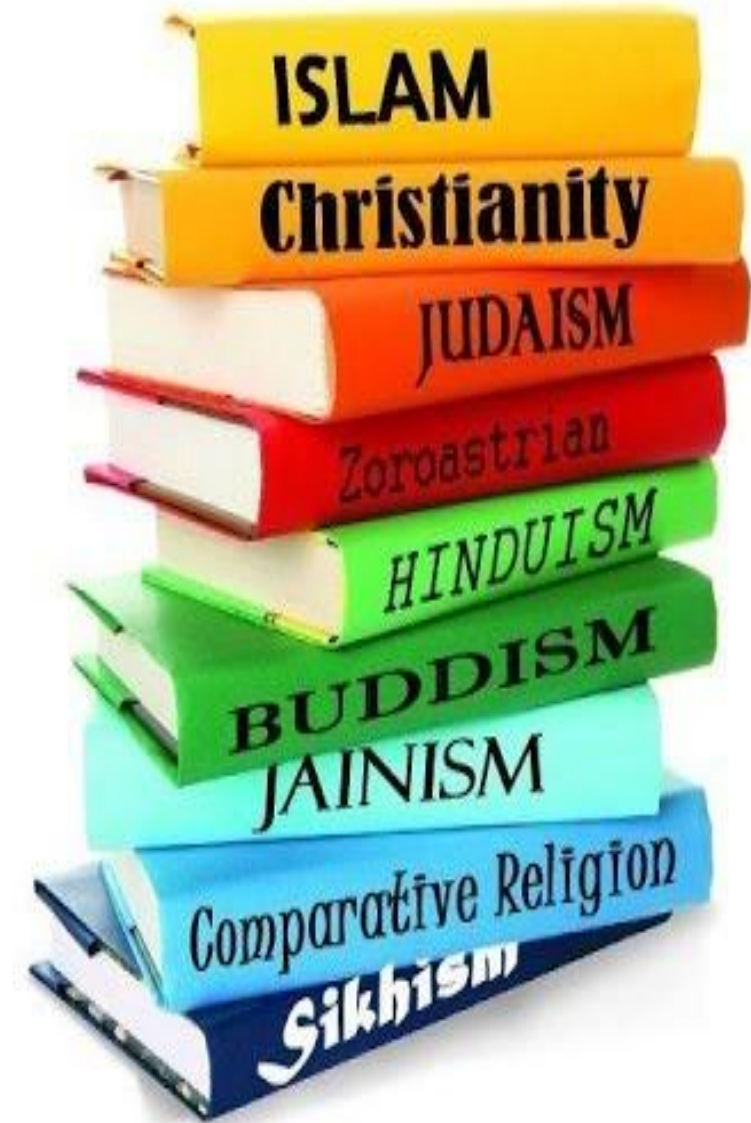




*Religious discrimination*

- **Religious discrimination** is valuing or treating a person or group differently because of what they do or do not believe. Specifically, it is when adherents of different religions (or denominations) are treated unequally, either before the law or in institutional settings such as employment or housing.
- Religious discrimination is related to religious persecution, the most extreme forms of which would include instances in which people have been executed for beliefs perceived to be heretic. Laws which only carry light punishments are described as mild forms of religious persecution or as religious discrimination.
- Even in societies where freedom of religion is a constitutional right, adherents of religious minorities sometimes voice concerns about religious discrimination against them. Insofar as legal policies are concerned, cases that are perceived as religious discrimination might be the result of an interference of the religious sphere with other spheres of the public that are regulated by law (and not aimed specifically against a religious minority)

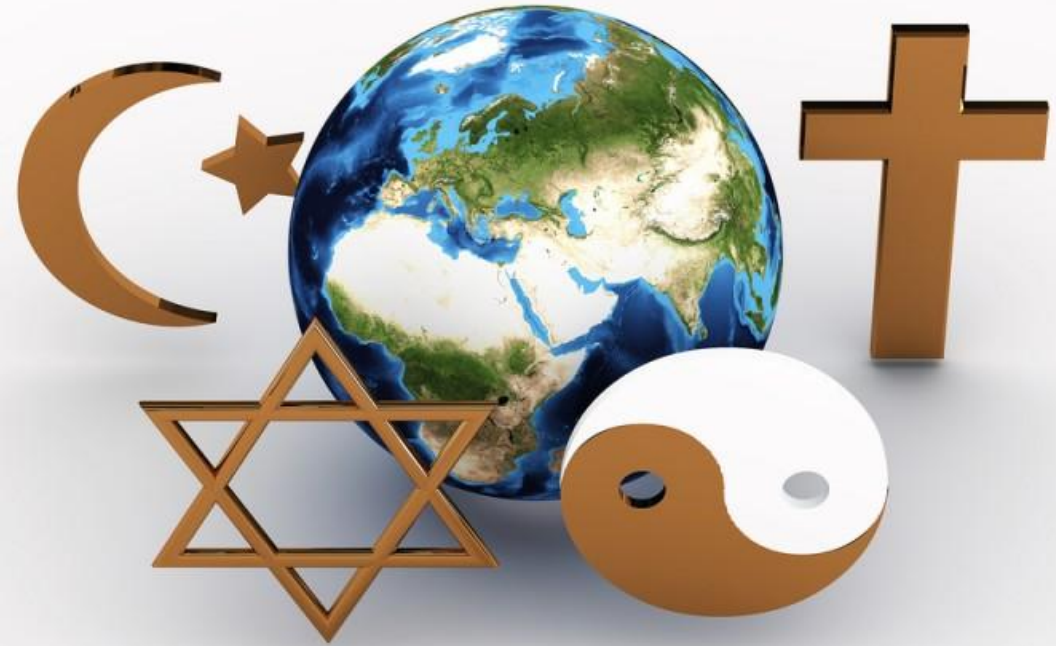


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### 1 Religious discrimination in Western countries

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## United States

In a 1979 consultation on the issue, the United States Commission on Civil Rights defined religious discrimination in relation to the civil rights guaranteed by the Fourteenth Amendment to the United States Constitution. Whereas religious civil liberties, such as the right to hold or not to hold a religious belief, are essential for Freedom of Religion (in the United States secured by the First Amendment), religious discrimination occurs when someone is denied "the equal protection of the laws, equality of status under the law, equal treatment in the administration of justice, and equality of opportunity and access to employment, education, housing, public services and facilities, and public accommodation because of their exercise of their right to religious freedom.

However, cases of religious discrimination might also be the result of an interference of the religious sphere with other spheres of the public that are regulated by law. Although e.g. in the United States the Free Exercise Clause of the First Amendment states that "*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof*", in Reynolds v. United States the U.S. supreme court decided that religious duty was not a suitable defense to a criminal indictment. In this specific case a law against bigamy was not considered to be discriminating against Mormons, who stopped practicing Polygamy in 1890.



# Canada

In Canada, during 1995-1998, Newfoundland had only Christian schools (four of them, Pentecostal, Roman Catholic, Seventh-day Adventist, and inter-denominational (Anglican, Salvation Army and United Church)). The right to organize publicly supported religious schools was only given to certain Christian denominations, thus tax money used to support a selected group of Christian denominations. The denominational schools could also refuse admission of a student or the hiring of a qualified teacher on purely religious grounds. Quebec has used two school systems, one Protestant and the other Roman Catholic, but it seems this system will be replaced with two secular school systems: one French and the other English. Ontario had two school systems going back before Confederation. The British North America Act (1867) gave the Provinces jurisdiction over education. Section 93 of the BNA Act offered constitutional protection for denominational schools as they existed in law at the time of Confederation. Like "Public schools", Catholic schools are fully funded from kindergarten to grade 12. However, profound demographic changes of the past few decades have made the province of Ontario a multicultural, multi-racial, and multi-religious society. The thought that one religious group is privileged to have schools funded from the public purse is becoming an anathema in a pluralistic, tolerant, multicultural, secular society.

Canadian faith based university, Trinity Western University is currently facing a challenge from members of the legal and LGBT community to its freedom to educate students in a private university context while holding certain religious values.[5] TWU faced a similar battle in 2001 (Trinity Western University v. British Columbia College of Teachers) where the Supreme Court of Canada ruled that TWU was capable to teach professional disciplines.







Thank you  
for your  
attention

