



Collective versus Individual Rights. The Case Law of the European Court of Human Rights in the German Religious Labour Law Cases

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Essay from the year 2015 in the subject Law - European and International Law, Intellectual Properties, , language: English, abstract: Religious organizations which operate hospitals, kindergartens and other institutions are important employers. This is particularly the case in Germany, where institutions related to Christian groups, including the united evangelical regional churches and the Catholic church are the second most important employer after the public sector.

At the same time is there a sense of increased secularization. This can lead to situations in which employees, while willingly employed by a religiously motivated organization, openly defy key rules of this religious group, e. g. when it comes to issues such as divorce or homosexuality.

In the last years, a number of cases have made it through the court system in Germany and eventually to the European Court of Human Rights. By looking at some of these cases and the wider case law of that Court, this article is aimed at providing the reader with an overview over the topic but also with an answer to the question how the European Convention on Human Rights, which allows for a wide range of legal models concerning the relationship between the state and organized religions.

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