



Religion

Population

Area

- Christians : **64.7%**
- Agnostics : **19.9%**
- Muslims : **8.8%**
- Atheists : **4.2%**
- Others : **2.4%**

64,668,000

551,500 Km²

Legal framework on freedom of religion and actual application

The constitution of France (of 4th October 1958) establishes the country as a secular state: “Article 1: France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs.”^[1]

The 9th December 1905 Law regarding the separation of state and religions is the cornerstone of the French principle of laïcité. Article 1 reads: “The Republic ensures the liberty of conscience. It guarantees the free exercise of religion, under restrictions prescribed by the interest in public order.” Article 2 asserts: “The Republic does not recognise, remunerate, or subsidise any religious denomination.”^[2]

Prior to this law, all religious buildings were nationalised but were put at the disposal of their former owners for their spiritual needs. Since 1905, the state has been responsible for their maintenance at its own expense. Despite the separation between the state and religions, the government may provide religious groups with loan guarantees or leased properties at discounted rates, and places of worship may be exempt from property taxes.^[3]

State schools are secular. By law, the government can subsidise private schools which implement the official curriculum and accept all children regardless of their religious affiliation. They are known as “schools under contract”; they are mainly Catholic.^[4]

Law on conspicuous religious signs: In March 2004, the French Parliament adopted a law that prohibits state school students from wearing clothing or insignia that “ostensibly manifest a religious affiliation”.^[5]

On 30th January 2018, France's National Assembly adopted a new dress code barring deputies from wearing "any conspicuous religious sign, a uniform, a logo or commercial message, or political slogans"^[6]

Law on the full-body veil: On 11th October 2010, Nicolas Sarkozy, then President of France, promulgated the law "prohibiting the concealment of the face in the public space". This law made wearing the niqab (which shows only the eyes) or the burqa (full-face veil) punishable by a fine of up to EUR€150^[7]

Law on the burkini: During the summer of 2016, some 30 mayors, most of them Conservatives, banned the Muslim swimsuit known as the "burkini" because they saw it as a threat to public order. However, the higher French administrative jurisdiction, the Conseil d'Etat, suspended or cancelled most of the bans, on the grounds that public order was not at stake.^[8]

Anti-terrorism law: After 1st November 2017, French lawmakers passed an anti-terrorist law intended to replace the legislation in force during the state of emergency.

Under the new law, the prefect is still allowed to order administrative searches but only after consulting a prosecutor and after the decision has been validated by a judge.^[9] The prefect is still authorised to close places of worship if they propagate – either orally or in printed form – ideas and theories inciting worshippers to violence, hatred, discrimination, terrorism, or if they support terrorism.

House arrests are replaced by "individual measures of surveillance". Freedom of movement is extended from the place of residence to the commune and it can be extended to the département if the suspect accepts to wear an electronic bracelet.

Controls of personal identification documents are possible without prior authorisation of a judicial authority at the border, near and in train stations, or within a 20 km radius from international ports and airports.^[10]

| Incidents

In 2016, the number of racist, anti-Muslim and anti-Jewish incidents decreased for the first time. However, the number of anti-Christian incidents dramatically increased over the same period, according to the annual report of the French Ministry of the Interior. This is most probably due to the lack of protection of Christian sites by state forces during that period as the number of anti-Christian incidents decreased the next year in a context of reinforcement of surveillance by the police and the military.

2015's record number of racist, anti-Semitic and anti-Muslim incidents (2,034), clearly decreased in 2016 when incidents declined by 44.7 percent.^[11]

In 2017, the number of incidents involving the vandalism of Christian and Muslim graves and places of worship decreased. However, vandalism cases against Jewish sites increased by 22 percent, compared with 2016, according to the Ministry of the Interior.^[12]

The national statistics for 2017 recorded: 950 racist, anti-Semitic and anti-Muslim incidents in 2017 down 16 percent on the year before.^[13]

The number of anti-Muslim incidents (121) dramatically decreased by 34.5 percent. The number of racist incidents (518) dropped by 14.8 percent. The number of anti-Semitic incidents (311) diminished by 7.2 percent. However, of those 311 incidents, the number of acts of violence against Jews has increased: 97 in 2017 against 77 in 2016.^[14]

Concerning acts of vandalism against religious sites and graves, Christian sites were less targeted: 878 in 2017 against 949 in 2016, and Muslim sites were also less targeted: 72 in 2017 against 85 in 2016.^[15]

Terrorism-related issues

After three coordinated terrorist attacks were carried out in Paris on the night of 13th November 2015 – leaving 130 people dead and hundreds wounded in Le Bataclan theatre,^[16] Stade de France football stadium, and restaurants and bars – the Government of the then President François Hollande, put in place a state of emergency which was prolonged several times^[17] until it was lifted by President Macron on 1st November 2017.^[18]

According to statistics from the Interior Ministry, published on 1st February 2017, 4,320 places of worship and religious community buildings were under surveillance and protection of mobile (non-static) patrols by law enforcement and military forces in 2016.^[19]

2,400 out of 45,000 Christian sites (5 percent)

1,100 out of 2500 Muslim sites (44 percent)

820 Jewish synagogues, schools and community centres (100 percent)

On Easter day 2018, 70,000 law enforcement forces were mobilised for the protection of Christian and Jewish places of worship according to a press release published by the Ministry on 30th March.^[20]

In 2017, 20 terrorist attempts were foiled, according to Gérard Collomb, Minister of the Interior^[21]. During the state of emergency from November 2015 to 1st November 2017, 32 attempts were foiled, 4457 administrative searches were carried out at the residences of individuals who had relations with jihadist movements, 625 weapons were discovered. During the state of emergency, 19 Muslim places of worship suspected of hosting preachers spreading hate speeches were closed.^[22]

Related to Islam

Deportation of controversial preachers

From 2012 to 2015, the then Interior Ministry deported 40 Muslim clerics; and another 52 people, including clerics, were also deported in 2016-2017.^[23]

In 2017, 20 radicalised foreign nationals were expelled from French territory, according to French Interior Minister Gérard Collomb.^[24]

On 19th April, the controversial 63-year-old Salafist preacher, Imam El Hadi Doudi, was expelled to Algeria following a lengthy legal process.^[25] Doudi's expulsion application had been suspended pending a ruling by the European Court of Human Rights (ECtHR), which finally ruled in favour of the deportation on 19th April.^[26]

Among other things, Doudi was preaching that Jews are “unclean, the brothers of monkeys and pigs”, that women could not leave their homes without their husband's permission and that an apostate should receive the death penalty!^[27]

In March, France expelled Mohammed Tlaghi, a substitute imam at a mosque in Torcy, an eastern Parisian suburb, due to radical sermons.^[28]

Related to Judaism

On 21st April 2018, over 250 French personalities signed a declaration against “the new antisemitism” which is characterised by acts of violence perpetrated in the name of Islam. Among them were former President Nicolas Sarkozy, three former Prime Ministers, elected officials, intellectuals, artists, writers, and so on.^[29]

On 23rd March 2018, an 85-year-old Jewish woman, Ms Mireille Knoll, was killed in her apartment in Paris. Her body had been set alight and stabbed 11 times. The case was treated by French prosecutors as an anti-Semitic attack. In 1942, she escaped the notorious Vel d'Hiv round up of some 13,000 Jews in Paris, who were then deported to Nazi death camps. Two men, aged 22 and 29, were arrested and placed under formal investigation over the murder.^[30]

At the end of January 2018, two teenagers beat an 8-year-old Jewish boy wearing a kippah in suburban Paris in what French prosecutors called an anti-Semitic attack.^[31]

On 10th January 2018, a 15-year-old Jewish girl was slashed in the face by an unidentified assailant on a street in the suburb of Sarcelles while walking home from her private Jewish school. She was wearing school uniform, which would have identified her as Jewish.^[32]

On 9th January 2018, two kosher shops in Creteil, another suburb of Paris, were torched two weeks after the same shops were attacked by individuals who painted swastikas on their facades. The incident took place three years to the day since an assault on a Jewish supermarket by a French Islamist gunman Amely Coulibaly during which three customers and an employee were killed. Creteil counts some 23,000 Jews among its 90,000 residents, according to community leader Albert Elharrar. He added that Jewish groups believe the shops were deliberately targeted at the time of commemorations for the 2015 attacks. A record 7,900 French Jews emigrated to Israel the year of the Hyper Cacher attack, many of them citing increased fears over anti-Semitism.^[33]

On 2nd December 2016, a Jewish man wearing a kippah was insulted and then chased by an individual who punched him and then attacked him with a knife. The wounded victim was hospitalised needing surgery on his arm.^[34]

Related to Christianity

During the first three months of 2018, the Observatoire de la Christianophobie recorded 69 anti-Christian incidents in France, an increase of 12 percent in comparison with the same period in 2017.^[35]

In the first two weeks of April 2018, arson attempts took place at the Church of St Gervais in Langon (Gironde) and in the Cathedral of Saint-Omer; a priest was stabbed by burglars in his church in Tassin-la-Demi-Lune (Rhône); several churches were desecrated in Belley-Ars diocese (Ain), Saint-Jean-in-Saint-Maurice-sur-Loire (Loire) and Saint-André-de-Valborgnes (Gard).^[36]

On 24th November 2017, a court in Carcassonne sentenced a Muslim woman, known only by her first name "Kenza", for vandalising and desecrating St Marie Madeleine Church in Rennes-le-Château. She was given a suspended two-year prison term and ordered to pay €17,718 in repairs. On 23rd April 2017, she had gone to the church with an axe and struck the holy water stoup. She then decapitated the well-known statue of Asmodea (the demon from the Book of Tobit) positioned below the stoup, cut off its arm, and placed a Qur'an on the ground there. She also lacerated the bas-relief of the altar and damaged a statue of Mary Magdalen.^[37]

In October 2017, France's top administrative court gave the town of Ploermel (Morbihan) six months to remove the cross above a statue of John Paul II standing in a public square in a bid to comply with the 1905 law enforcing the secular nature of public spaces. The statue whose arch features a cross, was installed in a public square in October 2006. A group of local citizens then launched a legal drive to remove the cross. Finally, the statue was moved a few metres to a privately owned space which was fully visible from the public space.^[38]

On 26th July 2016, two 19-year-olds in Saint-Étienne-du-Rouvray (Seine Maritime), slit the throat of Father Jacques Hamel, 85, as he was celebrating morning Mass, and seriously injured another member of the congregation. The two attackers, who claimed to be "soldiers" of Daesh (ISIS) were shot dead by police.^[39]

Related to Other Issues

No community on the French governments list of cults and sects was sentenced on criminal charges during 2016-2017.

However, on 7th December 2017, the Administrative Appeal Court of Paris condemned the MIVILUDES (judgement no 15PA02819) for damaging the reputation of the National Association of Kinesitherapists Practicing Fasciatherapy and the group Point d'Appui which, until 2012, provided training in fasciatherapy to osteopaths and professionals in similar professions.

MIVILUDES, a governmental agency which monitors cultic groups which might threaten public order or contravene French law, not only included fasciatherapy in its brochure "Health and Cultic Deviations" but also described it as a dangerous medical technique.^[40] The court ruled that MIVILUDES must remove the reference from its report, pay the plaintiffs €1500 in damages and publish the court decision on its website and in all other media in which it had warned against the practice.^[41]

The publications of MIVILUDES, which ostensibly examine dangerous cults, have been repeatedly criticised by human rights NGOs at the UN, the CoE and the OSCE for stigmatising non-traditional religious groups and their members.

As of 1st April 2018, hundreds of Chinese members of the Church of Almighty God^[42] who had fled persecution in their country were under threat of being deported back to China. France had rejected 355 requests for asylum out of 442 and issued 158 orders of departure.^[43]

Prospects for freedom of religion

The *laïcité* principle (separation between state and religion) enshrined in the Constitution and the 1905 Law in France are the cornerstones of the relations between state and religion. All the religions present on French territory at that time progressively integrated their religious practices within this constitutional and legal framework.

Islam, which was mainly imported into the country through migration from its former colonies, and more recently from countries at war, is progressively following the same course. However, new radical forms of Islam have entered the country through internet, the propaganda of Daesh (ISIS), and fundamentalist preachers. Their proponents openly challenge France's secular character in the public space and in courts, e.g. street prayers, the wearing of the veil in schools and gender segregation in swimming pools. It can be expected that this will not change in the short term.

Moreover, hundreds of radicalised young people have left France to fight with Daesh in Syria. Others have committed terrorist attacks in France and in Belgium claiming hundreds of victims. Despite the attempts of foreign extremist ideologists to fracture French society, the French have remained united whatever their religion or beliefs and have condemned the murderous attacks of those who had sworn allegiance to ISIS. Statistics supplied by the French Ministry of the Interior indicated that the number of anti-Muslim incidents fell in 2016 and 2017.

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