

Religious liberty in France.

It could seem quite surprising to have interest about religious liberty in a country like France. Are we not signatories of all European and international conventions giving guaranties to it?

Anyhow, I remember, in the years 2002-2007, having been invited at least two times, at the Embassy of USA in Paris. I was president of the French protestant Federation. They were receiving two senators in charge of the annual report of the State Department on religious liberty. They were informed about supposed breaches in religious liberty in France. Evangelical groups living in southern part of France were complaining about controls on their activities by the Ministry of interior. It took me a certain time to explain that this was in accordance with the status of religious associations in France, and that the first amendment of US Constitution was not applying in our country.

If the legal framework for religious association is clear, with a double law (1901 for all associations, and 1905 creating a specific category of religious association with special rights and duties), since 1980, administrative mistakes and excessive interpretation of the law can be understood as attack against religious liberty.

Years 1980 to 2000 were marked by a growing suspicion against sectarian groups (cults). As no legal definition can be given for a 'cult', the French Protestant Federation and lot of others have recall with perseverance the existing legal texts, of the common law, to fight against the dangerous actions of those sectarian groups. Facing the Waco drama, and the burning of disciples of the Solar Temple in Switzerland and France, French parliamentarians made reports on cults? Those reports have brought out discriminatory actions toward religious movements as Jehovah Witnesses, but also injurious if not illegal attitudes against Evangelical Churches and Christians, not belonging to 'recognised' Churches.

More problematic, to my understanding, is the growing 'islamophobia' characteristic of the ten first years of the new century. You can put the question in a politically correct way: "Is Islam compatible with French 'laicity', establishing a mutual neutrality of State and religions?" But behind this intellectual approach are two serious drifts:

First, there is not 'one' Islam, but a plurality of islams... When you generalise, you refuse to respect the liberty of all religious groups in their diversity to be registered under the French law. To speak about one Islam, bring danger on religious liberty.

But, mainly, the tendency has been to judge this compatibility of Islam with French laicity in prescribing new laws, precisely to demonstrate the incompatibility of Islamic practices. For example, a law about religious signs in public schools, specifically against the Islamic scarf.

Then we had a new law against the Islamic nikab in public space. First, This law was applying to a small minority and, second, it was undermining religious liberty. I do agree on the critics that have been developed against the nikab, with the argument that France is a country of liberty for all women, and that the nikab undermines the idea that the public space must be a space of open citizenship... anyhow legislating on this subject must be considered as an attack against religious liberty and the fundamental right of expressing publically one's faith.

I finish in giving a small commentary on this point: I don't think that religious liberty is seriously threatened in France; it receives only small hints... but, in the public expression of quite a lot of politicians, intellectuals, writers, you may find currently their attachment to freedom of religion as long as religion is exercised in what they call the private sphere. And this is the real threat against religious liberty, which has sense only if combined with liberty of expression, in the public space.

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