual analysis with applied discussions across specific legal domains, such as wedding law, data protection, asylum, and intra-religious conflict. Together, the contributions offer a multi-layered account of how dignity might ground a more inclusive approach to religious pluralism in liberal democracies.

Mark Hill’s opening chapter frames the collection by emphasizing dignity as both the foundation and taproot of human rights. He regards reasonable accom-

modation and conscientious objection as positive expressions of human dignity, by allowing persons of faith to bear witness to their convictions rather than being subsumed under majoritarian norms. Indeed, as I have argued in my own writing, freedom of conscience performs constitutional functions that go beyond individual autonomy. It guarantees authenticity of personality, sustains dissent as a democratic virtue, and decentralizes authority to the individual, thereby serving as a structural safeguard against uniformity and potential totalitarianism.

Several chapters sharpen this conceptual strand. András Sajó and Renáta Uitz examine European case law on ritual slaughter, noting a contested tendency to collapse strict proportionality into a balancing of fundamental rights against majoritarian practices. In their view, what should be a principled adjudication of rights is often reduced to weighing religion against commercial or communal interests. The divergences between courts illustrate that religious accommodation, while foundational, can appear elusive in application.

Sajó and Uitz remind us that accommodation should not be cast merely as a mechanism of minority protection. As they put it, “It is unfortunate to justify accommodation as a question of minority protection. What is protected is conscience, irrespective of a person’s belonging to a religious minority or majority.” This reorients the debate away from group-based claims and back toward conscience as a universal human capacity, echoing Article 1 of the Universal Declaration of Human Rights.

Fernando Simón-Yarza upholds conscientious objection, but whereas Sajó and Uitz focus on the “why” of protection – because conscience is universally worthy – Simón-Yarza interrogates the “what”: what precisely is being objected to? He remarks that describing conscientious objection as an “exemption from a legal duty” presupposes the legitimacy of the duty, reducing the objector’s stance to a tolerated minority preference. This approach, he argues, risks legitimizing contested mandates, such as abortion provision, and obscures violations of conscience by treating them as tolerable exceptions.

Burkhard J. Berkmann explores the application of legal pluralism to questions of religious freedom. Drawing on a range of German commentators, he uncovers a paradox: while legal pluralist theories often celebrate the coexistence of multiple orders, they risk failing to take seriously the specific nature of religious law. Religious traditions typically advance a value-oriented concept of law – grounded in revelation, cosmic order, or justice – that sits uneasily with the functional and often thin definitions of law used in pluralist frameworks.

Berkmann complements the conceptual discussions in the book by shifting the focus from the individual’s claim of conscience (as developed by Sajó, Uitz, and Simón-Yarza) to the structural question of how legal systems recognize or mar-

ginalize religious normativity. Whereas Hill's concern is how dignity grounds accommodation and Simón Yarza challenges the legitimacy of contested duties, Berkmann presses the further question of whether the legal frameworks within which these debates occur are themselves adequate for capturing the normative character of religious law. This underscores that the conversation on accommodation is not only about individual exemption but also about the architecture of law itself.

Alongside these conceptual interventions, several chapters take up practical legal issues. Frank Cranmer critiques the rigidity of wedding law in England and Wales, showing how current rules restrict couples from marrying in ways that reflect their convictions. He endorses shifting regulation from buildings to officiants to ensure more equal recognition of diverse beliefs. Such reform, though not a panacea – it cannot, for instance, resolve the persistence of unregistered religious ceremonies – would nonetheless enable ceremonies to embody couples' values more authentically. While Berkmann explores how law might conceptually accommodate plural normative orders, Cranmer shows what this looks like in practice: recalibrating legal categories to respect conscience in one of life's most significant moments.

Fabio Balsamo turns to the intersection of religious freedom and data protection under the General Data Protection Regulation (GDPR), highlighting tensions between privacy and the right to religious communication. He underscores that freedom of religion today must be considered not only in constitutional or philosophical terms, but also through the technical regimes of data protection and digital communication that increasingly shape religious life.

Stefano Testa Bappenheim considers ecclesiastical asylum in Germany, where churches have sheltered migrants facing deportation. Although courts deny a legal basis for resisting deportation orders, the state has come to tolerate the practice out of respect for the churches' humanitarian mission. This demonstrates how conscience-based claims may persist even when denied formal legal recognition, illustrating the varied ways in which such claims are articulated, tolerated, or resisted across different legal registers.

Silvia Baldassarre underscores the vulnerability of non-religious asylum seekers, urging refugee law to embrace atheistic and humanist worldviews as equally valid grounds for protection. In this sense, she extends the book's concern with human dignity into the often-neglected right to live openly by convictions that reject or question religious frameworks.

Marianna Napolitano turns the lens of pluralism inward, focusing on tensions between the Ukrainian Greek Catholic Church and the Russian Orthodox Church over proselytism, canonical territory, and missionary activity. She thus illustrates that intra-religious diversity is as challenging as inter-religious coexistence.

Mirjam van Schaik and Jasper Doomen examine the fragile status of the right to apostasy in international law, tracing how the explicit recognition of the freedom to change one's religion – enshrined in 1948 – has been gradually diluted through textual shifts in subsequent instruments. The result, they argue, is an ambivalent framework that weakens the normative force of one of the most essential dimensions of religious freedom. This chapter resonates with other contributions in the volume by showing that freedom of religion or belief depends not only on accommodation in practice but also on precise conceptual framing in law, without which the protection of conscience risks erosion.

The volume's dual character is its strength. Its conceptual chapters demonstrate why dignity and accommodation matter as structural principles essential to democracy and human flourishing, while applied chapters show how these principles operate – often imperfectly – across diverse legal regimes. The cumulative effect is a compelling case for understanding reasonable accommodation as the natural expression of dignity in plural societies. For scholars of law and religion, constitutional law, and human rights, this book is a valuable resource. *Felipe Carvalho, Postdoctoral Researcher, Universidade de Coimbra, ORCID: 0000-0002-5765-836X*

The Geopolitics of Religious Soft Power: How States Use Religion in Foreign Policy

Peter Mandaville (ed.)

Oxford: Oxford University Press, 2023, 323 pp., ISBN 978-0197605837, US \$114.99.

Mandaville and Hoffman observe, “Religion seems to feature prominently in the international relations of many states around the world today” (1). This shouldn't be surprising, if only for two reasons. Firstly, as of 2020, more than 75 percent of the world's population identified with a religion.¹ Secondly, religious violence has been rising globally.²

To better understand state foreign policy in our contemporary world, the contributors to this book “explore how states across multiple world regions, and featuring a diverse range of faith traditions, incorporate religion” as a form of power and, more specifically, soft power, in their foreign policy (1).

In the opening chapter, the editors introduce the concept of religious soft power and offer a brief history of the extent to which religion has featured in state

1 C. Hackett, M. Stonawski, Y. Tong, S. Kramer, A. Shi, and D. Fahmy. (2025). How the Global Religious Landscape Changed From 2010 to 2020. Pew Research Centre. Available at: <https://tinyurl.com/bdek6uu>.

2 R. Muggah and A. Velshi. (2019). Religious violence is on the rise. What can faith-based communities do about it? World Economic Forum. Available at: <https://tinyurl.com/sby9mhsf>.

foreign policy in the modern era, from the “secularizing set of historical events” that started with the Peace of Westphalia in 1648 to the “global resurgence of religion” in the two decades following the 9/11 terror attacks (1). They consider the extent to which international relations (IR) theories have historically accommodated religion as a subject, the degree to which IR scholars have shown an interest in religion as a variable in the international arena, and the issues they have focused on.

Mandaville and Hoffman note that in the aftermath of the 9/11 terrorist attacks, which saw increasing interest in the relationship between religion and international relations, scholars drew on Joseph Nye’s notion of soft power to conceptualize the relationship between religion and foreign policy. They expand on the notion of religious soft power and introduce the concept of “sharp power”³ as distinct from both soft and hard power. They also challenge Samuel Huntington’s thesis that conflict between distinct civilizations would characterize the post-Cold War era.

The book shows that religion can be used not only to influence positively, through attraction, but also negatively through manipulation, as in the cases of Russia’s use of Orthodoxy and China’s use of Buddhism. Another recent example that confirms the book’s approach is the framing among some American and Israeli leaders of the 2026 US-Israeli attack on Iran as a religious war.⁴

A contemporary reality that the book’s opening authors recognize, and that makes the publication relevant, is the fact that the liberal world order dominated by the West – particularly the United States – has begun to deteriorate, elevating the role and significance of religion as international actors seek answers, offer solutions and/or selfishly and unwisely pursue their interests in the face of complex global problems. Indeed, in the three years since this book was published, religion has grown in prominence as a geopolitical tool, not least because of the increasing prominence of Christian nationalism in the USA since Donald Trump’s second inauguration.

Beyond the introductory chapter, the book contains 12 case studies covering Christianity (United States, Holy See, Brazil, Russia), Buddhism (China), Hinduism (India), Judaism (Israel), and Islam (Turkey, Iran, Morocco, Indonesia, Jordan).

In addition to the 12 case studies, there is a chapter on the securitization of Islam and the accompanying conceptualization of “moderate Islam” among US security partners as a source of religious soft power. In the concluding chapter,

3 When foreign policy objectives are pursued through manipulation, rather than coercion (hard power) or attraction (soft power).

4 S. Shamim. (2026). Why are the US and Israel framing the ongoing conflict as a religious war? *Al-Jazeera*. 4 Mar. Available at: <https://tinyurl.com/yndsp2ef>.

the editors assess the book's contributions, its limits, and ways forward for the study of the geopolitics of religious soft power.

Rarely, if ever, do foreign policy formulation and execution with a religious dimension happen beyond the context of the domestic relationship between religious actors and the state. A revised edition of or a companion to this book could give more direct attention to the domestic religion-state relationship in each of the included case studies. Expanding the scope in this way would enhance understanding of who and/or what influences a state's foreign policy, since the governments themselves are not the only actors in this realm.

Notwithstanding the book's inclusion of Morocco as a case study – a country located in North Africa, but which has more in common with the Middle East – Africa is largely neglected. Most of the book's 40-plus references to the continent position Africa as a target or recipient of religious soft power initiatives and actions. The chapter on Iran could have discussed how Iran has targeted the African continent with religious soft power, but it does not.⁵ The failure to include a case study from sub-Saharan Africa, despite the region's large number of committed Christians, is also questionable. Africa is also an important epicentre of global terrorism.⁶ Is this omission of African case studies simply a gap in the book, or is there no example of a sub-Saharan country that uses religious soft power in its foreign policy? In either case, this gap could be addressed in a revised volume of this work.

Although this book may not be “the final word on the complex relationship between religion and power – soft or otherwise – in world politics,” it is “the most substantive contribution as of yet to an emerging, exciting, and promising research agenda on these issues” (281). Since religion will remain a prominent factor in the international affairs of states, this book is an essential read for anyone wanting to better understand states' foreign-policy behaviour.

Craig Bailie, Bailie Leadership Consultancy

5 See S. S. Alibabalu and T. Sarkhanov. (2023). Iran's Public Diplomacy and Religious Soft Power in Africa, *Politics and Religion Journal*, 2/2023, XVII; S. Fröhlich. (2019). Iran, Turkey, Saudi Arabia build Africa mosques, *Deutsche Welle*. Available at: <https://tinyurl.com/3fl4xntr>.

6 Hackett et al. (2025) How the Global Religious Landscape Changed From 2010 to 2020. Pew Research Centre. Available at: <https://tinyurl.com/bdekc6uu>.; J. Marshall. (2018). The world's most committed Christians live in Africa, Latin America – and the U.S. Pew Research Center. Available at: <https://tinyurl.com/4bc7k6nv>; C.N-E. Okereke and R. Gunaratna. (2025). Africa: The New Epicentre of Global Terrorism, in *Palgrave Handbook of Terrorism in Africa*, Okereke, C.N-E. & Gunaratna, R. (eds). Palgrave.

Guidelines for authors

This document combines essential elements of the editorial policy and the house style of IJRF which can be viewed on www.ijrf.org.

Aims of the journal

The IJRF aims to provide a platform for scholarly discourse on religious freedom in general and the persecution of Christians in particular. The term persecution is understood broadly and inclusively by the editors. The IJRF is an interdisciplinary, international, peer reviewed journal, serving the dissemination of new research on religious freedom and is envisaged to become a premier publishing location for research articles, documentation, book reviews, academic news and other relevant items on the issue.

Editorial policy

The editors welcome the submission of any contribution to the journal. All manuscripts submitted for publication are assessed by a panel of referees and the decision to publish is dependent on their reports. The IJRF subscribes to the Code of Best Practice in Scholarly Journal Publishing, Editing and Peer Review of 2018 (<https://sites.google.com/view/assaf-nsef-best-practice>) as well as the National Code of Best Practice in Editorial Discretion and Peer Review for South African Scholarly Journals (<http://tinyurl.com/NCBP-2008>) and the supplementary Guidelines for Best Practice of the Forum of Editors of Academic Law Journals in South Africa. As IJRF is listed on the South Africa Department of Higher Education and Training (DoHET) “Approved list of South African journals”, authors linked to South African universities can claim subsidies and are therefore charged page fees.

Submission addresses

- Book reviews or suggestion of books for review: bookreviews@iirf.global
- Noteworthy items and academic news: editor@iirf.global
- All other contributions: research or review articles and opinion pieces must be submitted online through the IJRF website: <https://ijrf.org/index.php/home/about/submissions>.

Selection criteria

All research articles are expected to conform to the following requirements, which authors should use as a checklist before submission:

- **Focus:** Does the article have a clear focus on religious freedom / religious persecution / suffering because of religious persecution? These terms are

understood broadly and inclusively by the editors of IJRF, but these terms clearly do not include everything.

- **Scholarly standard:** Is the scholarly standard of a research article acceptable? Does it contribute something substantially new to the debate?
- **Clarity of argument:** Is it well structured, including subheadings where appropriate?
- **Language usage:** Does it have the international reader, specialists and non-specialists in mind and avoid bias and parochialism?
- **Substantiation/Literature consulted:** Does the author consult sufficient and most current literature? Are claims thoroughly substantiated throughout and reference to sources and documentation made?

Submission procedure

1. Submissions must be complete (see no. 6), conform to the formal criteria (see no. 8-10) and must be accompanied by a cover letter (see no. 3-4).
2. The standard deadlines for the submission of academic articles are 1 February and 1 August respectively for the next issue and a month later for smaller items such as book reviews, noteworthy items, event reports, etc.
3. A statement whether an item is being submitted elsewhere or has been previously published must accompany the article.
4. Research articles will be sent to up to three independent referees. Authors are encouraged to submit the contact details of 4 potential referees with whom they have not recently co-published. The choice of referees is at the discretion of the editors. The referee process is an anonymous process. This means that you should not consult with or inform your referees at any point in the process. Your paper will be anonymized so that the referee does not know that you are the author. Upon receiving the reports from the referees, authors will be notified of the decision of the editorial committee, which may include a statement indicating changes or improvements that are required before publication. You will not be informed which referees were consulted and any feedback from them will be anonymized.
5. Should the article be accepted for publication, the author will be expected to submit a finalized electronic version of the article.
6. Include the following:
 - Articles should be submitted in Word and an abstract of no more than 100 words.
 - Between 3 and 10 keywords that express the key concepts used in the article.
 - Brief biographical details of the author in the first footnote, linked to the name of the author, indicating, among others, the institutional affiliation,

- special connection to the topic, choice of British or American English, date of submission, contact details including e-mail address, and the author's ORCID.
7. Authors are encouraged to also engage with prior relevant articles in IJRF, the Religious Freedom Series, and IIRF Reports (www.iirf.global) to an appropriate degree. So check for relevant articles.
 8. Articles should be spell-checked before submission, by using the spell-checker on the computer. Authors may choose either 'British English' or 'American English' but must be consistent. Indicate your choice in the first footnote.
 9. Number your headings (including introduction) and give them a hierarchical structure. Delete all double spaces and blank lines. Use as little formatting as possible and definitely no "hard formatting" such as extra spaces, tabs. Please do not use a template. All entries in the references and all footnotes end with a full stop. No blank spaces before a line break.
 10. Research articles should have an ideal length of 4,000-6,000 words. Articles longer than that may be published if, in the views of the referees, it makes an important contribution to religious freedom.
 11. Research articles are honoured with one complimentary printed copy.
 12. For research articles by members of the editorial team or their relatives, the full editorial discretion is delegated to a non-partisan editor and they are submitted to the same peer review process as all other articles.

Style requirements

1. IJRF prefers the widely accepted 'name-date' method (or Harvard system) for citations in the text. Other reference methods are permissible if they are fully consistent.
2. A publication is cited or referred to in the text by inserting the author's last name, year and page number(s) in parentheses, for example (Mbiti 1986:67-83).
3. Graphics and Tables: These must be attached as separate files. Indicate in red where they should go in the text. Every effort will be made to place them in that spot.
4. Image Quality: minimum width must be 10.5 cm at 220dpi or simply 1000 pixels. The width of the image always goes over the entire width of the type area (10.5cm), but is flexible in height. Please send the image in its own file (e.g. JPG, TIF, EPS), not in a Word document.
5. Tables and "simple" diagrams: These will likely be redesigned by our layout expert. Please attach them in a separate file.

6. Footnotes should be reserved for content notes only. Bibliographical information is cited in the text according to the Harvard method (see 2 above). Full citations should appear in the References at the end of the article (see below).
7. References should be listed in alphabetical order of authors under the heading “References” at the end of the text. Do not include a complete bibliography of all works consulted, only a list of references actually used in the text.
8. Always give full first names of authors in the list of references, as this simplifies the retrieval of entries in databases. Keep publisher names short.

Guidance for Graduate Students

International Institute for Religious Freedom

The International Institute for Religious Freedom can provide guidance for students who are writing a thesis or dissertation on a topic related to religious freedom. The IIRF can also assist with publication opportunities.

Please send a letter of interest to info@iirf.global.

Books published by IIRF (iirf.global)

1. Religious Freedom Series

- Re-Examining Religious Persecution – Constructing a Theological Framework for Understanding Persecution. Charles L. Tieszen. 2011.
- Suffering, Persecution and Martyrdom. Christof Sauer and Richard Howell (eds). 2011.
- Freedom of Religion or Belief: Thematic Reports of the UN Special Rapporteur 2010-2016. Heiner Bielefeldt. 2017.
- “Let there be no Compulsion in Religion” (Sura 2:256): Apostasy from Islam as Judged by Contemporary Islamic Theologians. Discourses on Apostasy, Religious Freedom, and Human Rights. Christine Schirmmacher. 2016.
- Grievous religious persecution: A conceptualisation of crimes against humanity of religious persecution. Werner N. Nel. 2021.
- The Specific Vulnerability of Religious Minorities. Dennis P. Petri. 2021.
- Beyond a Reasonable Doubt. Did the Islamic State commit genocide against Christians in Iraq? Áquila Mazzinghy. 2023.
- Church and State Relations in Zambia: An Evangelical Perspective. Elias Munshya. 2024.
- Religious Freedom in Mexico and Colombia: An Approach to Broadening Categories and Public Policy Actions from a Comparative Public Policy Approach. Camila Andrea Sánchez Sandoval. 2025.
- The First Right. Freedom to Religion. Freedom from Religion. Jacob Rudenstrand. 2026.

2. Global Series

- The Persecution of Christians Concerns Us All (3rd ed.). Thomas Schirmmacher. 2018.
- Bad Urach Statement: Towards an evangelical theology of suffering, persecution and martyrdom. Christof Sauer (ed.). 2012.
- Human Rights. Thomas Schirmmacher. 2014.
- Human Rights – A Primer for Christians (Revised Edition). Thomas K. Johnson. 2016.
- Global Declarations on Freedom of Religion or Belief and Human Rights. Thomas K. Johnson, Thomas Schirmmacher, Christof Sauer (eds). 2017.

- Series 1 and 2 are available for free download at www.iirf.global.
- Titles from 2016 onward are available for purchase on Amazon.
- All books are published by Verlag für Kultur und Wissenschaft / Culture and Science Publishers www.vkwonline.com.
- There are North American editions by Wipf & Stock of select books www.wipfandstock.com



INTERNATIONAL JOURNAL FOR RELIGIOUS FREEDOM

The International Journal for Religious Freedom is published twice a year and aims to provide a platform for scholarly discourse on religious freedom in general and the persecution of Christians in particular. It is an interdisciplinary, international, peer reviewed journal, serving the dissemination of new research on religious freedom and contains research articles, documentation, book reviews, academic news and other relevant items. The editors welcome the submission of any contribution to the journal. Manuscripts submitted for publication are assessed by a panel of referees and the decision to publish is dependent on their reports. The IJRF subscribes to the National Code of Best Practice in Editorial Discretion and Peer Review for South African Scholarly Journals.

IJRF is freely available online: www.ijrf.org
It is also available on SABINET and EBSCO.



INTERNATIONAL INSITUTE FOR RELIGIOUS FREEDOM

www.iirf.global

AcadSA
PUBLISHING

VKW



9 783862 693399