

World Vision wins right to hire and fire on faith basis

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World Vision, a Christian humanitarian organization, can fire employees who disagree with its theological tenets, a federal appeals court has ruled. In a 2-1 decision, the Ninth U.S. Circuit Court of Appeals said on August 23 that World Vision is a "religious corporation" and therefore exempt from a federal law that bars faith-based discrimination.

"I am satisfied that World Vision has met its burden of showing that the 'general picture' of the organization is 'primarily religious,'" wrote Judge Diarmuid O'Scannlain. "World Vision is a nonprofit organization whose humanitarian relief efforts flow from a profound sense of religious mission."

Three employees, two of whom had worked at World Vision for ten years, were fired in 2006 because they did not believe in the divinity of Jesus or the doctrine of the Trinity, O'Scannlain wrote. The Civil Rights Act of 1964 bars religious discrimination but carves out an exemption for companies engaged in a religious purpose, the court ruled.

Judge Marsha S. Berzon dissented from the majority opinion, saying Congress did not intend to allow all religiously motivated nonprofits to be exempt from the law.

"That interpretation would severely tip the balance away from the pluralistic vision Congress incorporated . . . toward a society in which employers could self-declare as religious enclaves from which dissenters can be excluded despite their ability to do the assigned secular work as well as religiously acceptable employees," Berzon wrote.

The decision comes as President Obama is determining whether the government should help fund religious charities that refuse to hire people of other faiths. White House officials have said the Justice Department is studying the matter, and decisions will be made on a case-by-case basis until a final decision is rendered.

World Vision praised the court ruling in a statement: "Our Christian faith has been the foundation of our work since the organization was established in 1950, and our hiring policy is vital to the integrity of our mission to serve the poor as followers of Jesus Christ." —RNS