All Religions are Equal, but Some are More Equal Than Others

A Study of Religious Freedom in Southeast Asia and the USA

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I. Introduction: A matter of perception

The West has long been lauded for the wide-ranging freedoms enjoyed by their people, while Southeast Asian countries are oft criticised for their non-observance of fundamental human rights. It is no surprise that religious freedom, one of the most fundamental personal liberties, is also thought to be found more in the West than in the East. This is perhaps due (in part) to a larger focus on the individual in Western communities, and a corresponding focus on community interests in the East, giving rise to the perception that individual liberties are given less weight in the latter.

However, religious freedom in the West may not be as superior as once thought, relative to the Southeast Asian region. In this respect, this paper will examine and compare the establishment and protection of religious freedom in the United States of America (“USA”), with that of Malaysia, Indonesia, and Singapore.

Ultimately, this paper seeks to show that while the USA protects religious freedom better than Indonesia, it remains largely on par with Malaysia and in fact loses out to Singapore insofar as the equal protection of religion and religious liberties, rather than the protection of a particular religion, is concerned. However, certain contextual differences make it difficult for the USA to draw practical lessons from Singapore.

II. What is religious freedom?

Before embarking on the comparative analysis, however, it is important to define what exactly “religious freedom” entails.
Religious liberty requires a neutral government, minimal state interference in religious matters, and individual autonomy to choose one’s own religion (Soriano 2013, p 590). In this respect, there can be identified two different types of religious freedom:

1. “communal” religious freedom, where the religious community is “free” to govern its own matters, due to a minimisation of government and state regulation; and
2. “individual” religious freedom, where the individual is “free” to choose what to believe in, and “free” to act as his chosen religion directs or requires him to.

However, it must also be noted that no right can be examined in a vacuum; it should always be balanced against other individuals’ rights, and the greater collective good (Rajah 2016, para 17). The right to religious freedom in most jurisdictions is thus subject to considerations such as public order and social harmony.

III. A bird with clipped wings? Religious liberty in Southeast Asian Muslim countries

Southeast Asia is a diverse region both in terms of religion and legal systems, and it is impossible to stereotype the entire region by examining religious freedom in Southeast Asia as a whole. As Islam is a major religion in the region and can be found in almost every country here (Bajunid 2001, p 177), two countries with sizeable Muslim populations, namely Indonesia and Malaysia, will be examined below.

In this respect, it is submitted that Malaysia protects communal religious freedom better than individual religious freedom, while Indonesia does not afford good protection for either type. However, both countries’ jurisprudential development in this area is largely skewed in favour of Islam.

A. Malaysia: The secular state that wasn’t

(1) Entrenching the right to religious liberty

The Federal Constitution entrenches the right to profess, practice, and propagate a religion (Federal Constitution, Art 11(1)). Discrimination on grounds of religion is prohibited in any law, the appointment to any office or employment under a public authority, the administration
of any law relating to the acquisition, disposal, and holding of property, and the establishment or carrying out of any trade, business, or profession (Federal Constitution, Art 8(2)).

In addition, laws enacted to prevent certain action, such as the incitement of organised violence and promotion of ill-will between classes of citizens, may not derogate from the right to freedom of religion – this is implicit in Art 11’s exclusion from the list of liberties that such laws are allowed to derogate from, including the freedoms of movement and speech (Federal Constitution, Art 149(1)).

(2) The “Islamic State” controversy

It has been argued that Malaysia is a secular state, and the operation of Islamic law (“syariah” law) has been confined to marriage, divorce, and inheritance law (Che Omar bin Che Soh v Public Prosecutor [1998] 2 MLJ 55, p 56). However, when one takes a closer look at the Federal Constitution, it is clear that this is not truly the case.

The Federal Constitution itself establishes Islam as the religion of the Federation, though all other religions may be practiced “in peace and harmony” (Federal Constitution, Art 3(1)). Although this entrenchment of Islam is theoretically not meant to derogate from any other constitutional provision (Federal Constitution Art 3(4)), later cases’ interpretation of Art 3 seem to have disregarded the no-derogation provision (Dawson & Thiru 2007, p 158) in holding that Malaysia is in fact, by virtue of Art 3, an Islamic state. Thus, the ability to practice other religions “in peace and harmony” was interpreted as protecting the sanctity of the Islamic religion, and insulating it from potential threats (Menteri Dalam Negeri v Titular Roman Catholic Archbishop of Kuala Lumpur [2013] 6 MLJ 468, cited in Shah 2014, p 288).

By establishing Islam as a state religion, there are severe implications for the freedom of non-Muslims to practice their religion. This can be seen in the existing law on conversion in and out of Islam, as well as the propagation of religion among Muslims – these will be discussed in turn below.
(3) **Conversion: Judicial deference to the syariah courts**

The seminal case on conversion out of Islam is *Lina Joy*, where the applicant petitioned the court for the right to have “Islam” removed from her national identification card pursuant to her conversion to Christianity. The court made reference to the definition of “Malay” in the Federal Constitution, which states that a Malay is someone who, *inter alia*, professes the Islamic faith (Federal Constitution, Art 160). Thus, “[a]s a Malay, the plaintiff remains in the Islamic faith until her dying days” (*Lina Joy v Majilis Agama Islam Wilayah* [2004] 2 MLJ 119, p 144).

The tethering of religion to ethnicity is a large setback for religious freedom, as it implies that no ethnic Malay may ever lawfully practice any religion other than Islam – this is in clear contravention to individual religious freedom, which affords autonomy over choice of religion to the individual. In fact, it is telling that the judge interpreted Art 11 as referring to the freedom of religious communities rather than individuals (*Lina Joy v Majilis Agama Islam Wilayah* [2004] 2 MLJ 119, cited in Moustafa 2014, p 492).

Additionally, the court noted that conversion out of Islam (“apostasy”) should be governed by Islam, as religious communities had the right to manage their own affairs under Art 11(3)(a) of the Federal Constitution (*Lina Joy v Majilis Agama Islam Wilayah* [2004] 2 MLJ 119, p 125). This has troubling implications generally for anyone seeking to renounce the religion, as apostasy is a serious sin in Islam. It would thus be unlikely that any applicant would be able to successfully renounce the religion under syariah law (Shah & Sani 2011, p 667). In so holding, the court had thus effectively elevated Islam over the right to religious freedom (Harding 2012, p 243).

The deference of the civil courts to syariah law in matters of conversion was also seen in *Shamala* (concerning conversion into Islam), where the Hindu applicant’s husband – a new convert to the Islamic faith – converted his two children to Islam without his wife’s knowledge or consent. Upon divorce, both parties applied for and received a custody order – he from the syariah courts and she from the civil courts.

In the High Court, the judge noted that the applicant could not contest the legality of her children’s conversion, as the matter of conversion into Islam was something that fell squarely
within the jurisdiction of the syariah courts (Shamala Sathiyaseelan v Jayaganesh Mogarajah [2004] 2 MLJ 648, p 660). She was thus left with no remedy in the civil courts, and no standing in the syariah courts to obtain a remedy.

(4) Propagation

Art 11(4) of the Federal Constitution allows for the enactment of state or federal laws that control or restrict the propagation of any religious doctrine among Muslims. Pursuant to this, many states have enacted laws making it an offence to influence a Muslim to be a follower of another religion, or to distribute certain religious publications to Muslims (Shah 2014, p 264). This restriction does not merely cover non-Muslim religions, but non-orthodox types of Islam as well, as Malaysia strictly follows the Sunni school of Islam.

Thus in some states, imported Bibles have been stamped with the words “for the use of Christians only” to limit their spread (Harding 2012, p 239); religious police in the state of Selangor have also conducted raids on churches on the basis of suspicions that the conversion of Muslims was taking place within – the Muslims involved were later sent for counselling to “restore their faith” (Harding 2012, p 238).

As religious propagation is oft observed to be one of the key tenets of a religion, serving the “missionary” mandate integral to many of them (Thio 2012, para 15.039), it does not bode well for religious freedom that propagation is so heavily restricted in favour of preserving the integrity of a single religion – Islam.

(5) Conclusion

Hence, it can be seen that while the Islamic religious community has largely been given the autonomy to govern its own affairs (arguably communal religious liberty in some form), the same right has not been extended to other religions, and there is instead state interference with the way other religions, such as Christianity, carry out their activities.

Individual religious freedom, on the other hand, is usually compromised in favour of the autonomy of Islam – thus individual choices, most notably the choice to change religions, may
be subject to *syariah* principles (where required), curtailing the individual freedom to choose one’s own belief.

**B. Indonesia: An excess of state involvement**

(1) *Entrenching the right to religious liberty*

The Indonesian Constitution protects the right of the individual to choose and believe in a religion, and also his right to worship in accordance with his own belief (1945 Constitution of Indonesia, Arts 28E, 29(2)).

Similar to Malaysia, reference to a deity is made in Art 29(1), which states that the state will be based upon belief in “the One and Only God” (1945 Constitution of Indonesia, Art 29(1)). However, no specific religion is mentioned (unlike Malaysia, where Art 3 of the Federal Constitution specifically references Islam) – it thus appears that Indonesia as a state is neither secular nor Islamic (Crouch 2012, p 551).

(2) *Narrow definitions and active persecution of the “deviant”*

In Indonesia, all citizens must declare their religion on their national identification cards, and rituals of marriage or death must adhere to the customs of a government-endorsed religion – unofficial rituals are considered unlawful (Uddin 2010, p 641). However, the government has only recognised six religions to date: Islam, Catholicism, Protestantism, Hinduism, Buddhism, and Confucianism (Maula 2013, p 398).

This has serious implications on the freedom of religion, as citizens of Indonesia must adhere to the six – if they profess a religion unendorsed by the government, they face difficulty in obtaining national identification cards and registering births and marriages, unless they incorrectly identify themselves to the government (Maula 2013, p 398). Marriages are only considered valid when concluded according to the couple’s religion, and inter-religious marriages are prohibited by non-binding interpretations of *syariah* law (“*fatwa*”) (Otto 2010, p 460).
Further, the lack of belief in a God – that is, atheism – is not included on the list of government-recognised religions, and atheists have faced government persecution. Thus two years ago, an atheist was arrested on charges of inciting religious hatred, simply for joining an atheist Facebook group and posting atheistic commentaries online (Cochrane 2014).

Persecution extends to non-orthodox types of approved religions as well – the Ahmadiyah sect of Islam, long declared to be heretical, was renounced as “un-Islamic” by a fatwa in 2005 (Hefner 2013, p 24). Following this forceful declaration, many acts of violence were carried out against Ahmadi mosques and homes, and the perpetrators did not face severe punishment. In contrast, an Ahmadi bystander was arrested and sentenced for having “provoked” the violence by the mere fact of his presence at the scene (Hefner 2013, p 24).

In the wake of the anti-Ahmadiyah violence, regional regulations were enacted to ban the carrying out of Ahmadi activities, citing the threat of similar violent outbursts as a public order consideration justifying such a curtailment of religious freedom (Crouch 2012, p 556).

As can be seen, to practice something outside the government-endorsed religions is not only unlawful, but could also lead to the incurring of serious criminal liability. This in effect limits the scope of what individuals may choose to believe and practice, in clear contravention of the wording of the constitutional guarantees of religious freedom.

(3) Big Brother is watching: Excessive state regulation in religious affairs

A process of decentralisation has taken place in Indonesia in the past few decades, with the effect that the different regions now have greater autonomy to enact provincial regulations. In Aceh, Act 18/2001 granted local authorities the power to enact syariah regulations (Otto 2010, p 452). This move was met with mixed responses even from Islamic adherents, some of whom were wary of the unwanted state interference with ritual and worship (Uddin 2010, p 630).

One example is the mandating of Islamic garb for all female government employees. It must be noted that the wearing of religious garb is necessarily dependent on a believer’s own interpretation of religious principles – by mandating the donning of religious garb, the Acehnese government effectively imposed its own interpretation of Islam on the people of Aceh (Uddin 2010, p 630).
In addition, further regional regulations ("qanun") were enacted to mandate that all Acehnese follow the Sunni school of Islam, further restricting the freedom of religious thought. Furthermore, the Qanun Jinayah, regulations incorporating syariah principles into the Penal Code, was made applicable to both Muslims and non-Muslims, thus effectively imposing an Islamic interpretation of criminal law on all people regardless of their actual religious belief (Uddin 2010, p 633). Syariah-based corporal punishments, such as caning and stoning, have also since been incorporated into the criminal legal system (Otto 2010, p 457).

The result of this is that the government imposes a single interpretation of Islam on the people, forcing compliance through the threat of legal consequences and (potentially) corporal punishment. This constitutes an excessive interference of the state with matters that traditionally should be left to the religious community – indeed, Islamic scholars have noted that it should not be for the state to legislate punishments for personal sins (Shah & Sani 2011, p 680).

(4) Conclusion

Neither individual nor communal religious freedom enjoys robust protection in Indonesia. While the state does not generally interfere with individual religious decisions, the number of endorsed state religions is limited, and the activities of unendorsed religions are generally illegal. Individual religious freedom thus exists in a highly limited form.

Communal religious freedom, on the other hand, is severely restricted – the codification of syariah has resulted in the implementation of a uniform interpretation of religion, and the regulation of religious actions by the state rather than by the religious community itself.

IV. When is an elephant a bird? Religious liberty in the USA

The USA has often been lauded for its "accommodative" approach towards other religions, due in part to a supposed acceptance of manifestations of religion in the public sphere (Tourkochoriti 2012, pp 792-793, 852). However, this perceived freedom of religion is more restricted in practice than it first appears.
A. **Entrenching the right to religious liberty**

The right to religious freedom is entrenched in the First Amendment, which states that Congress “shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof” (US Const. Amend. I). The first part is known as the “Establishment Clause”, which prevents the entanglement of government and religion; the second part is known as the “Free Exercise Clause”, which guarantees the free exercise of religion by individuals.

In addition, the Civil Rights Act (1964) governs religious accommodation in the workplace, stating that employers may only refuse to provide accommodation where they are unable to reasonably accommodate their employees’ religion without their business suffering undue hardship (Civil Rights Act (1964), § 701(j)).

B. **The “wall of separation” between church and state**

Religious freedom was first conceived of in ostensibly religious terms – the free promotion of Christian evangelism, and prevention of government corruption of religion (Sheldon & Slemp 2011, pp 7, 8). The need for individual freedom stems from the idea that God requires a “sincere and real” belief, and this can only be achieved where the believer has freely come to the faith without coercion (Sheldon & Slemp 2011, p 11). Thus, the government cannot interfere excessively by establishing any particular religion through its actions.

The Establishment Clause is upheld by three distinct tests. The *Lemon* test requires that all legislation be enacted for a secular purpose, so as to prevent excessive entanglement of religion and state (*Lemon v Kurtzman* 403 US 602, pp 612-613). The “endorsement” test notes that the key question is whether a particular religion is favoured or preferred by the government action – if so, that action will be illegal and unconstitutional (*County of Allegheny v American Civil Liberties Union* 492 US 573, pp 592-593). Lastly, the “coercion” test looks at whether an ordinary person would feel compelled by the government policy (*Lee v Weisman* 505 US 577, p 587) – such coercion is impermissible as it would make non-adherents feel like outsiders in society (*Santa Fe Independent School District v Doe* 530 US 290, pp 309-310).

Despite these safeguards, however, the very fact that this liberty is so steeped in religious undertones seemingly contradicts the constitutional mandate that there cannot be sponsorship
of any religion. It is a curious paradox, one that remains relevant in light of the fact that reference is often drawn to Madison and Jefferson – who had, themselves, conceived of religious freedom using Christian ideology – to interpret religious freedom clauses today (Sheldon & Slemp 2011, p 22). It is argued that the Christian beginnings of the First Amendment rights have led to an implicit bias in the carrying out of government action, and in the American jurisprudence on religious freedom.

C. The Free Exercise Clause, and the issue with religious accommodation

The Free Exercise clause affords absolute protection to religious belief; for religious action, protection comes in the form of categorical exemptions known as “accommodations”, such that people may act in contravention of a given law if their religious belief mandates that they do so (Uddin 2013, p 76).

The availability of accommodations, however, was severely stunted when the Supreme Court held that no exemptions will be allowed for generally-applicable laws, where the prohibition of religious conduct is but an incidental effect (Employment Division v Smith 494 US 872, p 878). Though Congress later tried to reverse this decision by enacting the Religious Freedom Restoration Act, the applicability of this Act has since been severely crippled by courts (Ahmed 2014, p 390).

The protections under the Civil Rights Act (1964) have also been narrowly defined – “reasonable accommodation” is assessed from the employer’s perspective (Ansonia Board of Education v Philbrook 479 US 60, p 68), and “undue hardship” is defined as any cost greater than de minimis (Trans World Airlines v Hardison 432 US 63, p 84).

The overall effect of these narrow interpretations is that religions may only receive exemptions where they have been enacted in legislation (Ahmed 2014, p 393). Though it has been expressly acknowledged that this would disadvantage religious minorities, this concern has been dismissed as a necessary consequence of democratic government (Employment Division v Smith 494 US 872, p 890). However, legislation and employment practices already conform to the religious majority, and thus there would be a much lesser need for statutory exemptions for majority religions than minority ones (Ahmed 2014, p 394) – confining religious accommodations to statutory exemptions thus needlessly prejudices the minority.
As a result, Muslim taxi drivers remain unable to refuse service to passengers who are visibly carrying alcohol (despite it going against their religious beliefs), while pharmacists and doctors may refuse service to patients if it goes against their religious beliefs to do so. In respect of the latter, these “conscience” accommodations largely cater to Christian medical providers, who may not wish to perform abortions, provide contraceptive medication, or serve homosexual patients (Ahmed 2014, pp 405-406).

In addition, the jurisprudence on the Civil Rights Act (1964) has only served to cripple religious freedom in the workplace – employers are effectively able to always refuse accommodation of religious minorities (for surely any cost of accommodation would be greater than de minimis), thus far lowering the standard for reasonable accommodation (Ahmed 2014, p 395).

D. The Establishment Clause, and the problem with ceremonial deism

It is oft acknowledged that USA is a highly religious country – specifically, it resembles a “Christian nation” (Church of the Holy Trinity v United States 143 US 457, p 471), despite the Jeffersonian mandate to keep a thick wall of separation between church and state (which today takes form as the Establishment Clause). This has resulted in the manifestation of Christianity in the public sphere, affecting not just Christians but believers and non-believers of every kind.

Christianity is closely tied to patriotism, and references to God can be found in both the national anthem and the Pledge of Alliance (Sheldon & Slemp 2011, p 28). In respect of the latter, reference to the famous Newdow case is essential – there, an atheistic father petitioned that the words “under God” in the Pledge of Alliance were an endorsement of Christianity, contravening the Establishment Clause. There was no clear resolution on the constitutional issue, as the Supreme Court ultimately dismissed the applicant’s case for lack of standing – however, the minority judges that had found standing nevertheless ruled that the Pledge was constitutional (Elk Grove Unified School District v Newdow 542 US 1, p 14 (Rehnquist CJ concurring in judgment); Elk Grove Unified School District v Newdow 542 US 1, p 11 (Thomas J concurring in judgment)).

Ceremonial deism was additionally defended as an “inevitable consequence” of the religious history that gave rise to the American principles of liberty, rather than an unconstitutional
establishment of religion (Elk Grove Unified School District v Newdow 542 US 1, p 13 (O’Connor J concurring in judgment)).

Other instances of ceremonial deism include the practice of opening legislative sessions with Christian prayer, and the National Day of Prayer. The former practice has controversially been declared lawful (Town of Greece v Galloway 572 US 1, p 24), and the latter has been cited as a permissible recognition of religion (Lynch v Donnelly 465 US 668, cited in Eisenberg 2011, p 194).

Given its clear Christian roots, the practice of ceremonial deism entrenches Christianity as the dominant religion in America, and entangles the government with matters of religion (from which they are meant to abstain). The US courts’ interpretation of the separation of church and state seems to have allowed (somewhat) for the freedom of the church from the state (as seen above), but not necessarily the freedom of the state from the church. However, just like a good divorce, disentanglement of both sides from each other is necessary to create a clean separation – hence, the practice of ceremonial deism continues to be a curious judicially-endorsed contravention of the Establishment Clause.

E. Conclusion

While the USA definitely does afford protection for both individual and communal religious freedom (through the Free Exercise and Establishment clauses respectively), such protection is not equally robust across all religions; instead, Christian religious liberty is the most protected, while other religions enjoy a skimpier level of protection.

In fact, the USA’s level of religious freedom is on par with, or only slightly better than, the protections afforded in Malaysia – both countries share a strong preference for (and state endorsement of) one particular religion, often protecting it at the sufferance of other religions.

V. Neutrality in treatment: Religious liberty in Singapore

Singapore addresses religious freedom using a purely secular narrative. While it is true that religious freedom is generally more restricted across the board, focus will be made in this paper
to the way in which Singapore is able to protect religious freedom without explicitly favouring one religion over the others, and without excessive state interference in religious matters.

A. **Entrenching the right to religious liberty**

The Singaporean Constitution guarantees the right to profess, practice, and propagate one’s religion (Singapore Constitution, Art 15(1)), though this is subject to restrictions on grounds of public order (Singapore Constitution, Art 15(4)).

All religions are treated even-handedly, such that the law applies equally to all without exemptions (Thio 2012, para 03.131) – hence, pacifist Jehovah’s Witnesses are also obliged to serve in the army, and school uniform policies apply to Muslim girls (who thus cannot wear the *tudung*, a form of religious garb, with their uniform). Patriotism and religion are kept strictly separate, such that acts of ceremonial deism are not prevalent in Singapore (*Nappalli Peter Williams v Institute of Technical Education* [1999] 2 SLR(R) 529, [25]).

However, “religion” is restrictively defined in terms of a monotheist belief (thus excluding beliefs such as Buddhism) (Thio 2012, para 15.058). In addition, “public order” is widely defined, such that the threshold for restriction of Art 15 rights is set at a very low level (Thio 2012, para 15.069).

B. **Autonomy to religious communities, believers**

The right to profess one’s religion is “inviolate”, and thus individuals have absolute freedom in the matter (Thio 2012, para 15.023). In respect of the practice and propagation of religion, they may be restricted where necessary – however, the approach towards such regulation has generally been *laissez-faire* (Thio 2012, para 15.043).

Propagation of religion is generally allowed unless it becomes too aggressive or insensitive, and clear (albeit non-binding) guidelines help to delineate what constitutes “aggressive” propagation (Parliament of Singapore 1989, para 15). In deciding what a religious practice is, courts have recently shifted towards a more accommodative approach – as long as the applicant believes the action to be a religious practice, and it is not wholly foreign to the religion, the
court will accept it as a religious practice \((Vijaya Kumar s/o Rajendran v Attorney-General [2015] SGHC 244, [21])\).

In addition, the recent move towards a proportionality approach in assessing suitable restrictions on religious practice heralds an effort to impinge on religious freedoms even less \((Vijaya Kumar s/o Rajendran v Attorney-General [2015] SGHC 244, [38])\).

Syariah courts are given jurisdiction over Muslims in certain matters, due to the Application of Muslim Law Act, and their orders are enforceable by the civil courts (Black 2012, p 65). As syariah court decisions are not reviewable by the civil courts, the level of state interference is minimised.

C. Translating practical lessons across the Pacific

Could the USA learn some practical lessons from the Singaporean approach, in order to provide a more equal protection of religious freedoms? As one of the largest multi-religious societies in the world, it is definitely important for the USA to be able to treat its citizens equally.

However, given that religion – specifically Christianity – is so closely intertwined with the American conception of liberty (Sheldon & Slemp 2011, p 1), it may be impossible to adopt Singapore’s more secular model.

The USA was founded by a primarily Christian people from England, and remained predominantly Christian for many years after. It is thus no surprise that the fundamental liberties were thus influenced and shaped by Christianity. Only in recent years did it become necessary for the USA to begin considering equal treatment, as the number of non-Christians began to burgeon with the large influx of immigrants chasing the American Dream.

The situation in Singapore, however, is very different – from the inception of Singapore as an independent nation-state, it was already a multi-religious community, and there was a strong need to preserve communal peace and harmony (Wong 2010). Equal treatment between religions, without the explicit favouring of one over the other, was key to Singapore’s survival.
It is thus difficult to adopt the Singaporean approach in the USA, not only because of the contextual differences between the two countries, but also because to do so would be to implement accommodations for a great number of non-Christian religions, a drastic change that the majority populace may not be entirely comfortable with. A similarly defensive response has already been noted in the wake of the legalisation of homosexual marriage – despite this change concerning the rights of a minority and not the Christian majority directly, the latter has still viewed this as a threat to their own religious freedom (Merritt 2016).

VI. Conclusion: Changing perspectives, and the need for better protection

There remains a pressing need to improve the protection of religious freedom. The West cannot simply rely on the age-old stereotype that their people are more free than the East; as this comparison has clearly shown, religious freedom protections only benefit the majority, and not every citizen (as a fundamental liberty must necessarily do). Countries on both sides of the Pacific must seek to provide better, more equal protection of religious freedom, by reducing state interference in religious matters and providing more individual autonomy.

Even in countries where treatment is (mostly) equal, such as in Singapore, the restrictive approach taken means that religious freedoms are not adequately protected. In this respect, the recent move towards a proportionality approach is lauded, for it would allow for a more nuanced, sensitive approach to restricting the freedom of religion.

No longer does any country have room to sit back and point fingers, as there remains work to be done all around.
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