Contents

Table of Cases	xvi
Table of Statutes	
Table of International Instruments	XXXV
1. Introduction	1
PART I	
2. Christian Perspectives	23
I. Introduction	23
II. The Longstanding Position: Religious Intolerance	27
III. The Bases of Religious Freedom	34
IV. Conclusion	50
3. Liberal Perspectives	51
I. Introduction	51
II. Liberalism: Some Salient Features	51
III. Liberal Justifications for Religious Liberty	69
IV. Conclusion	83
PART II	
4. Models of Religion-State Relations	87
I. Introduction	87
II. Major Types	90
III. Conclusion	122
TEE	4
5. Legal Protection of Religious Freedom	125
I. Introduction	125
II. The Nature of 'Religious Freedom'	126
III. Forms of Legal Recognition	129
IV. The Religious versus the Secular: The Problem of Defining 'Religion'	139
V. Conclusion	155

xiv Contents

6.	Limits to Religious Freedom	157
	I. Introduction	157
	II. Limiting Strategies	163
	III. Clashing Rights	181
	IV. Horizontal Rights	185
	V. Conclusion	192
	PART III	
7		201
/.	Families, Parents and Children	201
	I. Introduction	201
	II. Legal Framework	201
	III. Contrasting Understandings of the Family and Childrearing	207
	IV. Selected Controversies	213
	V. Conclusion	240
8.	Education	243
	I. Introduction	243
	II. Contrasting Understandings of the Purpose of Education	243
	III. The State, Schools, and Religion	250
	IV. Religious Exercises	255
	V. Religious Education	266
	VI. The 'Secular' Curriculum and the Religious Conscience	282
	VII. Displays of Religious Symbols in Schools	288
	VIII. Conclusion	296
9.	Medical Treatment	298
	I. Introduction	298
	II. The Law regarding Medical Treatment and Religious Patients	299
	III. World View Tensions	318
	IV. Illustrations	327
	V. Conclusion	337
10	Employment	338
10.		
	I. Introduction	338
	II. The Employment Status of Ministers of Religion	339
	III. The Liberty of the Religious Person in Secular Employment	345
	IV. Religious Liberty in a Religious Ethos Work Environment	358
	V. Conclusion	373

Contents	xv
11. Religious Group Autonomy	375
I. Introduction	375
II. Legal Recognition of Religious Group Autonomy	378
III. Contrasting Understandings	389
IV. Illustrations	395
V. Conclusion	425
12. Religious Expression	427
I. Introduction	427
II. Protections for Religious Speech	430
III. Anti-Religious Speech	433
IV. Limitations on Religious Expression	443
V. Conclusion	470
Select Bibliography	473
Index	489