

Western Europe

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In Western Europe today there are threats to both religious freedom and freedom of conscience. Within the EU, article nine of the European Convention on Human Rights guarantees freedom of thought, conscience and religion, but several nations have experienced conflicts of values, whereby religious liberty is perceived as conflicting with the liberty of other sectors of society, and the rights of religious groups are not always robustly defended by the state in these situations. Sometimes these conflicts have more to do with the implementations of the laws, sometimes it is the law itself that limits religious freedom.

The Vienna-based Observatory on Intolerance and Discrimination against Christians documented 241 cases across the EU during 2013 – including a bomb exploding in Spain's Zaragoza Basilica and a Molotov cocktail being thrown at a newly renovated church in Lucca, Italy.¹ The Observatory also identified 41 laws which affect Christians adversely – and this can provide an indicator for areas where other faith groups also suffer discrimination – including whether parents cannot opt their children out of mandatory sex education that is in direct opposition to their religious convictions and whether nurses and doctors are forced to do things they hold to be unethical. Indeed, restrictions on religiously motivated conscientious objections have increasingly affected medical staff and pharmacists in several EU-member states including France, Norway, the UK and Sweden.²

Indeed the research on Christians is indicative of the discrimination faced by other religious groups, who in some cases have also faced sustained periods of violent attack. In a number of cases of violence against Muslims and Jews a common theme emerges: these religions have become scapegoats for the actions of individuals or groups with links to these communities. Rising attacks on the Jewish Community in France, Germany and Italy in July 2014 – including the throwing of Molotov cocktails at the Bergische Synagogue in the west German town of Wuppertal – were linked to the deaths of Palestinians, including children, during the Israeli bombardment of Gaza; and a sustained series of attacks on Muslims and mosques in the UK followed the murder of soldier Lee Rigby by Islamist extremists in May 2013. There is concern that such violence may be a factor in rising levels of Jewish emigration. In the first three months of 2014, 407 French Jews left for Israel – a four-fold increase on the same period in both 2012 and 2013.³ A 2012 survey of Jewish people in eight European countries found that, on average, 21% of those interviewed had been harassed or attacked over the previous year and 29% had considered emigrating.⁴ But such violence, while deeply concerning, is still largely exceptional and does not characterise the prevalent condition for the majority of religious groups. Indeed the ongoing forms of discrimination and intolerance in Europe are usually more subtle.

In a number of European countries a secularising tendency has made moves to exclude manifestations of religion from public life by restricting any state funding of religious activities and forbidding religious symbols in public places e.g. displaying crucifixes in schools. With regards to the public display of religious symbols, the wearing of Islamic veils continues to be highly contentious – and a 2012 Amnesty International report called on governments to “[e]nsure that any restrictions imposed on the wearing of full-face veils, at the national level

¹ *Observatory on Intolerance and Discrimination against Christians Report 2013* (Vienna: Observatory on Intolerance and Discrimination against Christians), pp. 6, 23, 25.

² www.zenit.org/en/articles/firing-health-professionals-who-refuse-to-abort-babies-is-watershed-moment-for-europe ; www.lifenews.com/2014/01/28/nurse-fired-for-refusing-to-participate-in-abortions/ ; www.thelocal.se/20140124/anti-abortion-nurse-claims-religious-bias

³ *New York Times*, 21st June 2014; but see also www.jta.org/2013/03/20/news-opinion/the-telegraph/is-french-jewish-emigration-driven-by-anti-semitism

⁴ *Discrimination and Hate Crime against Jews in EU Member States: Experiences and Perceptions of Antisemitism* (Vienna: European Union Agency for Fundamental Rights, 2013), p. 30, 39ff.

or under policies or legislation adopted by regional or local authorities, are demonstrably necessary and proportionate for the achievement of a purpose recognised as legitimate under international human rights law.”⁵ Paradoxically, proponents of secularism have been ready to be intolerant *in the name of tolerance*. For example, while secular approaches such as “laïcité” in France are ostensibly designed to provide neutral spaces, increasingly proactive applications of such principles risk restricting the rights of religious groups. Worried by the new Charte de la laïcité which, in an attempt to completely enculturate laïcité in schools, restricts religious rights and freedom of conscience (cf. art. 13), Joël Mergui, president of the Central Consistory of the Jews of France, warned of a “laïcité d’exclusion” – a secularism of exclusion.⁶

As LGBT, and other gender, activists seek to challenge traditional, natural-law views of sexuality and achieve full societal acceptance of homosexuality as normative there have been clashes with religious groups. Members of these faith groups have critiqued both the arguments that underlie these campaigns and the lifestyles adopted by same-sex partners. As part of this ongoing culture shift there have been drives to legalise gay marriage and gay adoption which have been successful in some countries, such as Denmark and the UK with widely different implications for religious groups. Indeed, Christianity is often seen as being *a priori* antagonistic to all gay rights. Leaflets for schools in Belgium entitled “Combating Homophobia” described Christianity as an obstacle to overcoming anti-LGBT prejudices. With such negative stereotypes of faith groups becoming more widespread there have been concerns in some countries that the promotion of gay rights will lead to a *de facto* censoring of religious communities which hold traditional moral views regarding homosexuality. For example there were fears that Italy’s Scalfarotto-Leone bill, while intending to combat homophobia, could lead to all criticism of homosexuality being branded as “homophobia” and punishable under law. As the bill was debated, Archbishop Luigi Negri argued for the need to also protect individuals’ and religious group’s freedom of expression and freedom of religion, while Magistrate Domenico Airoma described the bill as an “aggressive expression of relativism”.

Indeed there are concerns that a hard-line imposition of relativistic positions will inhibit a reasonable accommodation of religious beliefs. This idea was underlined by Pope Benedict in 2011: “It is clear that *if relativism is considered an essential element of democracy, one risks viewing secularity solely in the sense of excluding... the social importance of religion*. But such an approach creates confrontation and division, disturbs peace, harms human ecology and, by rejecting any principle approaches other than its own, finishes in a dead end.”

European countries are still grappling with the question of how to allow full expression of different views in the public square and promote contributions from diverse parts of society, when groups hold conflicting – and even inherently contradictory – views. But there are fears from religious groups that subscribe to more traditional moral principles that when there is a clash of values they will end up being forced by the state to conform to newly enshrined societal norms that they conscientiously object to.

Note

This analysis forms part of Aid to the Church in Need’s *Religious Freedom in the World Report – 2014*. To view the report in full please visit: www.religion-freedom-report.org

⁵ *Choice and Prejudice: Discrimination against Muslims in Europe* (London: Amnesty International, 2012), p. 113.

⁶ *Libération*, 10th September 2013.