



OIDAC EUROPE

**ANNUAL
20**

**REPORT
21**

OBSERVATORY ON INTOLERANCE AND DISCRIMINATION AGAINST CHRISTIANS IN EUROPE

OIDAC'S MISSION

To contribute to a Europe where Christians may fully exercise their fundamental rights to freedom of religion, conscience, expression, and association, without fear of reprisals, censorship, threats or violence.

WHO WE ARE

The Observatory on Intolerance and Discrimination against Christians (OIDAC) is a registered nongovernmental organisation in Austria and a member of the Fundamental Rights Platform of the EU-Fundamental Rights Agency (FRA).

WHAT WE DO

- **Research, analyse, document and report** cases of intolerance and discrimination against Christians in Europe
- **Inform and educate** the public, lawmakers, and international institutions about the range of hostilities and marginalisation Christians face in Europe.
- **Empower** Christians to tell their stories and freely live their faith in public.
- **Advocate** for remedies; and
- **Emphasize** the vital role religion plays in mature and peaceful society.

Vienna, October 2022

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INTRODUCTION

The terms 'international religious freedom' (IRF) and 'human rights' continue to be widely discussed, and unfortunately these rights are also facing increased pressure in many countries around the world.¹ Most countries in geographical Europe are founded on the Human Rights Charter, which influences national legislation and safeguards international human rights (IHR). In the European Union, IHR are protected by the European Court of Human Rights (ECHR). Thanks to various democratic tools protecting these fundamental freedoms, including the principle of the rule of law, it remains uncommon to see violent outbreaks caused by anti-religious sentiment, or explicit discrimination in most parts of Europe.

Article 9 of the European Convention of Human Rights describes religious freedom as a "precious asset", both for believers and non-religious people. Freedom of religion or belief (FoRB) is valuable for all members of society, as an integral part of the principle of pluralism, a key element of democratic societies.² Therefore, it is crucial to routinely check that our society and governments are upholding these fundamental rights, and to raise awareness when seemingly harmless developments emerge that endanger these. This is the task that the Observatory on Intolerance and Discrimination against Christians in Europe (OIDAC) undertakes, by documenting and reporting on incidents and socio-political dynamics that infringe on the human rights of Christians. We concentrate on freedom of religion and conscience, which are closely linked with the other fundamental freedoms: freedom of speech, parental rights, freedom of assembly, and contractual freedom.³

This report will begin by presenting three main developments in the field of intolerance and social hostility: the high amount of anti-Christian hate crimes in 2021 (with statistical data and examples); the increasing phenomenon of self-censorship by Christians, including cases that explain in which context this phenomenon takes place; and finally biases against Christians and Christian values within European media and on social media platforms.



In the following section, the report analyses legal proposals and existing laws that conflict with four fundamental freedoms: freedom of speech, freedom of assembly, freedom of conscience, and the rights of parents. Each chapter provides examples of cases from countries where Christians took and/or were subject to legal action for exercising their rights. The report also considers the controversies surrounding these laws in wider society, including in non-Christian circles. One subchapter focuses on limitations on FoRB arising in 2021 due to various governments' management of the COVID-19 pandemic – rather than seeking to criticize measures implemented by these states, we aim to examine their proportionality, justifiability and possible discrimination towards Christians and other religious groups.

This report also contains commentary on these issues by international experts, as well as testimonies from one individual who was subject to discrimination or intolerance due to the expression of her Christian faith. In the final section of the report, OIDAC formulates recommendations for how civil society organisations, politicians, authorities, Christians, and wider society can act on the findings of this report. By shedding light on the social, political and legal factors currently threatening FoRB in European countries, we aim to inspire solutions that will counteract the intolerance and/or discrimination faced by some Christians in Europe today. It is our hope that this information will also add to broader discussions of questions of religious freedom, in Europe and beyond.

METHODOLOGY

Since there is still not much research on the topic of social intolerance and discrimination against Christians in Europe, we can only present preliminary results. We conduct explorative research to get a picture of the problems at hand. We gather our data through various methods and sources to ensure comprehensiveness and accuracy. Therefore, we use official statistics from governments and international organisations, we conduct personal qualitative interviews as well as extensive questionnaires with experts and lay people in different European countries. The main sources of information are OIDAC's archive, in-depth individual interviews, questionnaires, government reports, official statistics, and media outlets. The reporting period ranges from January 2021 to December 2021.

Given the explorative character of this report and the limited time and resources, the data is to be considered as preliminary research. The collected data from interviews and questionnaires provide a subjective view of the situation, and while some countries provided enough data to objectively prove these arguments, in other countries or spheres, this was not possible.

Due to the significant number of cases and legal developments that affect the FoRB of Christians, this report will only discuss a selection of incidents that took place in 2021. This report does not, therefore, provide an exhaustive overview of all recorded instances of social hostility or threatened religious freedom. To see all our (over 4,600) documented cases, we encourage the reader to visit our archive on the OIDAC website.

OBJECTIONS

When talking about intolerance and discrimination against Christians, there are three main objections that are used to downplay the importance and emergence of this phenomenon. We want to briefly address these objections:

1. *“Christians are not facing intolerance and discrimination, but they are losing their historical privileges.”*

Historical privileges are not discriminative toward other religious communities, nor are they negative, and they usually carry a strong feeling of identity and tradition for the population. Therefore, the removal of Christian symbols or withdrawal of privileges related to the Christian tradition constitutes an unnatural break with history and identity, which can be weaponized and lead to hostility and marginalisation.

2. *“Christianity cannot be discriminated against in Europe, because it holds a majority.”*

While minorities can be more vulnerable to discrimination, it is a wrong and unsubstantiated belief, that majority groups cannot be discriminated against, as history shows. Rather than numbers, it depends on which groups have more power to shape the political discourse, to discriminate, insult or attack a certain group without facing consequences. At the same time, it is important to differentiate between cultural Christianity, which is still a majority in Europe, from those who are practising Christians.

3. *“Intolerance and discrimination in Europe are minor issues compared to the violent persecution of Christians in other countries.”*


The most persecuted religion worldwide is Christianity, and many of them face imprisonment and death in other countries.⁴ This does not mean that more subtle forms of intolerance, such as social exclusion, censorship, discrimination in education or employment are less important or should be ignored.

4. *“Intolerance and discrimination against Christians is merely an intra-religious conflict.”:*

While historically there have been intra-Christian conflicts, Christian denominations have - to a large extent - learned to co-exist, and even to work together and have respectful discussions. This is therefore not a source of discrimination or intolerance in European societies. If there is still “intra-Christian conflicts”, the reasons or motivations are of ethnical origin.

KEY FINDINGS

1. In 2021, OIDAC documented over **500 anti-Christian hate crimes**. There is a reasonable probability for **higher dark numbers**, due to limited reporting on Anti-Christian Hate Crimes, the “chilling effect” among victims and **lack of media coverage**.
2. In 2021, OIDAC documented anti-Christian hate crimes in **19 European countries**. There were **14 crimes of physical assault** and **4 Christians were murdered**.
3. Recent preliminary research and example cases confirm the increasing phenomenon of **self-censorship** by Christians, in response to perceived intolerance towards their beliefs, resulting in what is termed a **“chilling effect.”**
4. Self-censorship by Christians has been identified in **five areas of life: education, the workplace, the public sphere, private social interactions, and media platforms**.
5. In 2021, Christians from various denominations were subject to **negative stereotyping and insensitivity by the media and political groups**. This trend emerged particularly in relation to Catholics in **Spain**.
6. **Christian-led organisations** were **banned from social media** platforms for expressing dissenting beliefs, while insult and violent speech against Christians were permitted on the same platforms.
7. Ambiguously-worded **“hate speech” laws** and public order legislation have **undermined the right to Freedom of Speech**, leading to several **unjustified arrests of street preachers**, mainly in the **UK**.

- 
- 8. Freedom of Assembly** of Christians was contested in courts after some cities in **Germany, Spain** and the **UK** implemented **“safe-access buffer zones”** around abortion clinics. This criminalizes activities including prayer vigils, conversations with the public, and other forms of peaceful activism.
 - 9.** Doctors, bioethics commissions, and medical personnel have voiced concerns about **limitations to Freedom of Conscience**. Laws have recently been drafted that would **withdraw the right to “conscientious objection”** for controversial medical procedures, endangering the ability of medical staff to practise in accordance with their beliefs.
 - 10.** New laws outlawing “conversion therapy” or introducing sexual education guidelines are infringing on the **Rights of Parents** to have a say in the **education and psychological well-being of their children**. These laws are often based on gender theory and employ imprecise language that could result in the **criminalisation of dissenting discussions** in both public and private context, including private prayer.
 - 11.** New trans-laws and abortion laws give **minors autonomy** to decide to undergo an **abortion or gender transition without parental consent**, violating **Parental Rights**.
 - 12.** Following the relaxation of COVID-19 lockdown measures for non-essential services and shops, legal scholars, national court rulings and human rights groups stated that **some churches were subject to unjustifiable and discriminatory treatment** as religious services and in some cases even private worship remained prohibited.
 - 13.** In **Spain, France** and some **German cities**, misleading statements made by the media and politicians led to a **stigmatisation of Evangelical churches** and groups, which were labelled **“COVID-19 spreaders”** during the pandemic.

TERMS AND DEFINITIONS

DISCRIMINATION AND INTOLERANCE

OIDAC uses the terms “intolerance” and “discrimination” to describe various forms of hostility, social marginalisation, or denial of equal rights to Christians and Christian institutions in Europe, because of their religious beliefs. We nevertheless note that there is a difference between “intolerance” and “discrimination”.

The term “intolerance” is used to describe an invisible sentiment towards a certain group, which can manifest in public acts such as vandalism, violence, insults, and other forms of targeted aggression.

“Discrimination”, however, involves a legal dimension, and is visible in the discriminatory treatment of individuals and groups by entities such as the authorities, employers, and governmental organisations. According to the United Nations (UN), discrimination takes place both between members of society and through discriminatory laws, policies, or judgments, that directly or indirectly jeopardize the exercise of personal freedoms.⁵

The normalization of intolerance towards aspects of Christian moral teaching can lead to social conflict, discriminatory treatment, and perpetuate negative stereotypes about Christians. This can develop into explicitly anti-Christian hate crimes, intimidation, and marginalisation. On a legal level, legislation could be passed that interferes with the fundamental freedoms of Christians, negatively impacting their lives and giving them unequal access to justice.

SECULARISM AND SECULAR INTOLERANCE

Our research makes reference to the concept of “secular intolerance”, which is understood as the marginalisation or exclusion of religion and belief from the public and private domain in the name of secularism.⁶

It is important to mention that secularism takes different forms depending on its historical and cultural background. At OIDAC, we differentiate the concept of separation of church and state, (secularity), from secularism, a political ideology that seeks the total separation of state and religion, by relegating religion to the private sphere and removing its influence in all other areas of life.⁷ While the concept of secularity is not negative per se, rather seeking to protect the state and Church in their mutual relationship, the ideologically-driven concept of secularism can lead to discrimination of religious groups, as Dennis Petri observes:

More and more often, the principle of separation between church and state is mistakenly understood to require a separation between faith and politics, with the result that it is becoming less and less acceptable to base one's political positions on religious convictions.⁸

As most Western liberal democracies are influenced by the principles from the Judeo-Christian tradition, some political groups push for secularisation by seeking to remove the influence that Christian churches and teachings exercised in the past. Secularisation is also not in itself harmful, but can lead

to the discrimination of religious groups when ideologically driven. Some of the ideologies that pervade contemporary secular intolerance are specifically anti-Christian, for example those with neo-Marxist undercurrents. The issues caused by secular intolerance are described in the chapter entitled "Intolerance and Discrimination". Examples of secular intolerance include intolerance towards Christian moral teaching, and the removal of Christian symbols from public spaces. In its current form, the radical secularism that arises from growing secular intolerance can lead to anti-Christian hate crimes, such as attacks against churches or individuals.

The process of secularisation has also led to increased religious illiteracy, which we define as a lack of knowledge of the basic principles of a religious tradition, the different expressions and nuances of these traditions, and the profound role that religion plays in the lives of individuals and communities. This illiteracy can lead to misunderstandings about religion and lead to the emergence of anti-religious biases, which in turn affect public policies, court rulings and the rights of religious people.⁹

More and more often, the principle of separation between church and state is mistakenly understood to require a separation between faith and politics, with the result that it is becoming less and less acceptable to base one's political positions on religious convictions.

- Dennis P. Petri

RELIGIOUS FREEDOM AND HUMAN RIGHTS

The Religious Freedom Institute provides a good definition of religious freedom and how it is closely linked with other human rights:

In practice, religious freedom intersects with many other human rights, including the freedom of expression, the freedom of association and assembly, the right to life and liberty, and prohibition of torture, among others. Some of these rights must be protected for religious freedom to be enjoyed fully. Conversely, discrimination on the grounds of religion or belief often occurs through the violation of other rights. However, religious freedom remains protected in its own right, as well as materialising through others.¹⁰

In the last year, laws were passed that caused controversy due to their ability to affect the equal exercise of freedoms (directly or indirectly) by certain groups in society. For example, vaguely written anti-discrimination or hate speech legislation could criminalise adherence to core elements of Christian teaching by classing them as offensive. In this chapter, we will outline the fundamental freedoms that intersect with religious freedom.

FREEDOM OF CONSCIENCE AND RELIGION

Art 18 UN UDHR

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Freedom of conscience enables a believer to live according to the principles of his or her faith, which is a core identity of an individual. Limiting or denying a person's right to freedom of conscience, even with the aim of safeguarding the rights of another person, undermines its significance and transgresses personal autonomy, the cornerstone of human dignity.



FREEDOM OF EXPRESSION

Art 10 ECHR

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

Freedom of expression is one of the fundamental tenets of a democratic society. This includes the right to make public speeches, even if they are unpopular or unpleasant. This right extends to the public acknowledgement of one's faith and the expression of what one believes to be true, as long as such statements do not directly instigate violence. The European Court of Human Rights (ECHR) even speaks here of a right to disturb or shock.¹¹ The introduction of "hate speech" legislation is often contradictory to the right to freedom of expression.



PARENTAL RIGHTS AND EDUCATION

Art 18 UN UDHR (as per ICCPR)

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

Christian parents are indirect targets of discrimination in education when they are denied the liberty to educate their children according to their moral and religious views. This can take place on one hand through interference by public authorities both in denominational schools and in religious education programmes in non-denominational schools. Infringement on Parental Rights also occurs when parents are refused the possibility of removing their children from classes that contravene their conscience and their religious or moral convictions.



EMPLOYMENT AND CONTRACTUAL FREEDOM

A person's religious affiliation should not be a cause of discrimination in employment. Certain legislation, however, can directly or indirectly affect the working life of Christian employees, for example, the narrow interpretation of the right to conscientious objection. Equally, an overly strict separation of work and personal faith may inhibit Christians from disclosing their faith in the workplace.



ENDNOTES

- 1 RFI (2022): "U.S. State Department Releases 2021 Report on International Religious Freedom" on Religious Freedom Institute, URL: <https://religiousfreedominstitute.org/us-state-department-releases-2021-report-on-international-religious-freedom/>, last visit: 6.10.2022
- 2 Tulkens (2014): "Freedom of Religion under the European Convention on Human Rights: A Precious Asset" <https://digitalcommons.law.byu.edu/cgi/viewcontent.cgi?article=2924&context=lawreview>, p.512
- 3 Article 6 of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981) by General Assembly of the UN. URL: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>, last visit: 6.10.2022
- 4 Bandow (2022): "Christianity is the World's Most Persecuted Religion, Confirms New Report" on CATO Institute, URL: <https://www.cato.org/commentary/christianity-worlds-most-persecuted-religion-confirms-new-report>, last visit: 20.10.2022.
- 5 UN, Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers, 2003, p. 633f.
- 6 Petri, Epp-Buckingham (2020): "Origins of and Responses to Secular Intolerance" in International Journal of Religious Freedom (IJRF) Vol 13:1/2 2020 (27–35), URL: <https://ijrf.org/index.php/home/article/view/100/127>, p.27
- 7 Ivresen, H. R. (2013) "Secularization, Secularity, Secularism." In Encyclopedia of Sciences and Religions, doi:10.1007/978-1-4020-8265-8_1024, pp. 2116–2121.
- 8 Petri, Epp Buckingham (2020): "Origins of and Responses to Secular Intolerance", p. 31
- 9 Petri, Boyd-MacMillan (2020): "Death by a thousand cuts" in IJRF Vol 13:1/2 2020 (37–53), p.43. URL: <https://ijrf.org/index.php/home/article/view/101/128>, P. 41.
- 10 Open Doors, RFI (2022): "International Protocol on Documenting Violations of Religious Freedom", URL: <https://religiousfreedominstitute.org/wp-content/uploads/2022/06/InternationalProtocolonDocumentingViolationsofReligiousFreedom-DIGITAL-ODI-2022.pdf>, last visit: 6.10.2022.
- 11 Howard (2018): "Freedom of Expression and Religious Hate Speech in Europe" published by Routledge UK 2019, p. 9

MAIN DEVELOPMENTS

In this section, we discuss the three most threatening developments of intolerance and social hostility against Christians that took place in Europe during 2021.

ANTI-CHRISTIAN HATE CRIMES

One of OIDAC's key tasks is to document anti-Christian hate crimes committed in Europe. We report them to the OSCE and their Office for Democratic Institutions and Human Rights (ODIHR). ODIHR publishes an annual Hate Crime Report, which also serves as an official source for governments and civil society organisations to monitor the current social climate and implement policies to counteract negative developments. In 2021, OIDAC documented and submitted over 500 Anti-Christian hate crimes to the OSCE, committed across 19 European countries. It is worth noting that due to the finite resources and the general underreporting of hate crimes, we can reasonably maintain that the actual number of cases is much higher.

Fortunately, other organisations have started to report on hate crimes on a national level, providing us with additional indicators regarding anti-Christian hate crimes and making our analysis more precise. One such example is a civil society organisation in the UK, that has already been reporting on "crimes committed at churches" across the country for over 2 years.¹ By using official police data, they reported that between July 2020 and July 2021, 4,169 incidents of theft, vandalism, assault, or burglary occurred at churches in the UK. Similarly, since 2019 the Polish "Laboratory of Religious Freedom" has reported on cases of discrimination and violations of religious freedom in Poland.² These reports include a section dedicated to crimes committed against clergy and churches. In 2020, they reported 280 cases of discrimination or violence on the grounds of religion, of which the majority were violent crimes or vandalism.

Another positive development is that more European countries, such as Austria, France, Germany, and the UK, are also reporting police data on anti-religious crimes and submitting those to the OSCE. In England and Wales, the police documented 8307 such incidents; anti-Christian hate crimes were documented 701 times between March 2021 and March 2022, making it the third most targeted religion after Islam and Judaism, apart from the 1426 crimes attributed to unknown religious bias.³ The Austrian police also released a 2021 report that showed there had been 750 anti-religious hate crimes in Austria, of which 156 were against Christians.⁴ French numbers are more alarming: France documented 1659 anti-religious hate crimes in 2021 and 857 crimes had an anti-Christian bias. Christians were the most targeted group in France, followed by 589 anti-Semitic crimes and 213 anti-Muslim crimes.⁵ According to the French report, an average of two Christian sites (places of worship or cemeteries) are attacked every day, and the total number of attacks against individuals rose from 42 in 2019 to 66 in 2021, which includes 12 attacks involving physical violence in France. The German



Reverend Baker at the St John's Methodist Church in Arbroath, UK

Ministry of Interior uses a different system to count hate crimes, but their report about “politically motivated crimes” lists 109 incidents with an anti-Christian bias and 106 attacks against churches in 2021.⁶

While the overwhelming majority of (**around 300**) of hate crimes documented by OIDAC are related to **vandalism** (graffiti, damage to property, and desecration), the second most frequent crime (**around 80 cases**) is **theft** of offerings, religious objects, consecrated hosts, and church equipment. We also documented approximately **60 arson attacks** or intended arson, at least **14 cases of physical assault**, insults, or threats, and **4 homicides**. We refer to approximate numbers, given that many cases are hard to classify, as they include several forms of crimes. For example, cases of vandalism usually also include threats against the Church or Christians, insults with graffiti or theft of sacred objects and offerings. Apart from hate crimes with a clear bias, we have also noticed an increase in monetary thefts in churches – which can be classed as petty thefts, or thefts with a clear monetary motivation. Although this bias is hard to prove, the increased numbers of churches targeted for small thefts suggests decreasing respect for religious sites. Sadly, the growing number of these “minor” incidents often result in more severe consequences, namely that more churches are closing their doors outside times of service times due to safety concerns. This particularly affects Catholic Christians, for whom prayer inside the church is an integral part of religious practise.

ANALYSIS

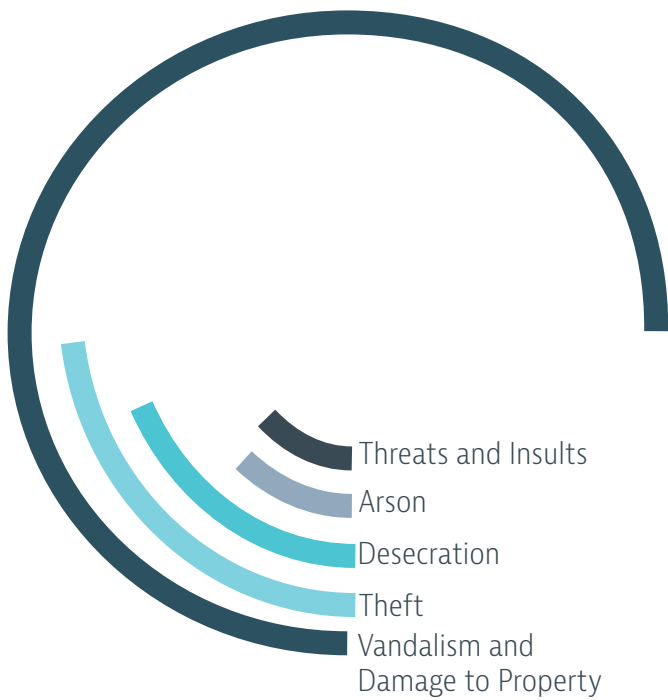
According to our data, France and Germany remain the countries with the highest amount of hate crimes in recent years, followed by Italy, Poland, the UK, and Spain. Nevertheless, in the last 3 years (2019 – 2021) we have slowly begun to recover more cases in other countries, such as Austria, where we documented 8 crimes committed in 2019, 21 crimes in 2020 and 15 crimes in 2021. Other countries include Belgium, Slovakia, Slovenia, Greece, and Switzerland.

Several countries exhibit recurring patterns in the style of anti-Christian crimes. An example of this is the decapitation, destruction, or theft of figures of the child Jesus and other figures from nativity scenes around Christmastime, and more broadly the decapitation or destruction of Christian statues in public spaces. Similarly, specific slogans – such as *“The only Church that illuminates is the one that burns”* – were repeatedly found graffitied on church walls in several countries.⁷ We observed a slight concentration in attacks on churches around the 8th of March, when some radical feminist groups vandalized churches with graffiti that called the Church misogynistic, mostly reported in Spain and France.

Through tags left on churches, and online posts claiming responsibility for certain attacks, it is possible to identify the different groups with which the perpetrators sympathise. Some of these groups are Satanists (mostly identified through satanic symbols painted on churches and other forms of desecration), Islamist groups or individuals who have attacked churches, processions, or parishioners, and finally far-left political groups, Feminists and LGBT groups, who can sometimes also be identified through social media posts, insults or symbols tagged on churches.

Although most cases of vandalism are directed against buildings or churches and not against people, hate crimes remain dangerous. Messages written on churches – such as *“burn churches”, “abort fundamentalists”* or *“a good Catholic is the one on the cross”* – and the motivations behind the desecration of sacred symbols, demonstrate hatred directed towards Christians, often because of their social teachings or animosity towards the institution of the Catholic or Evangelical Church. Such hate crimes send a message that affects and threatens a whole group of people. Furthermore, if the general public does not condemn these acts, rejection of Christians becomes normalised, and can lead to more severe levels of violence being considered legitimate. The inhibition threshold becomes lower, as exemplified by the death threats and insults that make up 10% of the cases documented by OIDAC in 2021, an already worrying number.

As previously mentioned, the documentation of anti-Christian hate crimes is improving in some countries, but there remains much to be done in this area compared with the monitoring of hate crimes against other groups and religions. Of the 11 European countries that document and report anti-Christian hate crimes regularly to the OSCE, only a few of them publish this information regularly and comprehensively for a wider audience.⁸ Nevertheless, there has been a positive development as the governments of France and Scotland have implemented budgets to improve the security of religious sites, which is where most anti-Christian hate crimes are currently committed.⁹



76% of hate crimes in 2021 involved vandalism or damage to property.

22% of hate crimes in 2021 involved theft of sacred objects or other valuables for the community.

16% of hate crimes in 2021 involved the desecration of religious symbols or objects.

10% of hate crimes in 2021 involved arson or intended arson.

10% of hate crimes in 2021 involved threats or insults.

19 We documented anti-Christian hate crimes in 19 European countries.

519 was the number of anti-Christian hate crimes documented in 2021.

14 In 2021, there were 14 physical assaults against Christians.

4 Christians were killed and there was one intended murder during the year 2021 in Europe.

Country	Nr. of hate crimes documented by OIDAC	Nr. of hate crimes documented by national police
France	124	857
Germany	112	109
Italy	92	-
Poland	60	-
United Kingdom	40	701 (England, Wales)
Spain	30	-
Austria	15	156
Belgium	10	-
Ireland	7	-
Switzerland	7	-

SCAN ME!



Link to OIDAC's archive

Vandalism
Feuersee, Germany



Desecration
Szczecin, Poland



Vandalism
Lucerne, Switzerland



Vandalism
Gothenburg, Sweden



Arson
Villar Perosa, Italy



Physical Assault
Westbury on Trim, UK



Physical Assault
Paris, France

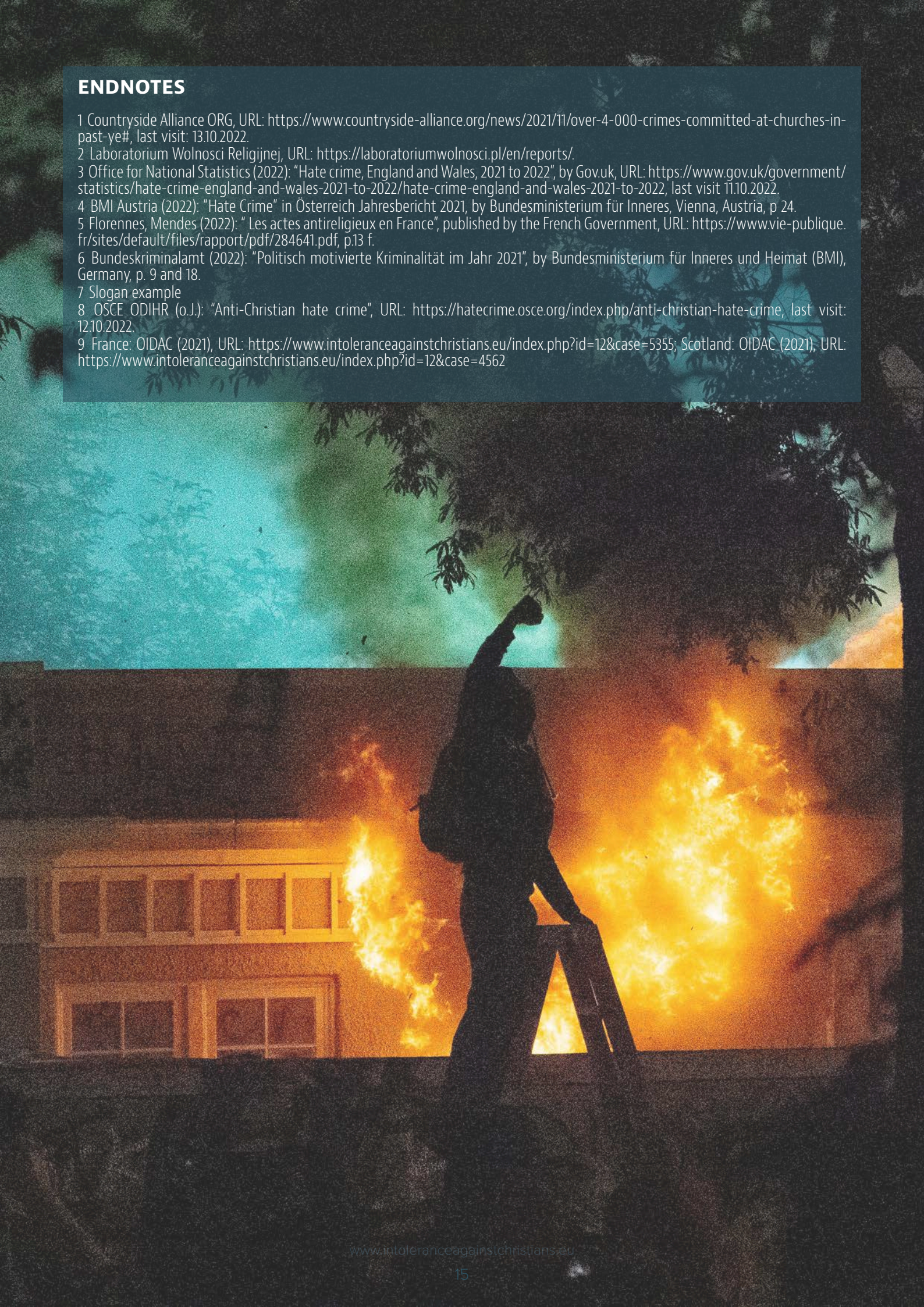


Vandalism/ Insults
Malaga, Spain



ENDNOTES

- 1 Countryside Alliance ORG, URL: <https://www.countryside-alliance.org/news/2021/11/over-4-000-crimes-committed-at-churches-in-past-year#>, last visit: 13.10.2022.
- 2 Laboratorium Wolnosci Religijnej, URL: <https://laboratoriumwolnosci.pl/en/reports/>.
- 3 Office for National Statistics (2022): "Hate crime, England and Wales, 2021 to 2022", by Gov.uk, URL: <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2021-to-2022/hate-crime-england-and-wales-2021-to-2022>, last visit 11.10.2022.
- 4 BMI Austria (2022): "Hate Crime" in Österreich Jahresbericht 2021, by Bundesministerium für Inneres, Vienna, Austria, p 24.
- 5 Florennes, Mendes (2022): "Les actes antireligieux en France", published by the French Government, URL: <https://www.vie-publique.fr/sites/default/files/rapport/pdf/284641.pdf>, p.13 f.
- 6 Bundeskriminalamt (2022): "Politisch motivierte Kriminalität im Jahr 2021", by Bundesministerium für Inneres und Heimat (BMI), Germany, p. 9 and 18.
- 7 Slogan example
- 8 OSCE ODIHR (o.J.): "Anti-Christian hate crime", URL: <https://hatecrime.osce.org/index.php/anti-christian-hate-crime>, last visit: 12.10.2022.
- 9 France: OIDAC (2021), URL: <https://www.intoleranceagainsth Christians.eu/index.php?id=12&case=5355>; Scotland: OIDAC (2021), URL: <https://www.intoleranceagainsth Christians.eu/index.php?id=12&case=4562>



SELF-CENSORSHIP

OIDAC has been researching the phenomenon of self-censorship for the last two years, and we have finally confirmed the presence of this phenomenon in our most recent study, alongside the International Institute of Religious Freedom (IIRF), and the Observatory of Religious Liberty in Latin America (OLIRE).¹ The term “self-censorship” is used to describe an individual’s decision to withhold information, an opinion, or belief. Scholars distinguish between non-coercive self-censorship – like refraining from expressing tasteless or morally wrong messages out of respect for others – and self-censorship based on fear of discrimination or sanctions.² Fear-based self-censorship affects the capacity of individuals to express their faith publicly.³ This indirectly affects religious freedom and impacts their mental health.⁴ The way this phenomenon affects religious freedom can be described through the analogy of a “death by a thousand cuts”, as multiple and repeated small-scale incidents accumulate and result in more serious harm.⁵ For example, Christians in our research were attuned to several “minor” incidents affecting other Christians, like losing a job, rejection by friends, and facing fines or confrontations in the public sphere for expressing their religious views. These incidents lead to a “chilling effect”, that is a fear that inhibits a person from speaking up and therefore limits his or her freedom of speech and other expressions of religion.

Extensive political secularism in several European countries has in many cases led to religious beliefs being pushed out of public discourse or being seen as outdated and in some cases offensive. This cultivates an atmosphere of intolerance, in which some Christians face social or legal problems after expressing their beliefs. Many Christians, therefore, resolve to hide or dilute their faith to avoid negative consequences. Our findings also alerted us to a particularly sad consequence of instances where expressing one’s faith has incurred a social cost – namely that constant self-censorship can lead young people or those just discovering Christianity to abandon the faith.⁶

TWO MAIN PRESSURE POINTS LEADING TO SELF-CENSORSHIP

Two interrelated factors triggered a “chilling effect” during 2021: **1) legal cases** against outspoken Christians and **2) social pressure**. In addition to these, some scholars have suggested a third factor contributing to self-censorship, in the form of polarising internet algorithms that tailor the content consumed by users to the latter’s interests, only promoting interactions with like-minded users. These algorithms can reinforce a person’s pre-existing convictions, contributing to the polarisation of opinions, and decreasing tolerance towards other perspectives.⁷

Regarding the legal cases against people who manifested their faith publicly, a notable case was that of Finnish MP and former Minister of Interior Päivi Räsänen. Räsänen has been facing criminal charges since April 2021 for publicly sharing her opinion on marriage and human sexuality.⁸ Räsänen was charged with hate speech, as the Prosecutor General argued that her statements could cause intolerance, contempt, and hatred towards homosexuals. She has been the target of two additional investigations: the first due to a pamphlet she distributed in 2004 outlining the teachings of her



church on human sexuality; and because of a 2019 tweet in which she was critical of Finland's Evangelical Lutheran Church involvement in the Helsinki LGBT Pride events. In a third case, Räsänen is facing an investigation for her statements on religious matters and personal beliefs during a TV interview. Both the second and third investigations had previously been dismissed but have now been reopened. Cases like Räsänen's send a chilling message to Christians, implying that the expression of their views comes at the risk of social exclusion, professional harm or even legal charges.

Intolerance in the form of social pressure is more difficult to measure, but our exploratory research on the matter shows that "Christians seem to have become accustomed to being silent about their views when they depart from the mainstream."⁹ For example, in France, a father recalled how his child was mocked by his classmates after they found a catechism notebook in his school bag. Following this, his son never took the notebook to school again.¹⁰ Although bullying in schools is a well-known, broader issue, this case illustrates how both secular intolerance and self-censorship can start at a young age, creating ramifications for the future. A study in Northern Ireland showed that Catholic pupils were the most targeted group for bullying in schools.¹¹ And in Serbia a 13-year-old boy was physically assaulted by a group of hooligans for wearing a cross necklace – the perpetrators ripped off his cross, and the boy had to be taken to hospital.¹² These alarming incidents confirm that children can also experience religiously-motivated social pressure, which could result in them giving up their faith to avoid bullying or other forms of intolerance. Looking at cases of social hostility in different environments – such as schools, universities, workplaces or personal life – offers substantial evidence for social pressure and resultant self-censorship.

SELF-CENSORSHIP IN THE PUBLIC SQUARE

In 2021 Christians suffered hostilities for expressing their faith in public, which can also create a "chilling effect". For example, two Catholic processions in France were physically attacked: one by an extremist left-wing group of activists in May,¹³ and another in December by a group of radical Islamists, yelling "I swear by the Koran, I will cut your throats".¹⁴ In another case, a pro-life march organized in Vienna, Austria, was met with insults, blockades and hurtful messages such as "If your mother had aborted you, we would have spared you", or "abort fundamentalists".¹⁵

In the UK, there were several cases of street preachers being arrested or harassed on public streets for preaching Christian values, suggesting a lack of tolerance for the expression of traditional religious views in public. In August 2021, a Christian preacher was questioned by the police for reading the Bible out loud, in a calm tone, outside a railway station in London.¹⁶ The police tried to assess whether the preacher's reading was 'abusive' or 'aggressive', under the Public Space Protection Orders (PSPO) act. Alongside similar examples, this incident caused concern among human rights organisations, as the PSPO can censor, and even prosecute, public expression in the UK.

Our findings show that hearing about, or witnessing, hostility towards individuals who express their beliefs in the public square, perpetuates the feeling among Christians that this is a dangerous thing to do. Some Christians also comment that they self-censor to avoid causing "distress" or offense, suggesting the nuanced and multifaceted nature of issues of self-censorship.¹⁷

The way this phenomenon affects religious freedom can be described through the analogy of a "death by a thousand cuts", as multiple and repeated small-scale incidents accumulate and result in more serious harm.

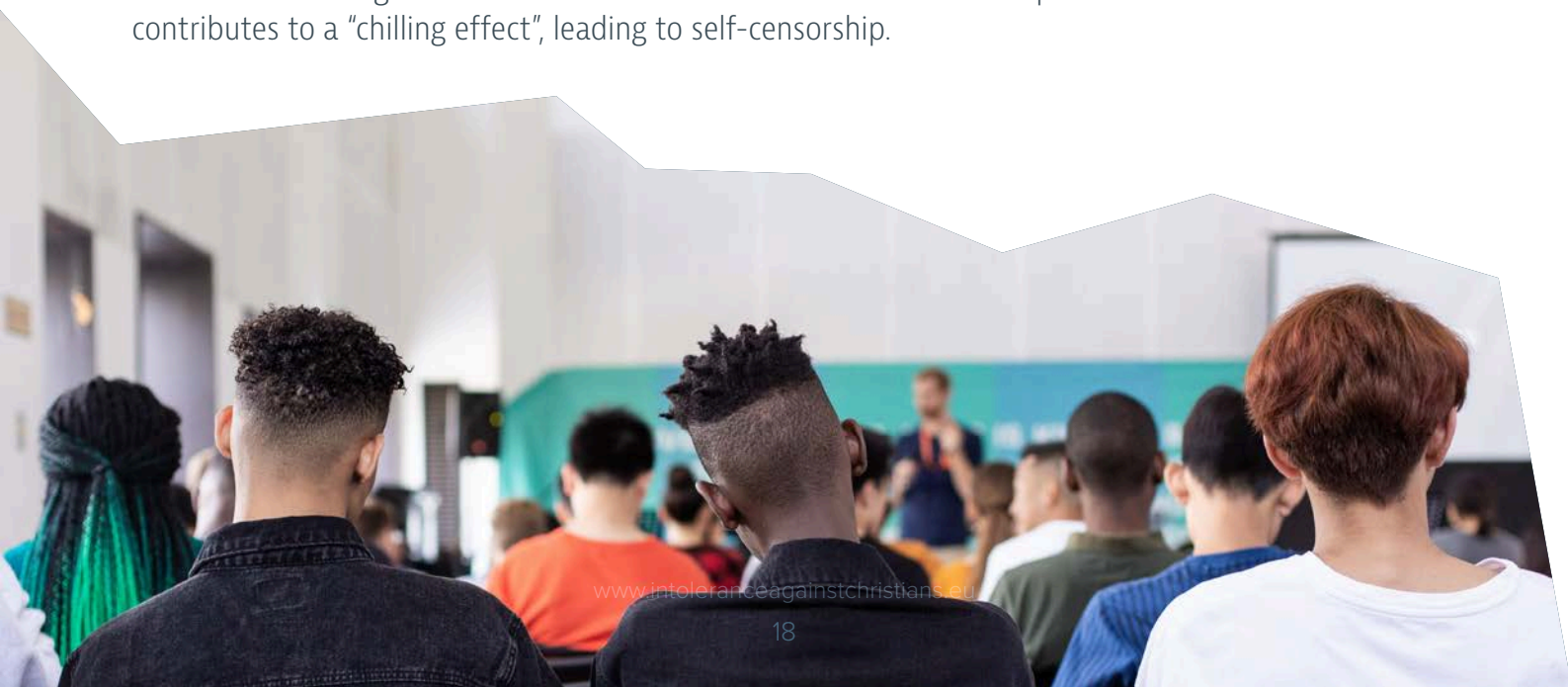
The "chilling effect" is a fear that inhibits a person from speaking up and therefore limits his or her Freedom of Speech and other expressions of religion.

SELF-CENSORSHIP AT UNIVERSITIES AND SCHOOLS

A national poll in the UK in 2020 hinted that self-censorship is becoming an increasing phenomenon at universities.¹⁸ This is particularly worrying as universities are places where young people learn how to engage with different perspectives. University, supposedly the 'marketplace of ideas', is a place for students to form their own opinions through critical assessment of many and diverse perspectives. This phenomenon can already take place in schools, as shown by the study in Northern Ireland about Catholic pupils being the most targeted group for bullying.¹⁹ If self-censorship continues to increase at universities or schools, the ability to think critically and independently will become harder to instil. Furthermore, if not countered appropriately, the Christian perspective will be increasingly excluded from the public and political discourse in future generations.

Despite limited quantitative data, we collected different cases of hostility or discrimination towards groups holding certain viewpoints.²⁰ In October 2021, during the annual Freshers' Fair at Oxford University, the stand of the pro-life group "Oxford Students For Life" was violently removed from the event by other students and activists.²¹ Peers threw the group's material into waste bins and refused to let them set it up again, threatening to tear it down again. The pro-life group had previously been criticized on social media when they shared a picture of the stand. Backed by the Student Union, the "Oxford Feminist Society" argued that the presence of the pro-life group was a *"threat to the safety, health, and autonomy of women"*. The University of Oxford later condemned the harassment against "Oxford Students for Life", considering it an attempt to limit their right to Free Speech. In the same month, another student-led pro-life group at Exeter University received death threats and online harassment.²²

There have been several cases of hostility towards students, teachers, or school chaplains²³ in 2021 at British²⁴ and German universities.²⁵ It is important to mention that this phenomenon is affecting both Christians and other groups. Students interested in hearing what the pro-life group has to say might avoid approaching the stand for fear of negative reactions. Also, other students might fear being the target of intolerant behaviour for questioning controversial issues, as has been the case with feminists who are critical of gender theories.²⁶ This hostile and intolerant atmosphere contributes to a "chilling effect", leading to self-censorship.



SELF-CENSORSHIP AT THE WORKPLACE

Self-censorship has also affected individuals at work when Christians perceive intolerance against religious views or symbols.²⁷ In the UK, **Mary Onuoha**, a nurse working for several years at the Croydon University Hospital in London, was **suspended** in August 2021 for objecting to removing her golden cross necklace.²⁸ Mrs Onuoha had been wearing the cross for 40 years, without facing any problems. However, during the two years before her suspension, the hospital repeatedly pressured her to remove it, arguing that it was “too visible” and posed a “risk of injury or infection”, even though other medical staff who also wore jewellery did not face any such opposition. After declining the requests made by the hospital to not wear the cross necklace, Mrs Onuoha faced an investigation, a suspension, and was later reinstated as a receptionist. She challenged her suspension with the help of the Christian Legal Centre (CLC) and confronted the hospital for harassment and unfair discriminatory dismissal. The case’s ruling stated that the dismissal of Mrs Onuoha had been discriminatory and arbitrary, recognizing her right to religious freedom, including her choice to wear a cross necklace.²⁹

Another example is the case of Christian **actress Seyi Omooba**, who was **fired** from a leading role due to an old Facebook post regarding homosexuality and quoting the Bible. Mrs Omooba challenged her dismissal in a legal case against Leicester Curve Theatre and her agency, Global Artists, for breach of contract and anti-Christian discrimination. The theatre offered the actress an unconditional basis for full payment of her contract that she refused, arguing that her career had been damaged simply because she had expressed her religious beliefs. Andrea Williams, the chief executive of CLC, stated that this case “sends a chilling message that if you express mainstream biblical views, you will be punished and lose your career if you do not immediately renounce your beliefs”.³⁰

Lastly, in Germany – a country in which religion is mostly expressed in the private sphere – both politics and the media are hostile environments for those expressing Christian beliefs. The responses documented on our self-censorship report reflected a widespread perception that politicians who publicly express religious views will have lower chances at winning a mandate, just as a journalist who contributes to Christian magazines/blogs will find struggle to get a job at larger mainstream media outlets³¹ Self-censorship among journalists and politicians requires further investigation, but there is sufficient evidence to suggest that it is widespread.

CONCLUSION

The self-censorship described in this chapter responds to the number of incidents of social pressure and/or legal cases that cause a “chilling effect” among Christians. Although most legal cases against street preachers or Christians in the workplace were ruled in favour of the Christian individuals, our preliminary studies on self-censorship show that knowledge of such examples still leads to self-censorship. People self-censor when they perceive an intolerant atmosphere and the possible difficulties this implies – from job loss³², or suspension from the workplace or university to prosecution under the law, social exclusion, defamation, and (verbal or physical) attacks.³³ This can happen in all spheres of life and across different generations. Therefore, self-censorship endangers freedom of expression by interfering with people’s ability to speak freely in public spaces, at work, at university or school, on social media platforms, or even in the private sphere.

There are indications that self-censorship is increasingly affecting both people of faith and society in general.³⁴ The effects of this risk being furthered by social media, as many platforms use algorithms that reinforce users’ preferences, polarising opinion in such a way that can make intolerant behaviour towards perceived “outsiders” more likely.



ENDNOTES

- 1 OIDAC et. Al. (2022): "Perceptions on Self-Censorship: Confirming and Understanding the "Chilling Effect"", published by IIRF, OLIRE, OIDAC Europe, Vienna - Austria.
- 2 Cook, P., Heilmann, C., (2010): "Censorship and Two Types of Self-Censorship", Available at SSRN: <https://ssrn.com/abstract=1575662>, p. 2.
- 3 Ibid. p. 1f.
- 4 Clark (2022): "Being Politically Correct At Work Can Deplete Employees, With Spillover Effects At Home" in Texas A&M, URL: <https://today.tamu.edu/2022/08/03/being-politically-correct-at-work-can-deplete-employees-with-spillover-effects-at-home/>, last visit 6.10.2022.
- 5 OIDAC et. Al. (2022): "Perceptions on Self-Censorship: Confirming and Understanding the "Chilling Effect (2022)
- 6 Ibid.
- 7 Robichaud (2020): "How Social Media Algorithms Drive Political Polarization" on Medium, URL <https://medium.com/swlh/how-persuasive-algorithms-drive-political-polarization-75819854c11d>, last visit 14.10.2022.
- 8 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=3841>
- 9 Petri, Boyd-MacMillan (2020): "Death by a thousand cuts" in IJRF Vol 13:1/2 2020 (37–53), p.43. URL: <https://ijrf.org/index.php/home/article/view/101/128>, last visit: 5.10.2022
- 10 OIDAC et. Al. (2022): "Perceptions on Self-Censorship: Confirming and Understanding the "Chilling Effect, p. 18
- 11 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4885>
- 12 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4652>
- 13 OIDAC Archive (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4558>
- 14 OIDAC Archive (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5232>
- 15 OIDAC Archive (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5021>
- 16 OIDAC Archive (2021): URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4846>
- 17 OIDAC et. Al. (2022): "Perceptions on Self-Censorship: Confirming and Understanding the "Chilling Effect, p.
- 18 ADF UK (2020): "Students National Poll on Free Speech", URL: <https://www.protectfreespeech.uk/national-poll/>, last visit 06.10.2022.
- 19 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4885>
- 20 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4943>
- 21 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5001>
- 22 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4998>
- 23 Exemplary cases: OIDAC (2021): School Priest Sacked, URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4857>; School Chaplain reported, URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4517>, last visit: 03.10.2022
- 24 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4413>, Christian Institute (2021): "Over 200 academics call on equalities watchdog to stop 'bullying' by trans activists", URL: <https://www.christian.org.uk/news/over-200-academics-call-on-equalities-watchdog-to-stop-bullying-by-trans-activists/>, last visit 06.10.2022.
- 25 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5871>, last visit 06.10.2022.
- 26 Adams (2021): "Sussex professor resigns after transgender rights row", on The Guardian, URL: <https://www.theguardian.com/world/2021/oct/28/sussex-professor-kathleen-stock-resigns-after-transgender-rights-row>, last visit 06.10.2022.
- 27 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4690>, last visit 10.10.2022.
- 28 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4988>
- 29 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5292>
- 30 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=3045>
- 31 OIDAC et. Al.(2022): "Perceptions on Self-Censorship: Confirming and Understanding the "Chilling Effect", p. 16
- 32 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4728>; OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4688>
- 33 OIDAC et Al. (2022): "Perceptions on Self-Censorship: Confirming and Understanding the "Chilling Effect", p. 2.
- 34 The Christian Institute (2021): "Over 200 academics call on equalities watchdog to stop 'bullying' by trans activists".

Expert voices

SOCIAL PRESSURE AS A FORM OF SECULAR INTOLERANCE

- Janet Epp Buckingham

Many countries in what is colloquially called "The West", which includes Europe and North America, are secular states. In its original understanding, being a secular state meant that the government was officially separate from religion. Put another way, they no longer have an official religion. Arguably, even countries like England, where the monarch is still the head of the Church of England, the government is not influenced by religion. This separation was intended to end the conflict over religion and to ensure that religious minorities were free to practice their religion without discrimination.

What has evolved in these countries is no longer neutrality towards all religions but the development of hostility towards religion. This is apparent in actions by governments, courts and society in general. It is social pressure that affects people most on a day-to-day basis. When people are concerned that they can be passed over for a promotion at work if they are known to be a Christian, that is a strong incentive to keep one's religion hidden. If schoolteachers ridicule students for their religious beliefs or practices, children learn quickly to deny their faith or keep it hidden.

As society moves farther away from religion, this is evidenced by increases in people declaring "no religion" on census forms and decline in religious service attendance, religion seems to have become something to fear, rather than to admire. Political candidates who are known to be Christian are often targeted and scrutinized. They are referred to as "extremists" who have hidden agendas to change progressive laws. This is a disincentive for Christians to engage in politics and run for public office.

When the French government instituted laïcité policies some years ago, government employees were restricted from wearing religious dress at work. Employers are now following the same pattern of restricting religious dress. While Muslim women and Sikhs are most affected as they have requirements to wear obvious religious symbols, it also restricts Christians from wearing a cross if it is visible. So far, the European courts are upholding these restrictions as long as they apply to all religions equally. This allows equality of discrimination rather than freedom of religion.

When society sees religion as a negative influence in society, religious children become targets at school.

Children in schools often experience high levels of social pressure. Teachers have significant influence on student attitudes towards religion. Other students often reflect the attitudes of their parents. When society sees religion as a negative influence in society, religious children become targets at school. As social norms become less aligned with Christian values, Christian children experience increasing social isolation. Some countries require children to attend state schools and do not have alternatives that are more supportive of children's religious beliefs and practices.

There have been many challenges for those who seek asylum in Europe if their claim is based on religious conversion. Refugee centres are not well equipped to deal with conflicts among residents as Muslim background Christians are housed with Muslims. Some churches have been reluctant to have these Christian converts participate in their churches for fear of threats or reprisals from some Muslims. As many of these converts are new believers, they are in need of discipleship in a Christian community. It also harms their asylum claim if they are not actively participating in a church.

The West is becoming less welcoming of religion and religious believers. It is vital for churches and Christian organisations to recognize this. For evangelical Christians, in particular, being a witness for Christ is a fundamental religious practice. When Christians experience social pressure, they may acquiesce in keeping their faith private. Churches have a role to play in helping their members be able to respond to social pressure and engage in public witness in positive ways. The human right of freedom of religion or belief does not require that we keep our faith restricted to our homes and churches.



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Negative Stereotyping of Christians and Media Bias

This chapter addresses the widely normalised negative stereotyping of Christians and Christian beliefs, as well as other forms of insensitivity and media bias documented during 2021. OIDAC stands for the defence of freedom of expression, even when what is said can be offensive or undesirable. Nevertheless, we find it important to draw attention to examples of mockery or scapegoating of Christians, which reveal dangerous trends that must be properly addressed. Only some of these cases are considered crimes, but all are signs of intolerance that is, alarmingly, considered acceptable by the public.

Religion and belief are considered core identity traits deserving of respect, a fact that is clearly acknowledged when talking about most of the other major religions. However, in recent years Christians in Europe have increasingly been targets of defamation and mockery, by journalists, television personalities, artists, politicians, and others.

NEGATIVE STEREOTYPING AND DISRESPECTFUL MESSAGES

Spain offers a clear example of the negative stereotyping of Christians in the media. Several articles published in Spanish press and social media channels reinforce negative characterisations of the Catholic Church and clergy, often using highly offensive language. In August 2021, an article by Luis Arroyo was published in the newspaper *InfoLibre* with the title "Religious Stupidity". The article appealed to negative stereotypes and described religious people as "bearable to live with" and "*stupid religious fanatics*".¹ Another example is a commentary by Almudena Grandes making fun of nuns "enjoying" being raped by militia members during the Spanish war in the 1970s.² Such publications appear more frequently around Christian holidays, such as Easter or Christmas.³ In April, the online magazine *Politico* published Javier Sábada's commentary "Evangelicals", in which he describes the group as fanatics who put "*magic over science*" and "blindly vote for right-wing corrupt politicians", under the influence of "wealthy US-Americans". Sábada closes by suggesting that Evangelicals are partly to blame for the failure of Latin-American governments, as well as for the devastating effects of the COVID-19 pandemic in South America, citing their "*dangerous ideology*".⁴ Another example took place during a TV Late-Night show, where the host, Andreu Buenafuente, asked a Christian author, Juan Manuel de Prada: "*if you are so smart, how come you believe in God?*" and the question was cheered by their live-audience.⁵

In 2021, the English broadcaster BBC launched a documentary about the Christian Evangelical "Hillsong" church, defaming its pastors and suggesting that its young people, donors, and volunteers were manipulated into being so passionate about the church. Hillsong responded with the following statement:

Only 7000
[murdered
Catholics]?
What a
shame,
there should
have been
more.

**DANGEROUS
IDEOLOGY**

...bearable to live with.

**IF YOU ARE SO
SMART,
HOW COME YOU
BELIEVE IN GOD?**

"While the filmmaker expressed to us that he felt pressured to shift the focus to more controversial storylines and to avoid painting our church in an overly positive light, we now question if this project was ever intended to be fair or balanced. (...) It is clear to us that this project was misrepresented to us from the start. Much of the footage has been taken grossly out of context and sewn together to create storylines that simply do not reflect reality. (...) We strongly refute the many aspects of the film that fail to meet a basic level of journalistic integrity and a commitment to the truth".⁶

The artistic and private spheres exhibit both a lack of sensitivity to, or direct provocation of, religious sentiment. One example is a "blasphemous" art festival held in September 2021 in Naples, Italy. The festival claimed to promote freedom of expression against "religious censorship". Most of the art seen at the festival was anti-clerical or anti-Catholic. The event was sponsored by the municipality of Naples and the Ministry of Education and Culture.⁷ Images from the event's website show statuettes of two half-naked Virgin Marys, and a drawing of the image of Christ with an erection in front of a kneeling child. In the same vein, sacred space was desecrated in Belgium when a couple filmed a pornographic video behind the altar of St. Michael's Church in Bree, Belgium. It is worth mentioning that after events like this, churches need to be re-consecrated, which requires extra work by the priest and interrupts regular services. The video was shared on various social networks and was eventually investigated by the police.⁸

BANNING AND CANCELLING OF CHRISTIAN VOICES IN THE MEDIA

In France, the Catholic-owned broadcasting company C8 was heavily criticised in several media platforms for airing the movie "Unplanned", the story of a former Planned Parenthood employee who became a pro-life activist.⁹

In addition to this, social media has also been used to stigmatise or censor Christian voices. For example, Facebook blocked the page of the Christian-based organisation "Core Issues Trust", which expressed Christian, conservative stances on the topics of gender identity and sexuality. The page also shared information and personal stories related to this topic, which caused uproar among LGBT-rights groups, leading Facebook to shut it down due to a "breach of community standards".¹⁰

On Twitter, Irish bishop Kevin Doran was banned for "violating their rules" and accused of promoting "suicide or self-harm" after he expressed his disapproval of the legalisation of euthanasia. Drawing on Catholic teaching, Bishop Doran spoke about the importance of human dignity, as well as his experiences accompanying people who were dying. His post said: "Assisted suicide, where it is practised, is not an expression of freedom or dignity, but of the failure of a society to accompany people on their 'way of the cross.'" Twitter restored his publication one month later, following a review.¹¹ In Spain, the Twitter profile of the organisation "Christian Lawyers" was also suspended, following a post about the euthanasia debate in the Spanish congress. The tweet criticised the Spanish organisation "Right to Die" for its advocacy in favour of legalised euthanasia, opposing the latter's slogan with the hashtag "#righttolife". This led to Twitter banning their profile, claiming that "Christian Lawyers" had breached their rules.¹²

*She is a Christian.
You shouldn't make
fun of disabled
people.*

**Stupid religious
fanatics...**

*If your god
exists, you will
undoubtedly
rot in hell.*

DIRECT INSULTS AND MOCKERY

While social media platforms regularly ban individuals for alleged 'hate speech' and not complying with their "terms of service", the same platforms have often overlooked hateful comments against Christians. The Slovakian singer Sima Magušinová was the target of abusive commentary by journalists Petr Tkačenek and Rada Ondřejíček.¹³ Ondřejíček wrote: *"She is a Christian. You shouldn't make fun of disabled people,"* as a response to Tkačenek's tweet mocking the singer. After many politicians responded with support for Magušinová and Christians in general, Ondřejíček refused to apologise, replying that *"any religious belief is a mental diagnosis from my point of view. Feel free to be offended!"*¹⁴

In November 2021 Beatriz Bandera, a far-left activist from the Spanish political party "Unidas Podemos", uploaded a video of the annual Holy Week procession in Sevilla with the caption *"Our Taliban"*, comparing peaceful Catholics participating in the devotion with radical Islamist terrorists.¹⁵ In September, "Christian Lawyers" launched a legal challenge over a Facebook comment by a member of "Unidas Podemos" under a news article that commemorated 7000 Catholics who were murdered during the Spanish civil war. The comment read: *"Only 7000? What a shame, it should have been more"*.¹⁶ Also in Spain, the city council of Castellon distributed books containing anti-Catholic and anti-religious rhetoric: phrases such as *"The bishop gets it in the ass"*, *"Hookers in the Vatican"* and *"Allah is not great and Jesus does not love us"*.¹⁷

Similarly, UK Member of Parliament James Dornan attacked his Christian colleague Jacob Rees-Mogg on Twitter after Rees-Mogg posted a video about the Nationality and Borders Bill. Mr Dornan commented: *"Hope you remember this the next time you go to confession. You and your cronies are already responsible for the deaths of thousands and you're now happy to see the most desperate people in the world suffer and drown. If your god exists you will undoubtedly rot in hell"*.¹⁸ In Germany, politician Armin Laschet was also publicly mocked, in an anti-Catholic video shown at a political election event in August. The video depicts Laschet as a Russian matryoshka doll hiding several dolls inside of herself, as the voiceover says: *"whoever votes for Armin Laschet and the CDU, votes for ultra-Catholic Laschet confidants for whom sex before marriage is taboo"*.¹⁹ Prof. of Law Hans Michael Heinig commented on the video by warning of a "paradigm shift" that "may undermine religious freedom and be a clear distinction between religion and politics".²⁰

CONCLUSION

The cases presented in this section were not violent crimes, although many were successfully challenged in court. Nonetheless, these examples suggest a worrying trend, whereby society appears indifferent to derogatory speech and misrepresentations against Christians, particularly in comparison to other religious or identity groups. It shows a lack of sensitivity towards religious sentiments, and points to high levels of religious illiteracy. While this does not directly restrict religious freedom, the normalisation of hateful speech will create animosity towards Christians and result in a “chilling effect” among Christians. Following the 2022 International Religious Freedom Summit in Washington D.C., Eric Patterson, Executive Vice President of the Religious Freedom Institute, wrote a series of recommendations on protecting religious freedom. Among these, he raises awareness about issues of “de-platforming” and restrictions to freedom of speech on the internet, also addressing the biases in the media: *“the hedonistic, anti-faith, revolutionary, and nihilistic messages that reverberate across the media and social media are not just anti-religious, but anti-freedom”*.²¹

Society appears indifferent to derogatory speech and misrepresentations against Christians, particularly in comparison to other religious groups.



ENDNOTES

- 1 Arroyo (2021): "Religión y estupidez" on InfoLibre, URL: https://www.infolibre.es/opinion/columnas/desde-la-tramoya/religion-estupidez_1_1208439.html, last visit 6.10.2022.
- 2 Abogados Cristianos (2021): "Abogados Cristianos pide a Almeida que de marcha atrás en su decisión de nombrar a Almudena Grandes hija predilecta de Madrid", URL: <https://abogadoscristianos.es/abogados-cristianos-pide-a-almeida-que-de-marcha-atras-en-su-decision-de-nombrar-a-almudena-grandes-hija-predilecta-de-madrid/>, last visit 14.10.22.
- 3 Caparrós (2021): "La palabra santa" in Laicismo, URL: <https://laicismo.org/la-palabra-santa/244290?fbclid=IwAR1mZX857zefCDuSAOSG9fvFKS8u5FAVfMBz850RQKphKcRvCpjTOx6wKfM>; Magdalena (2021): "La "putísima cena" de Cristina Fallarás y sus doce 'apóstolas' feministas", URL: <https://www.publico.es/culturas/putisima-cena-cristina-fallar-as-y.html>, last visit 14.10.22.
- 4 Sábada (2021): "Evangelicos" in Politico.es. URL: <https://blogs.publico.es/dominiopublico/37380/evangelicos/>
- 5 TV Late Night Show on Twitter (2021), URL: <https://twitter.com/JovenEuropeo/status/1460341056801804291>
- 6 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4746>, last visit 17.10.22.
- 7 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4931>, last visit: 13.10.22.
- 8 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=5093>, last visit: 13.10.22.
- 9 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4856>, last visit: 13.10.22.
- 10 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4424>, last visit: 13.10.22.
- 11 Catholic News Agency (CNA) (2021): "Twitter restores Irish Catholic bishop's post on assisted suicide after review", URL: <https://www.catholicnewsagency.com/news/246598/twitter-restores-irish-catholic-bishops-post-on-assisted-suicide-after-review>, last visit 13.10.2022.
- 12 InfoVaticana (2021): "Twitter suspende la cuenta de Abogados Cristianos", URL: <https://infovaticana.com/2021/10/07/twitter-suspende-la-cuenta-de-abogados-cristianos/>, last visit: 13.10.22.
- 13 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=5182>
- 14 Ibid.
- 15 EsDiario (2021): "El brutal insulto viral de una candidata de Podemos a la Semana Santa sevillana", URL: <https://www.esdiario.com/opinion/399503192/candidata-podemos-semana-santa-sevilla-talibanes.htm>, last visit: 13.10.22.
- 16 Abogados Cristianos (2021): "Abogados Cristianos recurre el archivo de la querrela contra un candidato de Podemos por un comentario en redes sociales en el que deseaba la muerte de monjas", URL: <https://abogadoscristianos.es/abogados-cristianos-recurre-el-archivo-de-la-querrela-contra-un-candidato-de-podemos-por-un-comentario-en-redes-sociales-en-el-que-deseaba-la-muerte-de-monjas/>, last visit: 13.10.2022.
- 17 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=5960>, last visit: 13.10.22
- 18 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4675>, last visit: 06.10.2022
- 19 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4789>, last visit: 06.10.2022
- 20 Ibid.
- 21 Patterson (2022): "Five Promising Steps Forward for Religious Freedom: Reflections on Recommendations Offered at the 2022 IRF Summit", URL: <https://religiousfreedominstitute.org/five-promising-steps-forward-for-religious-freedom-reflections-on-recommendations-offered-at-the-2022-irf-summit/>, last visit: 06.10.2022.

LEGAL DEVELOPMENTS

As explained in the “Terms and Definitions”, Religious Freedom is inextricably linked with several other fundamental human rights. An individual’s belief is a key element of their human identity, as well as being a historically widespread social reality. It is therefore a very complex and valuable good that is deeply rooted in our society. At the same time, many states have neglected religious literacy training among their personnel, to the extent that public figures like politicians, journalists, and law enforcement workers are either indifferent to, or biased against, religion.¹ Religious groups in various countries have been excluded from the process of changing and creating legislation, and have been met with incomprehension from the media and wider society when expressing concerns about the repercussions of certain laws on faith communities. This section will explain which fundamental freedoms of Christians are facing legal pressure and consider the kinds of laws causing this controversy. The goal of this chapter is to improve dialogue and understanding, between politicians, interest groups and Christian churches.

HOW HATE SPEECH LEGISLATION, PUBLIC ORDER BILLS AND “BUFFER ZONES” ARE THREATENING FREEDOM OF SPEECH

Freedom of speech and freedom of assembly are not only fundamental freedoms with close ties to FoRB, but are also considered pillars of democratic society, recognized by all main international and regional human rights instruments.² However, recent legal developments, like the broadening criteria for what constitutes ‘hate speech’ as a criminal offence, have conflicted with this right, due to the subjective and ambiguous nature of the term. This lack of objectivity can undermine legal systems, and laws criminalising ‘hate speech’ can be misused in dangerous ways by authorities, who may appropriate these laws to target specific groups.

Other legal developments include the establishment of buffer zones, mostly around abortion facilities across the UK, with the aim to “protect” women by preventing dialogue between them and pro-life groups. In these zones, gatherings, silent prayer and addressing women entering a clinic could be prosecuted, with a fine and/or prison sentence. This conflicts with both freedom of speech and freedom of assembly, by criminalising actions that, while in some cases upsetting, are not criminal offences.

HATE SPEECH LAWS

‘Hate speech’ laws criminalize expressions that incite or promote discrimination, hatred or violence against an individual or group due to various motives, such as race, sexual orientation or religion.³ ‘Hate speech’ laws are controversial because there is no universal definition of the term ‘hate speech’, leaving the phrase, like the laws named after it, open to interpretation, and making it difficult to identify objectively.⁴ Hate speech laws are subjective in nature and rely more on the victim or the listener’s perception rather than judging the content of the statement that is being

considered hateful or offensive. For this reason, many scholars have already criticised current hate speech legislation, pointing to its lack of coherence and arbitrariness.⁵ The problematic enforcement of these laws is due to their unclear terminology and broad application. For example, Article 510 of the Spanish Criminal Code states that:

*1) Those that incite to incur in discriminatory acts, hate or violence against groups or associations for racist reasons, anti-Semitic or other reasons that refer to ideology, religion or beliefs, family situation, belonging of their members to an ethnicity or race, national origin, gender, sexual orientation, illness or handicap will be punished with a penalty of prison (...). 2) It will be punished with the same penalty the conduct of those that, with knowledge of its untrue nature, spread offensive information about groups or associations with relation to their ideology, religion or beliefs, belonging of their members to an ethnicity or race, national origin, sex, sexual orientation, illness or handicap.*⁶

In the first section, the article indicates that it is punishable to “incite to incur in discriminatory acts”. Later, the article criminalises the act of spreading “offensive” information. The problem with this is that these lines leave open to interpretation of what is “offensive” or “discriminatory”, as individuals can take offence even when a speaker does not have malicious intentions or use violent language. It is also important to remember that the standards for what is “acceptable” or “politically correct” change over time and are culture specific. Thus, even if the laws remain the same, they may be applied to different circumstances when the social and political environment changes.

Across Europe, ‘hate speech’ laws have been adopted or reformulated.⁷ The EU incorporated hate speech into its criminal code, and in December 2021 the European Commission adopted the Communication “A more inclusive and protective Europe: extending the list of EU Crimes to hate speech and hate crime”, prompting the European Council’s decision to include hate crime and hate speech in the current list of ‘EU Crimes’ in Article 83(1) TFEU.⁸ This decision would allow the Commission to strengthen the legislation addressing hate speech and hate crime across the EU, with the possibility to criminalize other forms of hate speech and hate crime, beyond those motivated by racism or xenophobia.⁹

Some regional ‘hate speech’ laws have already led to unjustified arrests and legal charges against Christian citizens for voicing unpopular opinions.

For example, in April 2021 a pastor in London was charged and arrested for homophobic speech, after preaching a sermon advocating the biblical idea of marriage and the family.¹⁰ When the Pastor was approached by police officers, he was told they had received three complaints about his sermon. After questioning him onsite, one of the officers took the pastor’s Bible, forcibly moved him from where he was standing and handcuffed him. He was detained for about 21 hours and brought on trial for causing “alarm and distress”, but was eventually cleared of all ‘hate speech’ charges.

The delicate balance between countering dangerous speech and safeguarding freedom of expression demands that ‘hate speech’ laws be formulated in such a way that they cannot be enforced arbitrarily or misused to silence unpopular opinions. Most European countries are facing pressure to extend

their already existing hate speech legislation. Besides this, all member states have laws that also prohibit intimidation, assault, and property damage. Given this already robust protection for citizens' safety, it is worth considering whether the extension of these 'hate speech' laws is both effective or necessary.¹¹

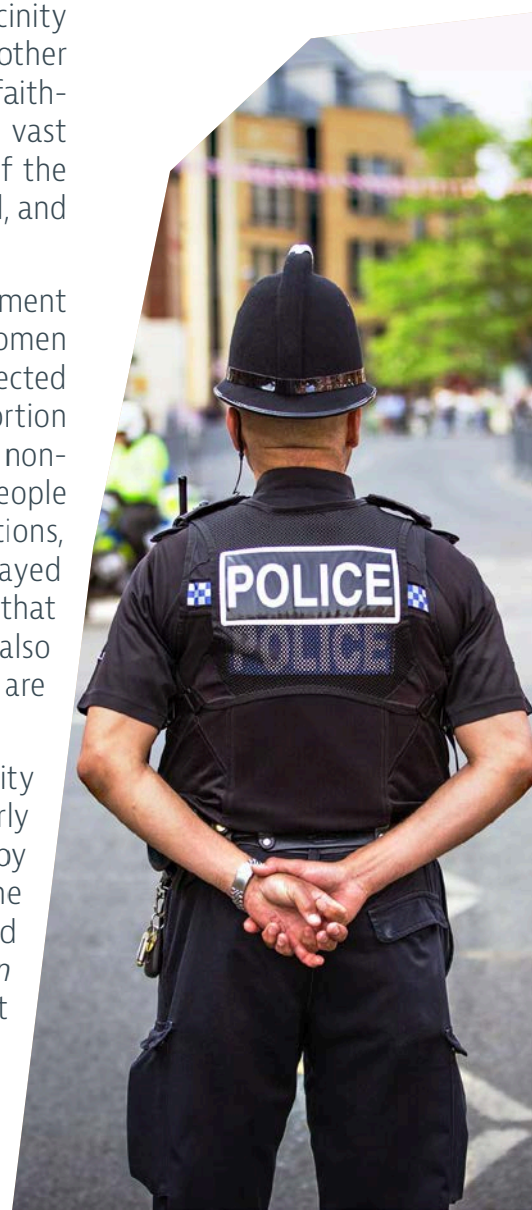
Hate speech laws are also causing difficulties for executive forces to know when to consider speech a crime (given the subjective nature of the cases), which is why many of the arrests documented by OIDAC were legally overturned. An example is street preacher Hazel Lewis, who won her legal case in 2021 after being accused of hate speech and arrested in 2020. She was arrested for allegedly making homophobic and racist comments and held in custody for several hours. Despite providing audio evidence for her innocence, the police persisted in charging her. In the end, the judge ruled in favour of Lewis, commenting that there was *"no case to answer"*.¹² This issue also contributes to the rise in self-censorship, as the threat of arrest and prosecution disincentivizes people from expressing non-mainstream opinions on sensitive topics.

BUFFER ZONES AROUND ABORTION CLINICS

A similar discussion concerning freedom of assembly and speech is taking place following the introduction of "buffer" or "safe zones" around abortion clinics in the UK and Germany in 2021. These zones aim to prevent pro-life individuals or groups from carrying out a range of activities in the vicinity of abortion clinics, such as prayer vigils, handing out pamphlets, and other peaceful forms of activism. Although some pro-life groups are not faith-based and have non-religious members, it is well-known that the vast majority of these groups are based on the Christian understanding of the right to life and human dignity, and many times are founded, organised, and funded by Christians.

"Buffer zones" are being widely debated across many countries. The argument in favour is that they "safeguard" the safety and well-being" of women seeking an abortion. OIDAC agrees that women should always be protected from intimidation or hostile treatment while approaching an abortion facility. Equally, a problem with "buffer zones" is that they criminalise non-violent actions like silent prayer, gatherings, and conversation. Many people who gather around these clinics seek to help women in difficult situations, by offering assistance, information, and prayer, but are regularly portrayed as violent and intimidating protestors. Critics of "buffer zones" note that harassment and violence are already criminalised by other laws that also protect the safety of women and that with "buffer zones", authorities are criminalising normal citizens for harmless activities.

In the Netherlands, most cities already have "buffer zones", and the city of Eindhoven also introduced a buffer zone at the end of 2021.¹³ Similarly in Spain, new legislation to this effect was proposed in March 2021 by the Spanish Socialist Workers Party (PSOE) and was passed in May. The new Spanish law created "buffer zones" around abortion facilities and penalizes anyone who *"harasses or restricts the freedom of a woman who intends to exercise her right to abortion"*. The "buffer zones" prevent any kind of pro-life campaigning or support in the area.¹⁴



Many groups in Spain have expressed disagreement with the government's implementation of "buffer zones" outside abortion clinics. The Auxiliary Bishop of Valladolid Luis Argüello García stated that *"If a right to abortion is legally recognized, the right to freedom of expression and to demonstrate must also be recognized, along with the possibility to impart information."* He added that *"people who pray around these clinics do so at their own initiative, remembering the sacred dignity of human life and offering information on alternatives to abortion".*¹⁵

In Scotland, the Green Party proposed the introduction of a blanket "buffer zone" for all abortion clinics in the country, but the British government did not pass the law as it wanted to maintain a balance between the right to access healthcare and freedom of speech. MSP Marie Todd commented: *"The Scottish Government doesn't consider that imposing a blanket buffer zone around all abortion clinics is appropriate"*^{16,17}. At the same time, other parts of the UK continued to draft and debate similar laws.¹⁸ In Ireland, a proposal to ban prayer and demonstrations outside abortion clinics was brought up by the Sinn Féin party but was strongly criticised by Irish senators who described it as "unconstitutional" and "unnecessary." Senator Sharon Keogan commented that this proposal *"may be the first time a bill has sought to criminalise the act of praying"*¹⁹. She added that *"The Department of Health has stated that protests outside healthcare facilities are limited and that where problems do arise, there is existing public order legislation in place to protect people accessing services, staff and local residents"*²⁰. Similar proposals were made in Northern Ireland and passed the second reading at the end of 2021.

Legal challenges to "buffer zones" in the German cities of Pforzheim and Frankfurt have shown positive outcomes in terms of freedom of speech and freedom of assembly. In Frankfurt, a "40-Days-for-Life" prayer group had been banned from silently praying in front of the "Pro Familia" abortion building in 2020. In December 2021, the Administrative Court of Frankfurt declared that the group had acted within the law and that the *"geographic and temporal restrictions on the pro-life meetings near the abortion organisation ordered by the city of Frankfurt"* were unlawful. Regarding the argument of protecting women from being confronted with unwanted messaging, the court stated: *"[t]here is no room in the given legal system for such protection against confrontation with other views that are not desired"*²¹. A similar challenge in May 2021 by the "40-days-for-Life" group in Pforzheim lost its case against the Municipality, which had imposed a ban from 2019. After a second appeal, in August 2022, the Mannheim Administrative Court overturned the ban. The court stated:

"The special significance of the freedom of assembly (...) must be taken into account, which, like the freedom to collectively express one's opinion, also and above all benefits dissenting minorities, is necessary for a free democratic state order and in particular includes the right of self-determination over the conduct of the assembly."²²

PUBLIC SPACES PROTECTION ORDERS (PSPO) IN THE UK

Other laws that restrict freedom of speech include the PSPO in the UK, as mentioned in the "Self-Censorship" chapter. Although it was passed in 1986, it has only recently begun to be used to silence street preachers. Section 4 of the PSPO states that a person using *"threatening, abusive or insulting words or behaviours that causes, or is likely to cause, another person harassment, alarm or distress"*, constitutes an offence. The law also includes language which is deemed to incite "racial and religious hatred", "hatred on the grounds of sexual orientation" or "encourages terrorism".²³ Phrases such as *"likely to cause"* and *"distress"* give much room for interpretation, alongside individual differences in perception and response. Therefore, law enforcement officials are often uncertain about how to identify 'hate speech'.

This has led to public authorities detaining people for exercising their right to freedom of expression.²⁴ There were several examples of this in 2021, like the case of Ryan Williamson, a street preacher arrested for alleged hate speech in August.²⁵ The police reported receiving a complaint of hate speech, apparently because the preacher had mentioned homosexuality. When the officers approached Williamson, they ordered him to stop preaching "on account of hate speech", although the Chief Inspector later claimed that the arrest was *"not related to the content of any speech"*, but rather related to the preacher's behaviour towards the police officers.²⁶ In another case, street preacher David McConnell was given £3,250 plus legal costs in compensation from the police, after he was unlawfully arrested, and later released without charge, for alleged 'hate speech'.²⁷

The legal group ADF UK has raised several concerns regarding the PSPO law, noting that even law enforcement officials have had to apologise for instances of wrongful treatment of citizens. An article by the ADF observes: *"The fact that these arrests rarely lead to conviction in court is the clearest indication that police officers struggle to apply the law fairly and consistently"*.²⁸

Despite these controversies, the UK Government planned in 2021 to introduce a Police, Crime, Sentencing and Courts Bill (PCSC) that seems to be even more restrictive to freedom of speech than the PSPO.²⁹ For example, the PCSC Bill grants police forces the power to restrict "one-person-protests". The Bill also gives officers the capacity to impose any conditions to prevent 'impact' or 'serious disruption' on any person or group near the protest. The Bill's vague definition of public nuisance lowers the requirements for arresting street evangelists. According to the PCSC Bill, a person who causes "serious distress" or "inconvenience" could face up to 10 years of imprisonment.³⁰ Despite the arguments and warnings against the bill from various human rights groups, it was passed in April 2022.³¹



ENDNOTES

- 1 Petri, Boyd-MacMillan (2020): "Death by a Thousand Cuts" in IJRF Vol 13:1/2 2020 (37–53), p.41. URL: <https://ijrf.org/index.php/home/article/view/101/128>.
- 2 See Terms and Definitions, p. x
- 3 Council of Europe: "Hate Speech and Violence", URL: <https://www.coe.int/en/web/european-commission-against-racism-and-intolerance/hate-speech-and-violence>, last visit: 06.10.2022.
- 4 Coleman (2012) "Censored: How European "Hate Speech" Laws are Threatening Freedom of speech", published by Kairos PR, Austria, p. 7.
- 5 Courtois (2021): "Are Hate Speech Laws Useless? An Appraisal of Eric Heinze's Arguments", Res Publica 28, 249–269 (2022). <https://doi.org/10.1007/s11158-021-09508-1>.
- 6 UN (2011): "Spain Criminal Code (1996)", URL: <https://www.ohchr.org/sites/default/files/Documents/Issues/Expression/ICCPR/Vienna/Annexes/Spain.pdf>, last visit 06.10.2022.
- 7 Parmar (2018): "The Legal Framework for Addressing "Hate Speech" in Europe", URL: <https://rm.coe.int/opening-session-2-parmar-the-legal-framework-for-addressing-hate-speech/16808ee4bf>
- 8 European Commission (2021): "Extending EU crimes to hate speech and hate crime", URL: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/extending-eu-crimes-hate-speech-and-hate-crime_en, last visit: 06.10.2022.
- 9 European Commission: "Combating hate speech and hate crime", URL: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/racism-and-xenophobia/combating-hate-speech-and-hate-crime_en, last visit: 06.10.2022.
- 10 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4509>
- 11 Starr (2004): "Hate speech: What is there to be worried about?" in a presentation at the Conference on Guaranteeing Media Freedom on the Internet by the OSCE, Amsterdam, p.4. URL: <https://www.osce.org/files/f/documents/b/b/36098.pdf>, last visit: 13.10.2022.
- 12 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4760>
- 13 <https://cne.news/artikel/386-dutch-city-of-eindhoven-introduces-buffer-zone-around-abortion-clinic>
- 14 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4611>; Spanish Parliament (2021): "Proposición de Ley Núm. 167-1", URL: https://www.congreso.es/public_oficiales/L14/CONG/BOCG/B/BOCG-14-B-167-1.PDF#page=1, last visit 06.10.2022
- 15 National Catholic Register (2021): "Spanish bishops condemn tightening of rules on abortion, euthanasia", URL: <https://www.ncronline.org/news/politics/spanish-bishops-condemn-tightening-rules-abortion-euthanasia>
- 16 Liveaction (2021): "Scottish Government will not support 'a blanket buffer zone around all abortion clinics'", URL: <https://www.liveaction.org/news/scottish-government-blanket-buffer-zone-abortion/>, last visit: 6.10.2022.
- 17 The outcome changed drastically in 2022: OIDAC (2022): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5938>
- 18 Liveaction (2021): "Scottish Government will not support 'a blanket buffer zone around all abortion clinics'".
- 19 Scallan (2021): "Watch: Senators Slam SF'S Abortion Clinic Exclusion Zone Bill" on Gript Online, URL: <https://gript.ie/watch-senators-slam-sfs-abortion-clinic-exclusion-zone-bill/>
- 20 O'Halloran (2021): "Two Bills in contention on 'safe access' for women seeking abortion services" on The Irish Times, URL: <https://www.irishtimes.com/news/politics/oireachtas/two-bills-in-contention-on-safe-access-for-women-seeking-abortion-services-1.4705123>, last visit: 6.10.2022.
- 21 ADF International (2021): "UPDATE: Frankfurt court strikes down censorship zone around abortion organisation", URL: <https://adfinternational.org/frankfurt-court-strikes-down-censorship-zone-around-abortion-organisation/>
- 22 ADF International (2022): "40 Days for Life group rejoices as court rules in favor of right to pray in the vicinity of abortion counseling facility", URL: <https://adfinternational.org/german-court-rules-in-favor-of-right-to-pray/>, last visit: 6.10.2022.
- 23 CARE UK: "Free Speech in the UK: what does the law actually say?", URL: <https://care.org.uk/cause/religious-liberty/free-speech-law>, last visit: 6.10.2022
- 24 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4921>
- 25 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4808>
- 26 Bradfield (2021): "'This is not China' says MP after PSNI arrest open air preacher following 'hate speech' allegation" on Newsletter, URL: <https://www.newsletter.co.uk/news/crime/mp-challenges-psni-not-to-start-judging-free-speech-after-arrest-of-preacher-3346162>, last visit: 6.10.2022.
- 27 Premier (2021): "Street preacher wins compensation for wrongful arrest" on Premier Christian News, URL: <https://premierchristian.news/en/news/article/street-preacher-wins-compensation-for-wrongful-arrest>
- 28 ADF UK: "Five areas of concern for street evangelists in the PCSC Bill", URL: <https://adf.uk/street-evangelists/>, last visit: 7.10.2022.
- 29 UK Parliament: "Police, Crime, Sentencing and Courts Act 2022", URL: <https://bills.parliament.uk/bills/2839>.
- 30 Ibid.
- 31 Region Security (2022): "What Is the Police, Crime, Sentencing, and Courts Bill?", URL: <https://www.regionsecurityguarding.co.uk/blog/crime/what-is-the-police-crime-sentencing-and-courts-bill/>, last visit 14.10.22.

Testimony

Päivi Räsänen

Päivi Räsänen is a Christian Finnish politician and a Member of the Finnish Parliament since 1995, leading Finland's Christian Democratic Party from 2004-2015. Räsänen formerly worked as a doctor, and her husband is a pastor of the Lutheran Church. She has five adult children and seven grandchildren.

In 2019, Räsänen was prosecuted after tweeting an image of a Bible passage from Romans 1:24-26 and using this as a basis for questioning the Evangelical Lutheran Church of Finland's participation at a pride parade. She received heavy criticism for this and was investigated by the police for incitement against a sexual minority group. During the subsequent investigation, Räsänen was charged on two other accounts: distributing a 2004 pamphlet called *"Man and Female He created them"*, and a TV interview in which she expressed non-mainstream views on human sexuality.

The case of Päivi Räsänen received international support and raised concerns about the state of Freedom of Speech and Freedom of Religion in Finland. Her case was also supported by the legal team of ADF International. Following her trial in September 2021, the Helsinki District Court took the unanimous decision to dismiss all the charges against her, as well as those against Bishop Juhana Pohjola who was also charged for the publication of the 2004 pamphlet.

Nevertheless, the case is not yet settled. The prosecutor appealed the court ruling in April 2022. In response, Räsänen commented that *"I had hoped that the prosecutors would have settled for this ruling ... [But] I am ready to defend freedom of speech and religion in all necessary courts, also in the European Court of Human Rights."*



How is the case affecting you personally as a Christian? Did it make you doubt your belief or what you are saying publicly? Did it grow your belief?

"For all my long career as an MP, I have been open about my Christian faith, but the last couple of years have been surprising. This case has strengthened my trust in God's guidance and providence. I feel privileged to have this calling and honour to defend the foundational rights and everlasting, Biblical values. It has been amazing to be able to tell the Gospel and about our Lord Jesus in the public over and over again through this case!

The extension of the trial will allow the establishment of legal precedent on freedom of expression and religion from a higher court. The early Christians did not renounce their faith in lions' caves, why should we then renounce our faith in the challenges of this time? I trust that the whole process is in God's good hands."

Is the social pressure against Christians in Europe higher than the legal pressure? If so, what might be the causes for that?

"The breaking of the Christian worldview is visible whether we think of the protection of life at the very beginning or at the end of life, or defending marriage as a union between man and wife. These criminal procedures are attempts to restrict free speech and freedom of religion. The same kind of development is visible in the whole of Europe. The rise of "cancel culture," the idea of publicly defaming and thrusting a person who holds certain beliefs out of social media or professional circles, is a threat to any free society. Many young people have told me that they are afraid when they are labelled as Bible-believing Christians and that it will hinder their career and social acceptance. If we do not now use our right to speak freely, the space to use our rights will eventually get even smaller."

What stood out most for you about your case?

"The prosecution's 26-page appeal openly attacks the core teachings of the Christian faith, considering them offensive. The prosecutor tries to deny the core message of the Bible: the teaching of law and the Gospel. God has created all human beings in His own image, and we all have equal value, but we are also all sinners. The points of view for which I am accused do not deviate from so-called "classical" Christianity, nor does my view on marriage deviate from the official policy of the Evangelical Lutheran Church of Finland. It is strange that we have gone this far in Finland."

What should be read between the lines of your case? What is essential but often overlooked?

"The court had to for the first time take a stand on whether it is legal or not to cite the Bible and to agree with it. Despite the severity of the case, I have been glad about the thousands of messages I have received, in which people have told me how God has encouraged them through this case to pray and trust God's word. Ultimately, the question here is about the core of the Christian faith; how a person gets saved into unity with God and into everlasting life through the redemptive sacrifice of Jesus. I have repeatedly emphasized that all human beings are created in the image of God and have equal dignity and human rights.

What should be changed or done to prevent cases like yours from happening again? What is your message of hope? What is your advice for other Christians facing similar situations, maybe not in court but in their social environment?

We are especially called to stand firm in those parts of the Scriptures which challenge the current ethos and thinking. Christians should encourage their countries to adhere to their national and international commitments to protect the freedom of speech and be courageous in speaking according to their faith in public. I am prepared to defend freedom of expression and religion at all necessary levels of justice, even, if necessary, before the European Court of Human Rights.

Queen Esther was encouraged to speak up and act on behalf of God's people, the Jews, with the question: "And who knows, you may have been chosen to your royal position for just such a time as this." The same question can be asked of us today."

The rise of "cancel culture," the idea of publicly defaming and thrusting a person who holds certain beliefs out of social media or professional circles, is a threat to any free society.



Medical Practices and Freedom of Conscience

Following the advancement of technology in medical practices, moral questions about the beginning and the end of life have become widely debated. Amid public debates about legalizing abortion and euthanasia, many European countries have been proposing or passing laws to regulate such practices. These bills have implications for medical professionals and institutions that decide to object to these procedures on moral and/or religious grounds.

In a landmark case in 2020, two Swedish midwives were denied employment due to their conscientious objection to abortion. Unfortunately, the ECHR dismissed the case, setting a precedent for future cases and prompting legal scholars to urge for a formal examination of the case.¹ One legal scholar, Bwzowski, observes that in the ECHR *“the gate to accommodating claims of conscience in healthcare appears to be sliding shut.”*² The ECHR declined to take a clear stance regarding this issue and delegated the decision to the individual member states. In a research paper on the ECHR and the protection of freedom of conscience, María José Valero writes:

The Court’s meager body of decisions on the direct or indirect conscientious objection of healthcare professionals to abortion appears to be largely ignoring its own legal reasoning and doctrine on freedom of conscience and the rights protected by Articles 2, 3, and 8 of the Convention in claims connected to human life(...).³

Developments affecting all of the EU, such as the approval of the Matic Report on June 24th 2021 also endanger the fundamental right of conscientious objection. The Matic report, approved by 378 members of the European Parliament, is a non-binding resolution by the European Parliament that describes abortion as an “essential” health service, and redefines conscientious objection as a *“denial of medical care”*.⁴ The report also declares that any violations of the new amendment are considered *“a form of violence against women and girls”*. Although not legally binding, the report sends a strong message to the European and political community and can be used in legal context. It is also important to note that the EU does not have the mandate to influence health-related policies, but only complements the decisions of the member states.⁵

On June 23rd, a joint statement was issued by 14 organisations criticising the adoption of this report and expressing concern about the possible elimination of “conscientious objection” clauses.⁶ The document was signed by various entities including the World Federation of Catholic Medical Associations, MaterCare International (a group of Catholic obstetricians and gynaecologists headquartered in Canada) as well as the Pope John XXIII Community and the NGO Femina Europe. The statement argues against the abolition of conscientious objection on the grounds that 90% of doctors in Italy, and 68% of doctors in Ireland, stated that they would refuse to assist abortion. A statement issued by the organisation “Doctors for Life” added:



This rationale makes the rejection of abortion equivalent to an unwillingness to grant equality or essential human rights and is a strategy employed repeatedly to compel others to accept such proposals. Of course, such a strategy necessitates the continued employment of euphemisms like reproductive rights and healthcare to sanitize the brutal reality of the intervention.⁷

Archbishop Paul Gallagher, Foreign Minister of the Holy See commented during a radio interview that the Vatican is *"very disappointed that conscience clauses, wherever they exist, in whatever circumstances, whatever law, are eliminated. And we know that it's a growing tendency in many parts of the world."*⁸

The Spanish Ministry of Equality also released a plan to create a registry of medical doctors, nurses, and staff who conscientiously object to abortion.⁹ The intended registry would be part of a reform to the Spanish abortion law passed in 2010. The proposal is designed to guarantee the *"right to terminate pregnancies"* in public hospitals, as many hospitals in Spain do not perform the procedure due to conscientious objection by medical staff. Many bishops and legal experts strongly criticized this registry, as such a list could lead to discrimination against dissenting medical staff and discourage freedom of expression and conscience. The legalisation of euthanasia in March 2021 sparked similar criticism and was challenged as unconstitutional for being passed without consulting representatives from medical, palliative care or suicide prevention associations, among other institutions.¹⁰

Article 16 of the Spanish Constitution protects the right to freedom of ideology, religion or belief, while Articles 15 and 18 protect personal moral integrity and personal intimacy respectively.¹¹ Spanish law scholar Dionisio Llamazares Fernández observes that conscience is not explicitly mentioned in the constitution but is still protected as an intimate experience that flows from one's personal moral integrity. Apart from this, Article 30 protects freedom of conscience in the context of military service.¹² Finally, as an EU Member State, Spain has also signed the European Convention of Human Rights, which protects freedom of conscience.

Reacting to the Matic Report, Spanish politician Irene Moreno announced on July 8th that the Spanish Government was planning to fully decriminalize abortion and to end medical professionals' right to conscientious objection.¹³ The equality minister declared that *"the right of physicians to conscientious objection cannot be above women's right to decide"*. The announcement was met with criticism from the Bioethics Committee, which released a statement calling the idea *"unconstitutional"*, stating that the right to conscientious objection is *"an individual right"*.¹⁴ Many other entities, including the General Council of Official Medical Colleges (CGCOM), released a statement calling the proposal *"unacceptable, illegal and unjust"*.¹⁵ It reads:

Forcing the conscience of physicians in order to expand the number of physicians available in all communities is, in addition to being unconstitutional, a bad solution, which from the perspective of the medical profession would be considered unacceptable, illegal, and unjust.¹⁶

At the end of 2020, French Members of Parliament proposed to remove the conscience clause in the French constitution, which preserves the right of doctors, nurses, and midwives to refuse to assist an abortion procedure. The politicians pushing the bill considered that *“the existence of such a specific conscience clause leads to a particular stigmatisation of the act of abortion, thus contributing to making it a separate medical act and therefore contributes to the guilt of women who resort to it.”* They argued that removing the clause *“would make it possible to advance the right to abortion and to put an end to an archaic vision of a specific medical act.”*¹⁷ The bill clearly emerges as an attempt to force the moral standardisation of abortion, simultaneously it seeks to guarantee universal access to abortion in France, given that only 27.5% of gynaecologists in France are willing to perform an abortion. The European Centre for Law and Justice commented on the French bill that

*The recognition of conscientious objection (...) contributes to the fair functioning of liberal societies. Its suppression, on the other hand, marks a desire to impose a single common moral standard on all, at the expense of freedom of conscience and tolerance.*¹⁸

By the end of 2021, most parts of the new abortion bill in France were passed, but the conscience clause was not removed, due to the strong opposition by other politicians.¹⁹

We conclude this chapter with a quote on the subject by the Spanish Law scholar Maria José Valero:

*Conscience must be protected, not because it is objectively correct - which would be impossible, since it refers to an exclusively individual reality - or because it coincides with prevailing social values or with supposedly majority moral views, but because its relationship with human dignity and personal autonomy makes it an essential right for modern democracies.*²⁰



ENDNOTES

- 1 Brzozowski, W. (2021): "The Midwife's Tale: Conscientious Objection to Abortion after Grimmark and Steen" in Oxford Journal of Law and Religion, 2021, 10, 298–316, URL: <https://doi.org/10.1093/ojlr/rwab016>, p. 315f.
- 2 Ibid. p. 316
- 3 Valero, M. (2022): "Freedom of Conscience of Healthcare Professionals and Conscientious Objection in the European Court of Human Rights", p. 12
- 4 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4669>
- 5 Treaty on the Functioning of the European Union, Article 168§7, URL: https://lexpary.org/eu/TFEU/ART_168/.
- 6 Forum of Catholic-Inspired Organisations (2021): "Statement on the Matic Report", URL: https://01e7c503-fb51-4f98-b8e5-d2d9bbf4f67f.filesusr.com/ugd/ca1501_de425c813b8645f5b2fafa386f0ace6d.pdf, last visit 11.10.22
- 7 Doctors for Life Malta, "Position Statement on the Matic Report", URL: <https://doctorsforlifemalta.org/position-statement-on-the-matic-report/>, last visit 14.10.22.
- 8 CNA (2021): "Vatican Foreign Minister: "We are against the idea that abortion could be a human right", URL: <https://www.catholicnewsagency.com/news/248319/vatican-foreign-minister-we-are-against-the-idea-that-abortion-could-be-a-human-right>
- 9 OIDAC (2021), URL: <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4975>, last visit: 12.10.2022.
- 10 Religion en Libertad (2021): "Las voces que hablan contra la eutanasia y sus argumentos: evitar que se les acalle aún más", URL: https://www.religionenlibertad.com/vida_familia/44834885/vozes-contra-eutanasia-argumentos-acalle.html, last visit: 12.10.2022.
- 11 Boletín Oficial del Estado (BOE) (1978) on «BOE» num. 311, de 29/12/1978. URL: <https://www.boe.es/buscar/act.php?id=BOE-A-1978-31229>, last visit: 12.10.2022.
- 12 Llamazares D. (2022): "Libertad de conciencia, una libertad implícita en la Constitución", Cuestiones de Pluralismo, Vol. 2, nº1 (2022), URL: https://www.observatorioreligion.es/revista/articulo/libertad_de_conciencia__una_libertad_implicita_en_la_constitucion/index.html, last visit: 12.10.2022.
- 13 OIDAC (2021): <https://www.intoleranceagainstchristians.eu/index.php?id=12&case=4703>, last visit: 12.10.2022.
- 14 Bioethics Committee Spain (2021): "Sobre la la Objeción de Conciencia en Relación con la Prestación de la Ayuda para Morir de la Ley Orgánica Reguladora de la Eutanasia", URL: <http://assets.comitedeioetica.es/files/noticias/Nota%20de%20Prensa%20Informe%20del%20CBE%20sobre%20la%20Objecion%20de%20Conciencia.pdf>, last visit: 12.10.2022.
- 15 CNS (2021): "Spanish bishops condemn tightening of rules on abortion, euthanasia", URL: <https://cruxnow.com/church-in-europe/2021/10/spanish-bishops-condemn-tightening-of-rules-on-abortion-euthanasia>, last visit: 12.10.2022.
- 16 OMC (2021): "El CGCOM considera que dificultar el ejercicio del derecho de objeción de conciencia es inapropiado, inaceptable, ilegal e injusto", URL: <https://www.cgcom.es/notas-de-prensa/el-cgcom-considera-que-dificultar-el-ejercicio-del-derecho-de-objecion-de>, last visit: 12.10.2022; Religion en Libertad (2021): "Las voces que hablan contra la eutanasia y sus argumentos: evitar que se les acalle aún más".
- 17 Puppink (2021): "To Suppress Conscientious Objection is Anti liberal" on ECLJ, URL: <https://eclj.org/conscientious-objection/french-institutions/supprimer-la-clause-de-conscience-a-lavortement-est-illiberal>, last visit: 7.10.2022
- 18 Ibid.
- 19 Morrow (2021): "French parliament clashes over extending abortion deadline to 14 weeks" in RFI, URL: <https://www.rfi.fr/en/france/20211201-french-parliament-clashes-over-extending-abortion-deadline-to-14-weeks-bill>, last visit: 14.10.22.
- 20 Valero, M. (2022), p.4

New Legislation in Conflict with Parental Rights

While the EU has a limited role in matters of family law, Parental Rights are protected in the national constitutions of the individual member states. Similarly, Article 14, (3) of the EU Charter of Fundamental Rights protects *“the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.”*¹

In recent decades, many Western countries have introduced legislation regarding education on sexuality, gender, and reproduction in schools. A positive effect of this is that it protects children and teenagers from misinformation, harassment, and abuse by improving their knowledge about their bodies and sexual health. However, many of these initiatives – which have been progressed by many European governments working alongside, or influenced by, LGBT+ interest groups, without collaborating with other entities such as churches or child health experts – undermine the right of Christian parents to educate their children in line with their beliefs. Christian parents have faced having their children being taken away by the government due to home-schooling or having religious education in the past (e.g. Germany², Norway³). In 2021, new controversial laws affecting parental rights were either drafted or passed. Among these, some laws would prosecute parents for exercising influence on their child’s decisions in life-changing scenarios, like seeking an abortion and questioning, or seeking to physically change, their gender identity.

PRESSURE ON RELIGIOUS SCHOOLS AND RELIGIOUS EDUCATION

In Spain, the debate about the rights of parents regarding the education of their children arose at the end of 2020, when a new law on education (known as the LOMLOE or Celáa Law) was passed.⁴ The effects of the law were the withdrawal of government subsidies to private schools and the prohibition of payments to non-coeducational foundations and private schools.⁵ The law also eliminated the clause that allows private schools to be built on public land.⁶ This came under criticism from the religious community, as private and gender-segregated schools usually have religious affiliations, and are the school of choice for parents wanting to educate their children according to their faith-based values.⁷ By eliminating an alternative to the state school system – which only offers optional religious education classes rather than maintaining religion in the school’s wider curriculum – the government is encroaching on parental rights, which are protected in Article 27 of the Spanish Constitution.⁸

“In many cases they do not mention the subject to families at the open days prior to pre-enrolment, and in others, when parents insist and tick the box on the form, they make it difficult for them to take it and end up not enrolling their children”.



The reforms in Spanish public schools have also diminished the role of religion in education, and have introduced mostly teaching an understanding of gender and sexuality that further alienates parents and students of faith.⁹ There are also complaints that religious education is being neglected by these institutions – a spokesman for religion teachers in Catalan schools stated that *"in many cases they do not mention the subject to families at the open days prior to pre-enrolment, and in others, when parents insist and tick the box on the form, they make it difficult for them to take it and end up not enrolling their children"*.¹⁰ Other forms of intolerance against Christianity in schools include groups seeking to eliminate all religious symbols, even where this extends to singing Christmas songs in December.¹¹

In England, it was similarly requested that collective worship in schools be replaced with "secular gatherings", but the UK Minister for the School System Baroness Berridge expressed clear support for collective worship in state-funded schools in England and Wales.¹²

Denominational schools in Ireland are facing pressure similar to Spain, as parents risk having limited capacity to influence their children's education.¹³ The Social Democratic Party proposed a bill that would eliminate all religious perspectives from sexual education in schools.¹⁴ At the annual party conference in November 2021, Labour's education spokesman Aodhán Ó Ríordáin was met with applause for shouting *"let's get them out"*, referring to parish-owned Catholic schools.¹⁵ Séamus Mulconry, a spokesman for the Catholic Primary School Management Association (CPSMA), responded by stating that *"the comments are an insult to the more than 23,000 people who serve as voluntary members of boards of management [in Catholic schools] and who support the governance of schools."* The Bishop of Meath also stressed the necessity of respecting parents' freedoms, pointing out that:

"The reality is that a significant percentage of the population want to send their children to Catholic schools and that is the reality that politicians and parishes are encountering throughout the country and for that reason many parishes have given land for the development of schools."

While it is important for a country to provide different types of schools, Senator Rónán Mullen commented that there was no kind of *"Catholic monopoly on education in Ireland"* and that any group is permitted to establish schools with state support. It is therefore an unnecessary and discriminatory decision to withdraw state support from Catholic schools. Mr Mullen affirmed that *"Christian schools must continue to enjoy state support if there are people who want to continue to send their children to those schools"*.¹⁶

SECULAR SEXUAL EDUCATION VS. RELIGIOUS TEACHING

Individual regions in Spain are permitted to implement their own sexual education initiatives, and some of these have sparked debate due to their infringements on parental rights. One example is the city of Navarra, where the City Council wanted to introduce an obligatory curriculum that included teachings contrary to the Christian understandings of family, love and sexuality.¹⁷ While children should be exposed to different perspectives, imposing secular views on the school curriculum, without presenting students with alternative interpretations, can only lead to the promotion of the former at the expense of the latter. The previously mentioned example of the distribution of anti-religious books by the City Council of Castellon exemplifies the threat of having governing bodies unsensitive to religious sentiments supervising education. The phrases in the books reinforced negative stereotypes about Catholics, such as *"The bishop gets it in the ass"*, *"Hookers in the Vatican"* and *"Allah is not great and Jesus does not love us"*.¹⁸ Christian Lawyers" launched a lawsuit against the City Council, noting that public money was used to distribute these books, which had been distributed to 12 public institutes and to a centre for minors. The Court of Castellon dismissed the case, but a second appeal before the Superior Court of Justice ruled that they *"violate fundamental rights and incite hatred against all religions"*. Public schools have also handed out material that was later proven to be of a discriminatory nature towards Catholicism. Young female students in Getafe were handed leaflets that described the Virgin Mary as a "symbol of patriarchy" and promoted masturbation.¹⁹

In Scotland, the government introduced new guidance for schools stating that children should be allowed to identify as transgender *"at any age"*. The document stated:

*If a young person in the school says that they now want to live as a boy although their sex assigned at birth was female, or they now want to live as a girl, although their sex assigned at birth was male, it is important to provide support and listen to what they are saying.*²⁰



The guidance also encouraged teachers to “challenge gender stereotypes and include transgender people” in their classes. Teachers were advised to “respect a young person’s wishes and use the name/pronoun they have asked to be used” and to “not share information with parents or carers” on a child’s gender identity if it would be “the best way” to ensure the child’s views are “respected”. Critics such as Human Rights lawyer Aidan O’Neill and Feminist groups accused the Scottish Government of promoting transgender ideology, violating parental rights and basing their decisions on unreliable statistics. The Government’s plans were suspended after the Christian Institute and Scottish Feminist groups threatened to take legal action.

PARENTAL RIGHTS ON ABORTION AND TRANSGENDERISM FOR MINORS

In France, a recently proposed “conversion therapy” law has raised concerns about the rights of parents and psychiatrists dealing with minors who are experiencing gender dysphoria. In October 2021, the French parliament supported a legislative proposal to ban “conversion therapy”, referring to abusive practices known to have taken place in the UK or the USA several decades ago, but never recorded in France.²¹ Rather than target such dangerous practices, the proposed law has a greater impact on parents and psychiatrists. Christians worry that this kind of law will prohibit any questioning of a young person’s wishes regarding their sexual identity, and forbid parents from objecting to the prescription of hormones to underage children. It could also prevent professionals from recommending psychotherapy for people struggling with their identity and psychology/psychiatry professionals from offering treatment that does not affirm the young person’s chosen sexual identity. The sentence for “attempt[ing] to change someone’s sexual orientation” includes up to 2 years of prison or a fine of up to 30,000 Euros.²²

In England, a proposed ban on “conversion therapies” has raised similar concerns among Christians. However, the government has committed to undertaking several assessments on the issue, assuring the Christian population that this law will not criminalise prayer, expressing disagreement towards the gender theories, or any other aspect of Christian life and teaching.²³



ENDNOTES

- 1 FRA, EU Charter of Fundamental Rights, Article 14, URL: <https://fra.europa.eu/en/eu-charter/article/14-right-education#national-constitutional-law>, last visit 14.10.22.
- 2 Premier Christian News (2017): "Christian parents battle against 100-year-old German homeschool ban", URL: <https://premierchristian.news/en/news/article/christian-parents-battle-against-100-year-old-german-home-school-ban>, last visit: 07.10.22.
- 3 Christian Today (2020): "Court dismisses legal challenge against Norway's removal of children from Christian parents", URL: <https://www.christiantoday.com/article/ccourt.dismisses.legal.challenge.against.norways.removal.of.children.from.christian.parents/136098.htm>, last visit 7.10.22.
- 4 Ferreras (2020): "Todo lo que hay que saber sobre la ley Celaá" on La Vanguardia, URL: <https://www.lavanguardia.com/vida/20201223/6143833/todo-saber-sobre-ley-celaa.html>, last visit 7.10.22.
- 5 Religion en Libertad (2021): "Cataluña quita la financiación a las escuelas diferenciadas de secundaria, casi todas católicas", URL: <https://www.religionenlibertad.com/espana/8872440/cataluna-quita-financiacion-escuela-diferenciada-secundaria-catolica.html>, last visit 7.10.22
- 6 Foro Familia (2021): "Limitaciones de los Derechos Fundamentales y de la Libertad de Educación en España", URL: <https://www.forofamilia.org/wp-content/uploads/2021/01/limitaciones-de-los-derechos-fundamentales-y-de-la-libertad-de-educacion-en-espana-26-1-21.docx.pdf>, p.3
- 7 Huerta (2021): "La ley Celaá sí afecta a la libertad de los padres" on Masplurales.es, URL: <https://masplurales.es/la-ley-celaa-si-afecta-a-la-libertad-de-los-padres/>, last visit: 4.10.22
- 8 COPE (2020): "¿Qué dice la Constitución sobre el derecho de los padres a elegir la educación de sus hijos?" ON Cope.es. URL: https://www.cope.es/actualidad/sociedad/noticias/que-dice-constitucion-sobre-derecho-los-padres-elegir-educacion-sus-hijos-20200117_596834, last visit: 04.10.22
- 9 Ruiz (2022), "Weekly column from Spain: Forging the new generation at school, then and now" on CNE.news, URL: <https://cne.news/artikel/1058-weekly-column-from-spain-forging-the-new-generation-at-school-then-and-now>, last visit: 7.10.22.
- 10 Armora (2021): "Profesores y padres denuncian el boicot a la clase de Religión en Cataluña" on ABC.es, URL: https://www.abc.es/sociedad/abci-profesores-y-padres-denuncian-boicot-clase-religion-cataluna-202110122134_noticia.html, last visit: 7.10.22.
- 11 InfoCatolica (2021): "Europa Laica de Cádiz pide que no se canten villancicos en colegios públicos", URL: <https://www.infocatolica.com/?t=noticia&cod=42296>, last visit: 14.10.22.
- 12 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4866>, last visit: 14.10.22
- 13 Bottone (2021): "Denominational schools under the spotlight at UN committee" in Iona Institute, URL: <https://ionainstitute.ie/denominational-schools-under-the-spotlight-at-un-committee/>, last visit: 14.10.22.
- 14 Lonergan (2021): "Soc Dems announce new Bill that will eradicate religious influence from sex education in schools" in Limerickleader, URL: <https://www.limerickleader.ie/news/national-news/697905/soc-dems-announce-new-bill-that-will-eradicate-religious-influence-from-sex-education-in-schools.html>, last visit: 14.10.22.
- 15 Gript.ie (2021): "Bishop: Labour Party "Almost inciting hatred" with Attack on Catholic Education", URL: <https://gript.ie/bishop-labour-party-almost-inciting-hatred-with-attack-on-catholic-education/>, last visit 14.10.22.
- 16 Osborne (2021): 'Get Catholics out' Labour Party insult to parents and volunteers", URL: <https://www.irishcatholic.com/get-catholics-out-labour-party-insult-to-parents-and-volunteers/>, last visit 14.10.22.
- 17 Foro de la Familia (2021): "Fuera Skolae, dentro Libertad", URL: <https://www.forofamilia.org/articulos-para-pensar/informe-skolae/>, last visit 14.10.22.
- 18 "Abogados Cristianos solicita a la Justicia la Retirada de los Libros LGTBI Repartidos por el Ayuntamiento de Castellón en Institutos Públicos", URL: <https://abogadoscristianos.es/abogados-cristianos-solicita-a-la-justicia-la-retirada-de-los-libros-lgtbi-repartidos-por-el-ayuntamiento-de-castellon-en-institutos-publicos/>, last visit: 14.10.22.
- 19 "Abogados Cristianos Solicita a la Justicia la Retirada de las Guías de Educación Sexual Repartidas por el Ayuntamiento de Getafe a niñas de Primaria", URL: <https://abogadoscristianos.es/abogados-cristianos-solicita-a-la-justicia-la-retirada-de-las-guias-de-educacion-sexual-repartidas-por-el-ayuntamiento-de-getafe-a-ninas-de-primaria/>, last visit: 14.10.22.
- 20 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4833>
- 21 Flavigny (2021): "«Que dit réellement la loi sur les "thérapies de conversion" ?»" in LeFigaro, URL: <https://www.lefigaro.fr/vox/societe/que-dit-reellement-la-loi-sur-les-therapies-de-conversion-20211215>, last visit: 14.10.22.
- 22 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5000>
- 23 The Christian Institute (2021): "Liz Truss: Free speech about religion must be protected in conversion therapy ban", URL: <https://www.christian.org.uk/news/liz-truss-free-speech-about-religion-must-be-protected-in-conversion-therapy-ban/>, last visit: 7.10.2022.

Covid-19 Regulations and Religious Freedom

As the COVID-19 pandemic broke out in 2020, most European countries introduced emergency measures including total or partial lockdowns. In many cases, this implied limiting personal rights (like freedom of movement, assembly, etc.) granted by national legislation and international law, a move that was accepted by international standards due to the public health emergency. Nevertheless, in 2021, after the first waves of the pandemic had passed and states began to reinstate certain services and return to a semblance of normality, in some countries churches remained closed and bans on communal worship stayed in place. Christian leaders sought to legally challenge these bans, arguing that the restrictions disproportionately affected collective worship, while other activities and services were allowed to function properly.

The conflict for state authorities between safeguarding public health and respecting religious freedom highlights how “essential needs and goods” in society are understood differently by secular and religious groups.¹ While governments like those of Germany and Austria acknowledged the vital role of religion and collaborated with religious groups, others – such as in Scotland and Ireland – released policies that subjected religious gatherings to the same rules as any other ordinary social event, suggesting a lack of understanding of the spiritual and social value that public worship holds for people of faith (especially for Catholics and Orthodox).² The Archbishop of Sweden, Ante Jackelen, expressed this clearly in his statement that *“We are annoyed that church activities are compared to sports events and concerts, which are incomparable. People’s religious practice is fundamental and must be protected in another way.”*³ It is important to note that FoRB refers to both private and public practise of religion, including but not limited to collective worship in a particular location. For Christians forbidding the celebration of Baptism essentially means preventing new members from being admitted to the Church.⁴

The following chapters outline issues that arose due to some countries’ restrictions on worship throughout 2021, also illustrated through a timeline that shows clearly where such restrictions were challenged in court (for example in Switzerland and Scotland) and had a domino effect on other countries. We close by analysing how various states dealt with this situation and offer a perspective on lessons learned from these events.

OUTLINE OF COVID-19 RELATED CASES ACROSS EUROPE

After the first lockdowns were lifted in 2020, most countries – including Austria, France, and Germany – assured the public that restrictions on churches and religious groups would decrease, giving way to increased autonomy. However, in other countries like the United Kingdom and Switzerland, ongoing restrictions led to legal court challenges.⁵ In Northern European countries, as well as Slovakia and Belgium, strict limitations on religious gatherings remained unchallenged, with relatively little social pressure to reopen churches.

In December 2020, the Swiss Constitutional Chamber decided to suspend all religious services and events, in response to the second wave of the pandemic. This was legally challenged by the medical doctor Samuel Sommaruga, together with ADF International.⁶ Following this, in May 2021 the Constitutional Chamber in Geneva ruled that the ban had been unlawful. The Court accepted that the ban was disproportionate to churches and a violation of the fundamental right to religious freedom. The ruling said that less restrictive measures would have been possible while still protecting public health.⁷ Samuel Sommaruga later commented

While it was crucial to care for the physical and mental health of the people of Switzerland during the pandemic, care for spiritual health is essential too. The courts have now recognized that the disproportionate ban on public worship was a violation of fundamental rights. I'm overjoyed that this decision will ensure that church doors are kept open in future at times of crisis...⁸

In the UK, most conflicts were due to inconsistent implementation of the law or wrongly imparted fines towards Christians for various religious activities. In March 2021, a blanket ban on group singing was lifted for professional choirs and at various events, but in churches the rule continued to limit singing to a maximum of six people.⁹ These policies were widely debated in Parliament, due to their incongruity with restrictions placed on other kinds of gathering. Some MPs recalled that the football matches in 2020 had no restrictions at all.¹⁰ The Bishop of Gloucester, Rev Rachel Treweek, asked Baroness Barran about when these restrictions would end, to which the latter answered: *"I absolutely recognise the right reverend Prelate's final remarks about singing being integral to worship. We continue to be led by the science and the experts, and to follow the public health advice. As soon as that changes, we will of course update the guidance."* Member of the House of Lords, Lord Stevenson, responded to this by observing that despite *"her attempts to try to add a veneer of respectability to her responses, neither the science nor the reality of common sense back her up."* Lord Cormack put the



question still more plainly, asking: *“why is he allowed to go down to his local pub and sing Roll Out The Barrel[,] but he can’t go into his local church and sing Guide Me, O My Great Redeemer?”*¹¹ The ban on worship in churches was finally lifted in July 2021.¹²

In 2021, the UK saw several instances of fines given to street preachers and Christians doing charity work being overturned. Street preacher Andrew Sathiyavan was arrested for preaching publicly in 2020, receiving a £400 fine for allegedly anti-social behaviour and breaching COVID-19 regulations. All charges were later dropped. Video footage reveals police officers telling him: *“We are not saying you are breaking the law, but it is causing anti-social behaviour.”*¹³ One officer said that he was *“breaching Covid laws”* because he was there *“without a purpose (...) Under Covid laws you are allowed to be outside if you are going to the shops, exercising, going to work. You are doing neither; you are preaching and that is unacceptable.”*

Another Christian volunteer, Jan Niedojadlo, was fined £60 in April 2020 for preaching the gospel and helping homeless people get access to food during the lockdown. Despite proving that he was allowed to volunteer, a police officer fined him for *“being away from home without a valid reason”*.¹⁴ Mr Niedojadlo’s case was taken to court after MPs from the Joint Committee on Human Rights called for a review of all fines issued during the pandemic. The Crown Prosecution Service (CPS) ruled in his favour in April 2021. After the case was settled, Mr Niedojadlo stated:

*The attitude of the community support officer and the police towards me was unbelievably hostile and dismissive. I was treated like a nuisance. There was a lack of respect, humanity and understanding of what Christian outreach and preaching is and why it is important. I hope my case will serve to help others, who may have been treated similarly, to contest any fines they have received and not to be intimidated into silence and inaction.*¹⁵

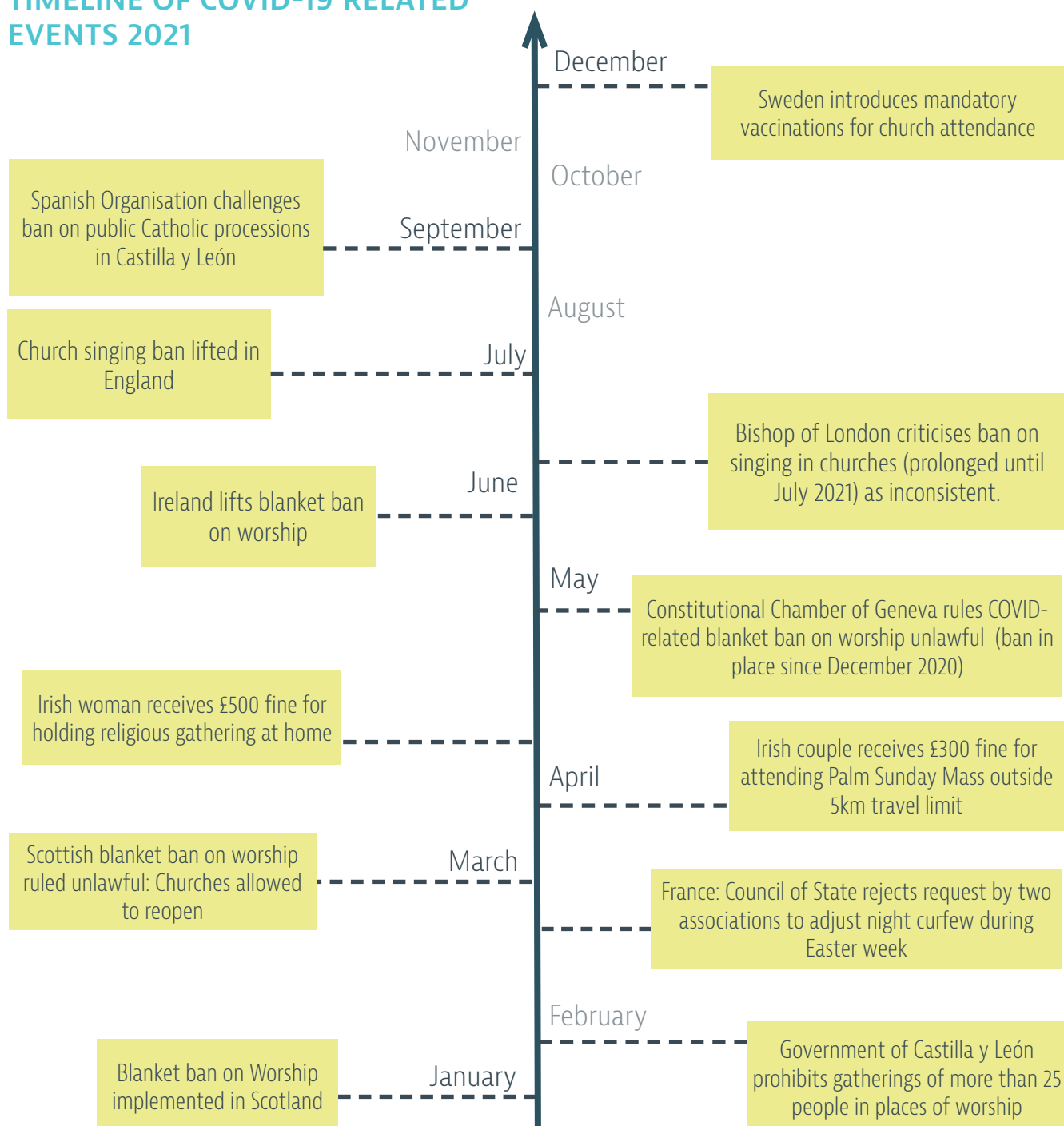
In February 2021, pastor Chez Dyer was fined over £16,000 for holding an open-air church service for the homeless in a parking lot during the lockdown. She was interrupted by police officers, suggesting there had been complaints. The officers left and came back in a large police van. The sergeant in command reported that his superiors deemed it an “illegal gathering” and the Christian group received a £10,000 fine. Pastor Chez was subsequently convicted *in absentia* (she was unaware of the proceedings against her) and was given a total fine of £16,000. She was supported by the Christian Legal Centre and her case was dismissed by a Magistrate’s Court. She was also cleared from paying the fine and issued with a defence cost order.¹⁶

In another example from February 2021, 76-year-old Rosa Lalor was arrested for being outside without a “reasonable excuse”. She explained to the police officer that she was walking and praying, in compliance with the government’s daily exercise allowance. The officer accused her of not praying in a house of worship and fined her £200. She challenged the fine with the help of ADF UK and eventually all charges were dropped.¹⁷ Lalor commented:

*I never thought that in a democratic country like the UK I would be arrested for a simple and solitary prayer walk. When I was walking outdoors, I was praying in the privacy of my own mind. What kind of society are we, when people can be arrested simply for peacefully manifesting their faith in public?*¹⁸

Also in the UK, police interrupted a Good Friday Mass at the Roman Catholic Christ the King Church in London and threatened to levy a fine of £280 for each member of the congregation. According to British newspaper *The Independent*, churches were allowed to hold services during the lockdown in England – with no limit on the number of parishioners – as long as the congregation complied with social distancing and wore suitable face coverings. The church rejected these claims, stating: *We believe... that the police brutally exceeded their powers by issuing their warrant for no good reason, as all government requirements were met.* The police later apologised for the incident, assuring that respect for religious rituals and sacred festivities would be a priority for them in the future.¹⁹

TIMELINE OF COVID-19 RELATED EVENTS 2021



A similar case in Scotland occurred when a priest, Canon Tom White, decided to challenge the enforced closure of churches for almost three months in 2021. During this time, non-essential businesses such as bicycle shops were allowed to open in Scotland. White was supported by ADF International and 27 other faith leaders, who challenged the ban at Scotland's top civil court. The ruling in March 2021 said that the government's actions had been unlawful and that churches had been treated unfairly in comparison to other public places.²⁰ White commented:

I'm overjoyed to hear that the court has understood the essential need to protect not only the physical and material health of our society but also its spiritual needs and therefore overturned the disproportionate, unnecessary and unlawful blanket ban on public worship. This decision highlights the significance of the church's role in society.²¹

The restrictions to public worship in Ireland in 2021 seem to have been among the harshest in Europe. Religious gatherings were already prohibited for over a year until April 2021, leading to faith leaders facing fines of over £2,000- or six-months imprisonment for holding services in their buildings. In March 2021, A married couple also faced a £300 fine for exceeding the 5km travel limit on Palm Sunday (a Day of Obligation in the Catholic Church) to go to Mass.²² In November 2020, the Catholic businessman Declan Ganley challenged the restrictions at the Irish High Court, stating the restrictions breached his FoRB.²³ In late April 2021, Scottish Catholic Bishops released a statement commenting on the situation in Ireland:

Recent developments that penalise the celebration of Holy Mass have been disturbing not only to the Irish Bishops' Conference but also to the Bishops of Scotland. We all recognise the need for restrictions to protect the common good of all people in a pandemic but to enact legislation that criminalises those who gather to celebrate Holy Mass is indeed extreme and unjust.²⁴

The Irish government announced they would lift the ban on public worship on May 10th.²⁵ An open letter was nevertheless sent to the government, to demand that such a ban never be repeated in Ireland. The issue resurfaced in August 2021, when the government instructed parishes to halt Communion and Confirmation services due to a new COVID-19 outbreak.²⁶

In Spain, the implementation of COVID-19 restrictions was delegated to individual regional governments. Some of these, like Castilla y León and Aragon, imposed restrictions on public worship and processions. In September 2021, "Christian Lawyers" appealed to the courts to challenge the ban imposed by the Junta of Castilla y León on religious processions to contain the spread of the virus. The ban was put in place before the festival of the city's patron saint on September 8th.²⁷ Polonia Castellanos, the president of "Christian Lawyers", argued that "Other mass events have been allowed, such as demonstrations of trade unions", which in her opinion showed "a clear discrimination against Catholics" and claimed that the Junta de Castilla y León had discriminated against Christians in other instances, also "with the excuse of the virus."

A prohibition on singing during public worship was also brought to court in the Spanish city of Aragon. The Aragonese Court (TSJA) raised the question of unconstitutionality against the law and decree-Law in Aragon. This came after the TSJA heard the allegations by the Federation of Evangelical Religious Entities of Spain (FEREDE) against these regulations. The magistrates affirmed that singing in places of worship is an essential part of the right to FoRB. The prohibitions imposed in October and December 2020 were therefore deemed a limitation of the constitutional right of religious freedom.²⁸

THE MAIN PROBLEMS FOR RELIGIOUS FREEDOM:

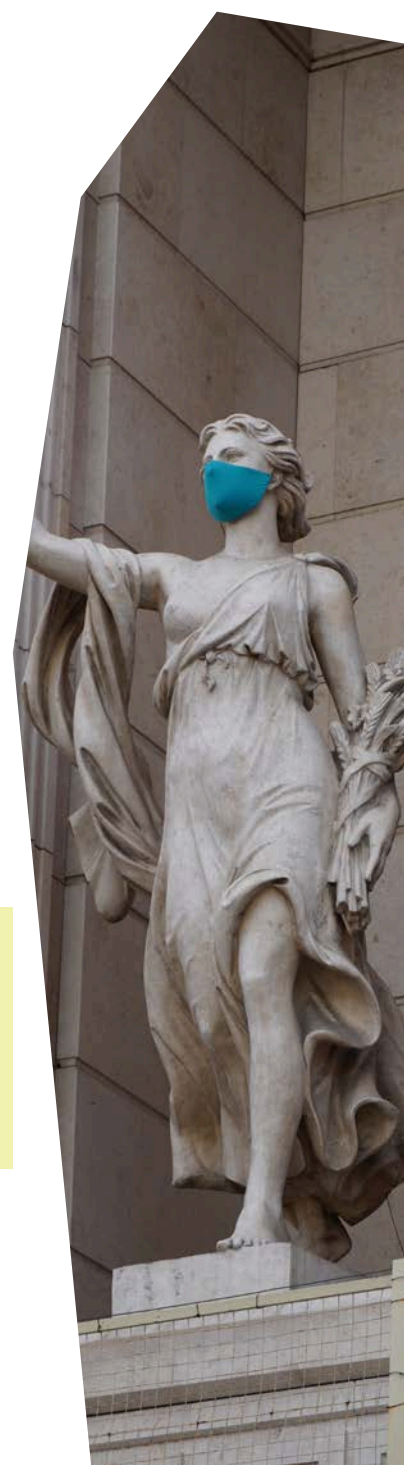
DISPROPORTIONALITY

The above evidence shows that a key problem with COVID-related restrictions in various countries was their disproportional impact on religious worship, suggesting underlying religious illiteracy and/or discriminatory behaviour by governments towards churches. An article in the *Journal on Church and State* recalls that the United Nations Special Rapporteur on the rights to freedom of assembly and association raised concerns about governments implementing “*broad and vague*” laws that also had “*disproportionate penalties for non-compliance*” during the pandemic, adding that these risked being applied in discriminatory ways.²⁹

Several juridical bodies accepted that the laws were disproportionate, as in Castilla y León, where the Supreme Court pointed out forbidding more than 25 people to be in places of worship had been “*manifestly disproportionate*” and “*undoubtedly burdensome for the practice of collective manifestations of the Catholic religion, affecting a fundamental right*”.³⁰ Although the ruling did not assess whether the agreement violated fundamental rights, it admitted that the Junta and the president did not have the authority to issue such a ban from 16 January to 18 February 2021.

The Cantabrian Supreme Court also ruled that it was not justified to limit the fundamental rights of Catholics, given that there was “*already a measure in place for the whole of the Autonomous Community of Cantabria limiting the capacity to one third [of the maximum capacity of places of worship]*”.³¹ The same conclusions were reached by the Swiss Constitutional Chamber in Geneva and by Parliament in the UK, when singing in church was not allowed.³² The case of Canon Tom White in Scotland is also a clear example of this disproportionality. Citing the judicial review of the case, researcher, and theologian Frank Cranmer states that:

The apparent under-playing of the importance of the Article 9 right in comparison with other activities, coupled with the blanket ban on all forms of worship, including private prayer, communion, confession and baptism, lead me to the conclusion that even if some enforced restriction on the right to worship was justified by the situation in December 2020/January 2021, the Regulations in the form they were passed did have a disproportionate effect...³³



LACK OF COMMUNICATION BETWEEN STATE AUTHORITIES AND THE CHURCH

The second issue visible in these cases is a lack of communication between the authorities and religious groups when drafting COVID laws, which also led to a lack of trust in the authorities among certain groups. In some cases, like the previously mentioned case in Cantabria, the actions of the state were considered illegitimate, and an unjustifiable limitation of fundamental rights.³⁴

In a case study on the Romanian Orthodox Church during the pandemic, the authors considered that *“the absence of efficient dialogue resulted in mixed responses from religious communities, causing people to question or even directly oppose the implementation of official COVID-19 mitigation policies.”*³⁵ After analysing the Romanian government’s treatment of churches during the pandemic, they observe that

*The absence of efficient dialogue can create misunderstandings which negatively influence the outcomes of the implemented measures. By contrast, if religious leaders and faith-based communities are involved in active consultations with state authorities, the effects of the implemented public health policies can be substantially enhanced.*³⁶

On July 15th 2021, the Bishops’ Conference of the European Union (COMECE) released a statement calling on the EU to do more to protect religious freedom. They expressed their desire *“to see religious freedom fully restored within the EU itself in the wake of forced church closures despite a current resurgence in coronavirus cases.”* They stressed that even if religious freedom remained a matter for individual state authorities, these are nevertheless affected by broader EU policies, which they believe should focus on *“re-expanding freedom of worship to pre-pandemic standards.”* The statement added: *“Reopening policies should take into account the situation and needs of churches, both as actors that can facilitate recovery through their social actions, and as actors in need of recovery support.”*³⁷

Also, the UN Special Rapporteur on the rights to freedom of peaceful assembly and association noted and raised concerns regarding the *“lack of consultation of civil society organisations in the restrictions of assembly and association”* and the *“questionable processes through which some restricting laws have been passed”*.³⁸ In a 2021 article entitled “Covid-19 and Religious Freedom: Some Comparative Perspectives”, scholar Javier Martinez-Torrón observed that

*During the COVID-19 pandemic, in a number of countries of Europe and America, governments have approached limitations on religious freedom—and usually also limitations on other freedoms—with an attitude that is characterised by unilateralism, imposition, and improvisation, instead of turning to consultation, cooperation and reflection.*³⁹

MEDIA AND SOCIAL SCAPEGOATING OF CHRISTIANS

The outbreak of COVID-19 not only affected Christians' public and collective expression of religion (as per the previously mentioned restrictions) – the pandemic also had consequences for the representation of Christians by the media. Although most of the cases published below date from 2020, the image of Christians (mostly Evangelicals) perpetuated by these led to visible repercussions – forms of discrimination like vandalism and social hostility – that continued throughout 2021.

In France, an Evangelical church was blamed for the spread of the virus, despite the absence of reliable data to support the claim. Josiane Chevalier, a regional high representative of the state, affirmed in a radio broadcast that

*The pandemic started from an Evangelical gathering which took place in the Haut-Rhin, with more than 3000 people and no respect for the restrictive measures. In short, everything that cannot be done and we pay a high price for this disrespect of basic measures.*⁴⁰

The statement was misleading, as restrictions had not yet been implemented at the time of the gathering and information on the virus was still limited in France. Nonetheless, this led to a wave of media stigmatisation of Evangelical Christians in France.⁴¹ Chevalier's scapegoating of Evangelicals translated into pastors receiving written threats, and individuals being insulted on social media or discriminated against at work.⁴²

In Paris, certain politicians and the media used archive images and word-of-mouth to falsely accuse one Catholic church of celebrating Mass despite lockdown measures, an accusation which later proved to be unfounded.⁴³ Similar misinformation was spread about a Pentecostal church in Germany,⁴⁴ while a Romanian Evangelical church in Linz, Austria was subject to defamation by the Austrian media after gathering in the church building.⁴⁵ In Spain, FEREDÉ reported that Evangelical Christians were being stigmatised at work as COVID-19 spreaders and discriminated against for this reason.⁴⁶

Other forms of social hostility occurred across Europe, for example in the Spanish city of Baeza in February 2021, where the facade of a parish church was vandalised with graffiti saying "*priest, you and your bells are worse than the Covid*". The priest, Fr Juan Quiles, notified the police, who commented that the action appeared to be "*something more than hooliganism*."⁴⁷

In some Spanish cities, Catholic Holy Week processions were not allowed to take place, although other political protests were permitted. In the city of Jérez, the Spanish trade union CCOO mocked Catholics by including a "procession" with a crucified doll as part of a protest about employment regulations. The CCOO's actions were widely regarded as disrespectful and made plain the incongruities between Spanish restrictions on religious processions and other comparable events.⁴⁸

CONCLUSIONS

The Covid-19 pandemic presented an unprecedented challenge for state authorities in terms of balancing human rights (especially FoRB) and counteracting a public health emergency. Our overview shows that the reactions of European countries varied, ranging from very strict measures like in Ireland, to more nuanced policies like those of Germany and Austria.⁴⁹

We welcome the fact that most governments acknowledged the importance of religion and were open to discussion with religious groups. This chapter analysed three issues that endangered FoRB in countries where this was not the case, and which exemplify the disproportionate impact some countries' pandemic regulations had on worship in comparison to other gatherings. What emerges is a clear lack of communication by governments with religious groups and other civil society actors, and as a result misleading claims by public figures led to the unjustified scapegoating of Christian groups for the spread of the virus. We are reassured that these sentiments have been echoed by various international experts, organisations, and human rights groups.

In the *Journal of Church and State*, Georgia Alida du Plessis analyses the measures put in place during the pandemic to formulate recommendations for state authorities. She writes that *"limitations to international human rights and FoRB can be justifiable under the pandemic"*, but only where the government does not overextend its power or disproportionately limit FoRB. Martínez-Torrón concludes his analysis by highlighting the importance of FoRB and other fundamental freedoms, which should be considered in responses to public emergencies in the future:

*Religious freedom is one of the vital freedoms that should not be easily dispensed with, not even in times of emergency, and religious communities—which represent the collective exercise of this fundamental right—are a unique and valuable resource that society has at its disposal to fight against critical threats.*⁵⁰



ENDNOTES

- 1 Mazurkiewicz P. (2021): Religious Freedom in the Time of the Pandemic. *Religions*. 12(2):103. <https://doi.org/10.3390/rel12020103>, p. 1
- 2 Mazurkiewicz, P. (2021), p. 15
- 3 CNE.news (2021): "European churches struggle with vaccination for Christmas services", URL: <https://cne.news/artikel/426-european-churches-struggle-with-vaccination-for-christmas-services>, last visit 14.10.22.
- 4 Mazurkiewicz, P. (2021), p. 16
- 5 Bottone (2021): "Ireland one of only two EU countries banning public worship" in Iona Institute, URL: <https://ionainstitute.ie/ireland-and-slovenia-the-only-eu-country-with-a-total-ban-on-public-worship/>, last visit 14.10.22.
- 6 ADF International: "Let Us Worship: Geneva", URL: <https://adfinternational.org/let-us-worship-geneva/>
- 7 Ibid.
- 8 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4519>, last visit: 12.10.2022.
- 9 Brown, Kirk-Wade (2021): "Corona Virus: A History of 'Lockdown Laws' in England" published by House of Commons, UK. URL: <https://researchbriefings.files.parliament.uk/documents/CBP-9068/CBP-9068.pdf>.
- 10 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4651>
- 11 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4617>
- 12 Church in Wales (2021): "Guidance on Singing, Music and the Playing of Church Organs", URL: https://churchinwales.contentfiles.net/media/documents/Covid_19_Guidance_on_Music_and_the_Playing_of_Organs_17_July_2021.pdf, last visit: 14.10.2022.
- 13 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4660>
- 14 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4581>, last visit: 14.10.22.
- 15 Ibid.
- 16 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5225>, last visit: 14.10.22.
- 17 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=6073>, last visit: 14.10.22.
- 18 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5642>, last visit: 14.10.22.
- 19 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4487>, last visit: 14.10.22.
- 20 ADF International, "Let Us Worship", URL: <https://adfinternational.org/canon-tom/>
- 21 ADF International (2021): "Let Us Worship: Churches rejoice as worship ban declared unlawful", URL: <https://adfinternational.org/let-us-worship-churches-rejoice-as-worship-ban-declared-unlawful/>, last visit 17.10.22.
- 22 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5720>
- 23 Valencia (2021): "Ireland: only country in Western Europe to still have a blanket ban on in-person worship", URL: <https://premierchristian.news/en/news/article/ireland-only-country-in-western-europe-to-still-have-a-blanket-ban-on-in-person-worship>, last visit: 14.10.22.
- 24 SCMO (2021): "Scottish Bishops offer support to Catholic Church in Ireland", URL: <https://scmo.org/news-releases/perma/1619610120/article/scottish-bishops-offer-support-to-catholic-church-html>, last visit: 14.10.22.
- 25 Bentley (2021): "Churches to open in Ireland after nearly a year, but Christians demand ban never to happen again" in Premier Christian News, URL: <https://premierchristian.news/en/news/article/churches-to-open-in-ireland-after-nearly-a-year-but-christians-demand-ban-never-to-happen-again>, last visit: 13.10.22.
- 26 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4758>, last visit 7.10.22.
- 27 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4913>, last visit 7.10.22.
- 28 OIDAC (2021), URL: <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5287>, last visit 12.10.22.
- 29 Du Plessis (2021): "COVID-19 and Limitations to the International Right to Freedom of Religion or Belief" on *Journal of Church and State* Vol. 63, Issue 4, URL: <https://academic.oup.com/jcs/article/63/4/619/5980023>, p. 630.
- 30 Religion en Libertad (2022): "El Supremo confirma que la Junta de Castilla y León no debió limitar las misas a 25 personas", URL: <https://www.religionenlibertad.es/espaa/197026704/supremo-confirma-junta-castilla-leon-no-debio-limitar-misas-25-personas.html>, last visit: 12.10.2022.
- 31 Abogados Cristianos (2021): "El Supremo da la razón a Abogados Cristianos y condena al gobierno de Cantabria por el límite de aforo de 10 personas en celebraciones religiosas en varios municipios", URL: <https://abogadoscristianos.es/el-supremo-da-la-razon-a-abogados-cristianos-y-condena-al-gobierno-de-cantabria-por-el-limite-de-aforo-de-10-personas-en-celebraciones-religiosas-en-varios-municipios/>, last visit: 12.10.2022.
- 32 Ibid.
- 33 Cranmer(2021): "COVID-19: was the closure of places of worship in Scotland lawful? Philip & Ors", in *Law and Religion UK*, URL: <https://lawandreligionuk.com/2021/03/24/covid-19-was-the-closure-of-places-of-worship-in-scotland-lawful-philip-ors/>, last visit: 12.10.2022.
- 34 Abogados Cristianos (2021): "El Supremo da la razón a Abogados Cristianos y condena al gobierno de Cantabria por el límite de aforo de 10 personas en celebraciones religiosas en varios municipios".
- 35 Dascalu S, Flammer PG, et. Al (2021): "Engaging Religious Institutions and Faith-Based Communities in Public Health Initiatives: A Case Study of the Romanian Orthodox Church During the COVID-19 Pandemic." *Front. Public Health* 9:768091. doi: 10.3389/fpubh.2021.768091.
- 36 Ibid.
- 37 Catholic News Service (2021): "EU bishops' commission urges action to protect religious freedom", on *Crux Now*, URL: <https://cruxnow.com/church-in-europe/2021/07/eu-bishops-commission-urges-action-to-protect-religious-freedom/>, last visit: 12.10.2022.
- 38 Du Plessis (2021), p. 630.
- 39 Martínez-Torrón, Javier. 2021. COVID-19 and Religious Freedom: Some Comparative Perspectives. *Laws* 10: 39, page. 8
- 40 Fautré (2020): FRANCE: Covid-19: Scapegoating an Evangelical church in Mulhouse" in *Human Rights Without Frontiers (HRWF)*, URL: <https://hrwf.eu/france-covid-19-scapegoating-an-evangelical-church-in-mulhouse/>, last visit: 12.10.2022.
- 41 Ibid.
- 42 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=3611>, last visit: 12.10.2022.
- 43 HRWF (2020): "COVID-19: A church of the St Pius X Society in Paris faces 'fake news' and stigmatisation", URL: <https://hrwf.eu/covid-19-a-church-of-the-st-pius-x-society-in-paris-faces-fake-news-and-stigmatisation/>, last visit: 12.10.2022.
- 44 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=3906>, last visit: 12.10.2022.
- 45 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=3714>, last visit: 12.10.2022.
- 46 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=4350>, last visit: 12.10.2022.
- 47 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5674>, last visit: 12.10.2022.
- 48 OIDAC (2021): <https://www.intoleranceagainsthchristians.eu/index.php?id=12&case=5675>, last visit: 12.10.2022.
- 49 Pin, Andrea. "Look Down in Lock Down: Good Believers & Good Citizens in Europe amidst the Pandemic." *Canopy Forum*, April 5, 2021. <https://canopyforum.org/2021/04/05/look-down-in-lock-down-good-believers-good-citizens-in-europe-amidst-the-pandemic/>
- 50 Martínez-Torrón, Javier. (2021): "COVID-19 and Religious Freedom: Some Comparative Perspectives." *Laws* 10: 39, page. 8

Tolerance. Diversity. Choice. In Europe and North America, these are the idols of our age. Most of us in the pluralistic West believe these are the grounds of our freedoms. Certainly, a majority believes that freedom of choice more than anything else grounds religious freedom: Everyone has the right to choose his or her religion. And in the minds of most people, a relativistic celebration of the resultant religious diversity has become the greatest guarantee for religious freedom for all.

But it's not true: as the Observatory has documented since 2005, religious freedom is gravely threatened in Europe, especially that of Christians. And the greatest threat arises out of relativism. Now that relativism is the reigning worldview in the West, it has developed its own rigid, absolutist dogma, one that, in the name of a false tolerance, brooks no opposition. A central tenet of that dogma is that sexual minorities, LGBT and gender-fluid individuals are oppressed minorities whose views must be affirmed. Thus, the traditional views on sexuality and marriage of most religions, including Christianity, deny these oppressed groups their human rights and, in refusing to embrace gay marriage, gender fluidity and other sexual innovations as positive goods, violate the dignity of these oppressed minorities: traditional faith amounts to nothing more than hateful bigotry. It must be suppressed.

This is all best illustrated in the case of Finnish MP Päivi Räsänen, who faces criminal hate speech charges for defending the orthodox Christian view of sexuality. (Räsänen was acquitted in March, but the state prosecutor has appealed the verdict.) Tellingly, Räsänen was targeted not just because she expressed her views in her own words, but because she posted a Bible passage that condemns homosexual practice.

This should not surprise us. For those who believe that human dignity itself entails every person's right to have their sexual and gender choices actively celebrated in law and society, the Bible's message on sexuality is hate speech.

But if we who fight for religious freedom do not share the commitment to "diversity" that apparently underlies our governments' support of religious freedom, what do we celebrate? In his recent book *Liberty for All*, Baptist theologian Andrew T. Walker speaks for traditionalist Christians. He explicitly rejects relativism, grounding his case for religious freedom in the existence of the one, true God, and in the nature of the human person as made in God's image. This entails moral agency--and thus moral responsibility--which demands freedom of religion: "God gave... human beings, as his image-bearers, moral agency...If human beings are ... [not] free to reach their own religious conclusions by way of reason and conscience, they lack the moral agency central to authentic living."

This is true freedom, anchored in truth. Because they believe in truth, Christians are called to honor all people as God's image-bearers, equal in dignity to ourselves, regardless of their religious beliefs. And we can cooperate with our Jewish, Muslim and atheist friends to fight, shoulder to shoulder, for everyone's freedom of religion. And we dare not forget that in today's relativistic Europe, it is a foundational task to protect Christianity, the principal formative religion of the West.

This is the mission of the Observatory. And it is crucial. Our humanity demands free, moral agency. The heart of our moral agency is religious freedom.

Ironically, the same Bible that was characterized in the Räsänen case as a source of hate speech also supplies the surest foundation the world has ever known for human freedom, dignity, and equality.



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CONCLUSION

This report examines various challenges faced by practising Christians in contemporary European society, from social hostility and hate crimes to less visible issues like discriminatory treatment and negative stereotyping. European societies are currently facing many debates, sparked by proposals of new legislation, and by the very different perspectives and moral codes held by various political and civil society groups. Many sensitive topics – beginning- and end-of-life issues, gender and sexuality, the role of religion and religious institutions in the public sphere and COVID-19 measures, among others – have caused misunderstandings and tension between religious and secular groups. The hostility towards religious perspectives manifests visibly in hate crimes and other openly discriminatory behaviour towards Christians. We have provided extensive examples of hate crimes and how these affect the lives of Christians. We refer to these incidents as “the tip of the iceberg” and consider it vital to foster a culture of dialogue to prevent instances like hate crimes in future.

Politicians, journalists, and other public figures also play a crucial role in building a more tolerant society. Biased journalism and insensitive political statements can increase tensions between groups, especially when negative stereotypes are reinforced by the media or by prominent individuals, and we have also provided evidence of this in various European countries.

It is also important to pay attention to new legislation. When not developed with input from different (including religious) groups in society or checked to ensure the preservation of FoRB and other fundamental rights, legislation can be misused and cause harm. Vaguely formulated ‘hate speech’ laws are a clear example of this. This report lists various instances of such laws, which can regulate public speech to avoid “distress”, or – in the case of “conversion therapy” laws or legal “buffer zones” – aim to control the content of private conversations.

OIDAC believes that by raising awareness about issues affecting Christians’ FoRB, we are both supporting the human rights of thousands of European Christians and contributing to safeguarding the rights and freedoms of society as a whole. As stated by the European Convention on Human Rights, FoRB is valuable for people of all or no religion. The protection of fundamental freedoms is vital for maintaining a democratic society, and for promoting tolerance, peace, and respect towards its members.

HUMAN RIGHTS

- Save our children
- Invest in our children
- Make our voice strong

FREEDOM

- knowledge
- teach Morals, Morals.

BE Kind → BE HUMAN

Verbs: to help, to care, to share

we are one

Integrity

• Strive for PEACE

RECOMMENDATIONS

Following the insights provided in this report, OIDAC has formulated the following recommendations aimed at various governing and civil bodies.

Recommendations to governments of European Countries

- » Improve communication with religious groups and civil society organisations when drafting legislation that could directly or indirectly limit the FoRB of Christians.
- » Safeguard the Freedom of Religion, Freedom of Expression, Freedom of Assembly, and the Right to Conscientious Objection of Christians.
- » Collect disaggregated data with the specific aim of monitoring intolerance and discrimination against Christians and take appropriate soft measures in response to this phenomenon.
- » Improve religious literacy among public officials, and thereby ensure that any intervention in the life of Christians recognises the importance of religion and FoRB.

Recommendations to international governmental Human Rights institutions

- » Report on intolerance and discrimination against Christians and recommend appropriate action to member states.
- » Examine the national and OSCE /ODIHR reports and recommendations regarding indirect discrimination against Christians.
- » Raise awareness about intolerance and discrimination against Christians, and encourage the media and public figures/ institutions not to spread defamatory or misleading information about Christians.

Recommendations to the European Union

- » Not to adopt non-discrimination legislation that significantly limits Freedom of Expression, Association and Religion.
- » Examine EU legislation regarding direct or indirect discrimination against Christians

Recommendations to journalists, opinion leaders, artists, and other members of society

- » Report and raise awareness about anti-Christian hate crimes.
- » Avoid engaging in misrepresentation and negative stereotyping of Christians and be aware of your responsibility in cultivating a tolerant public discourse.
- » Employ the same standards when reporting or writing about Christians that are used with other religious groups or minorities.

Recommendations to Christian churches and individuals

- » Educate yourselves and fellow Christians about their rights and confront any restrictions faced for exercising their faith.
- » Create awareness among Christians about what secular intolerance entails, the phenomenon of self-censorship and how anti-Christian hate crimes undermine FoRB.
- » Engage in public discourse in a respectful and informed manner, contributing to the dialogue between religion and secular society and building bridges between different groups.

REPORT A CASE!

Have you been discriminated against because of your Christian faith?

Have you heard or read about an incident negatively affecting Christians or Christian buildings, symbols or institutions?

If so, please report your story to us:

observatory@intoleranceagainstchristians.eu

OIDAC's work aims at encouraging victims of intolerance and discrimination to tell their stories, and to raise awareness among all people of good will that the phenomenon ought to be taken seriously and is in need of a common response. Since 2005, we have published more than 4,600 cases of intolerance and discrimination against Christians in Europe.

If you like our work, please sponsor us!

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