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## The State and Christians in Western Europe

**Abstract:** The notion of “Western Christianity” appeared in historical and geographical literature in the 19<sup>th</sup> century. According to Pew Research Center, Christians were the largest religious group in 2015, constituting 31% of the world population. From the research results of this centre it can be inferred that the world is becoming more and more religious: the number of people describing themselves as religious has increased in the world from 82% in 1970 to 88% in 2013 and it will reach 90% in 2020, as it is predicted in the report.

The religious vitality among young people is especially important for the future of Christianity in Western Europe as well as more generally – in Europe.

Overall, it can be concluded that religion constitutes an unfamiliar aspect of life for most young Europeans. For the future of Christianity in Europe, mainly in Western Europe, it has a pessimistic overtone.

**Keywords:** Christianity, Western Europe, Western Christianity

After the period in Western Europe, which generally speaking, lasted throughout the whole 20<sup>th</sup> century, when religious issues were not as significant in political disputes both in individual societies and in the international life – the 21<sup>st</sup> century brought about a wave of the crucial role of discussion on the importance of religion in the life of Western countries. Such a major change of the role of these issues in political discourse in our times justifies the interest in basic statistical indicators concerning Christianity and its significance in Western Europe, as well as legislative framework for the functioning of religion as an important element of the political, social and international system.

## Contemporary Christianity in Western Europe – its significance and evolution

The notion of “Western Christianity” appeared in the 19<sup>th</sup> century in historical and geographical literature. It defined the affiliation to the Catholic and Protestant Church in Europe and both Americas. In our times we might extend it to what Samuel Huntington refers to as the Euro-Atlantic civilization<sup>1</sup> including: Western Europe, both Americas, Australia and New Zealand, while in the theological dimension apart from the dominant Catholic and Protestant religions, other doctrinal variations with Christian roots.

In the context of present discussions on the role of religion in the life of contemporary societies, the question on the place of Christianity in the evolution of this phenomenon arises, especially in Western Europe. The answer to this question is provided by the most prestigious centre for religious statistics in the world – the American Center for the Study of Global Christianity in South Hamilton (Massachusetts) in its report from 2013 *Christianity in its Global Context, 1970-2020*, presenting specific data from the period of 1970 to 2013 and offering their predictions up to the year 2020<sup>2</sup>.

The results of the studies conducted by this centre might be contained in the statement that the world is becoming more and more religious: the number of people defining themselves as religious has increased around the world from 82% in 1970 to 88% in 2013 and it will reach 90% in 2020, as it is predicted in the report.

According to the Pew Research Center, in 2015 Christians constituted the most numerous religious group, namely 31% of the world population (7.3 billion people). The Muslims ranked the second in the world – 24% (1.8 billion). Further in the list were “not affiliated” with any religion – 16%, Hindus – 15%, Buddhists – 7%<sup>3</sup>.

It is predicted that the Christian and Muslim communities will be more and more numerous around the world. Therefore, when in 1970 they constituted 48%, in 2020 they will amount to 57.2% of the world population (33.3% of Christians and 23.8% of Muslims). In addition, the largest increase in the number of Christians has

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<sup>1</sup> Cf. S. Huntington, *Zderzenie cywilizacji i nowy kształt ładu światowego*, Wyd. Muza, Warszawa 1997

<sup>2</sup> Cf. Center for the Study of Global Christianity de South Hamilton (Massachusetts), *Christianity in its Global Context, 1970-2020*, June 2013, p. 9. <http://www.gordonconwell.edu/ockenga/research/documents/ChristianityinitsGlobalContext.pdf> [retrieved on 15.07.2018]. The Center for the Study of Global Christianity has its registered office in South Hamilton, Massachusetts. It monitors world demographic tendencies in Christianity as well as offers a complex collection of information on the past, present and future of Christianity in every country around the world.

<sup>3</sup> Cf. Pew Research Center, *The Changing Global Religious Landscape. Babies born to Muslims will begin to outnumber Christian births by 2035; people with no religion face a birth dearth*, April 5, 2017, pp. 9-10, <http://assets.pewresearch.org/wp-content/uploads/sites/11/2017/04/07092755/FULL-REPORT-WITH-APPENDIXES-A-AND-B-APRIL-3.pdf> [retrieved on 02.07.2018].

been recorded in the southern hemisphere – in Asia, Africa and South America. In these regions in 1970 the number of the followers of these religions was defined as 41.3%, while in 2020 they are predicted to amount to 64.7% of all the Christians around the world. Africa has a special place in this growth, where in 2020 they are to constitute more than 50%<sup>4</sup>.

Less optimistic data for Christians concern both Americas (their proportion in the population has remained stable in the discussed period) as well as Europe, which according to the authors of the report is becoming less and less religious, less Christian as well as less Catholic. It is the case to a larger extent in Western Europe, limited to its core (Austria, Belgium, France, Germany, Luxemburg, the Netherlands, Switzerland as well as microstates – Lichtenstein and Monaco). The aforementioned report points out that in this region there has been a drastic decline in the number of Christians from 98.7% of the population in 1910 to 88.7% in 1970, 69.1% in 2010 and – in accordance with the predicted estimate – to 65.9% in 2020. A less visible decrease is indicated with regard to Northern Europe and Southern Europe separately. In the first of them (including the following area in the report: Lithuania, Latvia, Estonia, Finland, Sweden, Norway, Denmark, Ireland, Iceland as well as the Farroe Islands, the Channel Islands, the Isle of Man) respectively - in 1970 the number of Christians amounted to 86.7% of the population, while their percentage in 2020 is predicted to fall to 72.9%. The slightest decrease is forecast to concern Southern Europe – from 88.7% to 81.7% respectively<sup>5</sup>.

The latest results of the studies on Christianity in Western Europe are presented in the report *Being Christian in Western Europe* provided by the Pew Research Center in Washington, DC<sup>6</sup>. In the publication in question the notion of Europe – as opposed to the aforementioned report of the *Center for the Study of Global Christianity* in South Hamilton – is treated as a whole encompassing fifteen European countries: Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland as well as the United Kingdom.

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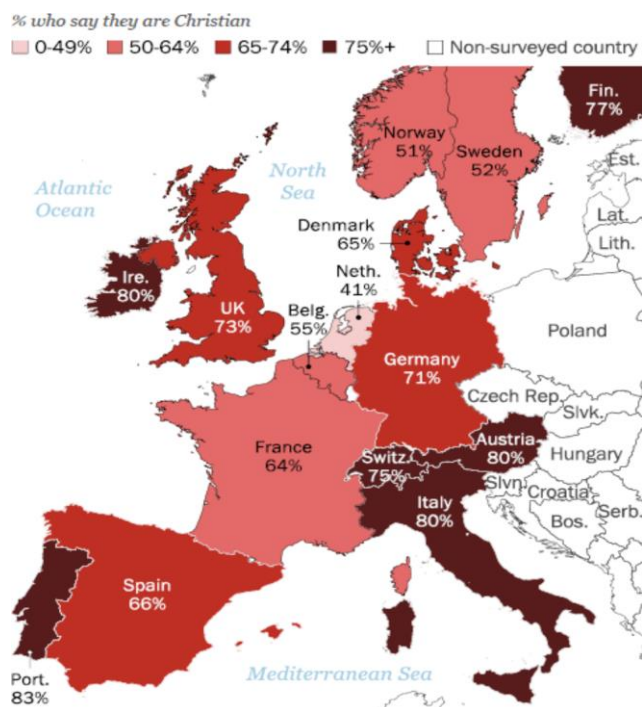
<sup>4</sup> Center for the Study of Global Christianity de South Hamilton (Massachusetts,) *Christianity in its Global Context, 1970-2020*, op. cit., p. 9. The Center for the Study of Global Christianity has its registered office in South Hamilton, Massachusetts. It monitors world demographic tendencies in Christianity as well as offers a complex collection of information on the past, present and future of Christianity in every country around the world.

<sup>5</sup> Ibidem, pp. 48-53.

<sup>6</sup> Cf. Pew Research Center, *Being Christian in Western Europe. The majority of Europe's Christians are non-practicing, but they differ from religiously unaffiliated people in their views on God, attitudes toward Muslims and immigrants, and opinions about the role of religion in society*, May 2018, <http://www.pewforum.org/2018/05/29/being-christian-in-western-europe/> [retrieved on 11.08.2018]. The Pew Research Center is a politically uninvolved think tank, which offers data on the subject of attitudes and trends shaping the United States of America and the world. This centre conducts public opinion research, analyses social and demographic trends, the politics of the USA, the role of the media, religion, technology. It is a branch of The Pew Charitable Trusts, which is its basic financing entity. All reports conducted by the centre are available at the website: [www.pewresearch.org](http://www.pewresearch.org).

The main result of this centre is building a map with a precise indication of the percentage of the population, which considers itself to be Christian.

Map no. 1. The size of the population, which defines itself as Christian in %



Source: Pew Research Center, *Being Christian in Western Europe. The majority of Europe's Christians are non-practicing, but they differ from religiously unaffiliated people in their views on God, attitudes toward Muslims and immigrants, and opinions about the role of religion in society, May 2018*, p. 8. <http://www.pewforum.org/2018/05/29/being-christian-in-western-europe/>, [retrieved on 11.08.2018].

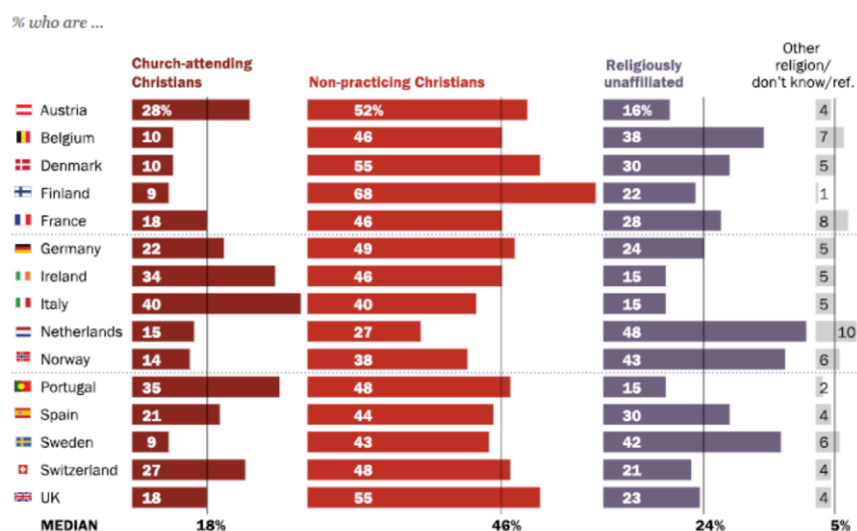
According to the data from the map above it is clearly visible that Western countries are divided into three groups as to the participation of Christians in the population. The first of them are countries with the highest percentage of Christians – Portugal, Italy, Austria, Ireland as well as Finland. All of them are Catholic countries apart from the last one. It is surprising that the Lutheran Finland is present here, especially in comparison with its Scandinavian neighbours. However, it needs to be pointed out that the downward trend in the number of Christians in the population concerns also this community: in 1950 they constituted about 97% of the inhabitants, while in 2017 – 71%<sup>7</sup>. Another group are countries with both Protestant and Catholic population

<sup>7</sup> Cf. *Population, Population structure 31 December*, [http://tilastokeskus.fi/tup/suoluk/suoluk\\_vaesto\\_en.html#structure](http://tilastokeskus.fi/tup/suoluk/suoluk_vaesto_en.html#structure) [retrieved on 10.07.2018].

– from the mainly Anglican United Kingdom, through Switzerland and Germany – Catholic as well as Protestant – to Catholic Spain and France. The most secularized countries in Western Europe – the Netherlands and Belgium – belong to the last group.

The notion “Christians” is ambiguous in statistical research – it has different degrees of identification of the believers with this religion. The Pew Research Center includes in this group both the ones who declare churchgoing at least once a month as well as non-practicing, but attending church “occasionally”.

Table no. 1. The number of the individual groups of population in Western Europe, taking into consideration practicing religion



Source: Pew Research Center, *Being Christian in Western Europe ...*, op. cit., p. 7.

The analysis of the table above leads to the following conclusions:

- In all countries – except for the Netherlands (42%) – the number of practicing and non-practicing Christians altogether exceeds half of the population;
- In neither of the mentioned countries practicing believers do not constitute the majority of the population, while the largest percentage of this group is in countries defined as Catholic (Italy – 40%, Portugal – 35%, Ireland – 34%);
- In Scandinavian, that is Protestant countries, there is a record low level of practicing believers (Sweden and Finland – 9% each, Denmark – 10%);
- The largest amount of non-practicing Christians is mainly in Protestant countries (Finland – 68%, Sweden – 43%, the United Kingdom – 55%, Denmark – 55%);
- Similarly, the largest percentage of “unaffiliated” to any religion occurs both in Protestant countries (Norway – 43%, Sweden – 42%), as well as in countries with religiously diverse population (the Netherlands is the leader with 48%, Belgium – 38%).

A growing significance in political discussions in Western Europe concerns the problem of the national identity of these societies, especially in view of the process of secularization in progress and a mass influx of migrants. Until the half of the 20<sup>th</sup> century this identity was explicitly associated with Christianity. The table below illustrates changes in this respect.

Table no. 2. The most important elements of national identity in the countries of Western Europe in %

*% who say that \_\_\_\_\_ is very/somewhat important to truly share their national identity (e.g. to be truly "Austrian")*

	<b>To respect the country's institutions and laws</b>	<b>To be able to speak national language*</b>	<b>To have family background from that country</b>	<b>To have been born in the country</b>	<b>To be a Christian</b>
Austria	94%	85%	57%	53%	39%
Belgium	95	86	42	49	19
Denmark	98	93	35	36	19
Finland	98	68	51	51	32
France	91	88	53	48	32
Germany	93	86	49	48	34
Ireland	91	82	64	59	48
Italy	91	87	75	68	53
Netherlands	97	96	38	41	22
Norway	98	97	40	41	21
Portugal	96	95	80	81	62
Spain	87	89	59	66	38
Sweden	96	89	21	22	15
Switzerland	93	86	61	58	42
United Kingdom	92	83	58	57	34
<b>MEDIAN</b>	<b>94</b>	<b>87</b>	<b>53</b>	<b>51</b>	<b>34</b>

Source: *ibidem*, p. 56.

When interpreting the results of the research in the table, we might reach the following conclusions:

a) Among the most important elements building national identity, respect for the national institutions and laws predominates; this value is especially favoured by Protestant Scandinavian countries (Finland, Norway, Denmark – 98% each), while countries often described as Catholic attach less significance to it – but it is still considerable (Spain – 87%, Italy and Ireland – 91% each);

b) A slightly less significance, similar in all countries, is attached to being able to speak national language (Finland is the exception here – 68%);

c) A considerable difference in the percentage concerning the attitude towards having a family in the given country is noticeable – on the one hand, this element is appraised highly in Catholic countries (Portugal – 80%, Italy – 75%, Ireland – 64%), but on the other hand, in Protestant countries its level is low (Sweden – 21%, Denmark – 35%, Norway – 40%);

d) Similar results as directly above concern being born in the country as an element of national identity – here also a significant difference occurs between Catholic countries (Portugal – 81%, Italy – 68%, Spain – 66%) and Protestant countries (Sweden – 22%, Denmark – 36%, Norway – 41%, the Netherlands – 41%);

e) Europeans definitely stated that being Christian is the least important among elements defining national identity and included in the survey – in Protestant countries these indications were the lowest (Sweden – 15%, Denmark – 19%, Norway – 21%, the Netherlands – 22%), while the highest in Catholic countries (Portugal – 62%, Italy – 53%, Ireland – 48%, Spain – 38%);

f) Almost in all the of the mentioned elements of national identity three countries stay within the middle of the table – France, Germany, the United Kingdom;

g) All in all, it might be concluded that in the majority of societies of Western Europe, first of all, the civic elements of national identity are emphasized, only then followed by the ones resulting from natural native features.

A crucial indicator of the stability and strength of the identity in European countries is being proud of belonging to a given nation and to the Christian community. The relationship between a national and Christian element has been influencing the social and political life for more than two hundred years. It is also the subject of sociological and political science research.

Table no. 3. A sense of pride among Christians in being a member of a given country and a sense of pride in being Christian in %

*% of Christians who say they are very proud to be a national of their country (e.g. "to be Finnish")/ very proud to be a Christian*

	<b>Very proud to be a national of their country</b>	<b>Very proud to be Christian</b>	<b>Difference</b>
Finland	63%	39%	+24
Austria	47	24	+23
Denmark	53	30	+23
Sweden	59	36	+23
Norway	67	45	+22
Ireland	56	36	+20
Switzerland	47	28	+19
United Kingdom	42	25	+17
France	46	31	+15
Germany	37	23	+14
Italy	50	36	+14
Belgium	40	27	+13
Netherlands	44	33	+11
Spain	60	50	+10
Portugal	72	67	+5
<b>MEDIAN</b>	<b>50</b>	<b>33</b>	

Source: ibidem, p. 54.

The results of the studies conducted by the Pew Research Center and provided in the table above indicate that:

a) Generally, feeling proud of the affiliation to a given country among Christians predominates in comparison with the sense of pride in being Christian;

b) The proudest of their national affiliation are the Portuguese (72%), the Norwegians (67%) and the Finns (63%), whereas among the least proud are the Germans (37%), the Belgians (40%) and the British (42%);
















c) The proudest of being Christian are the Portuguese (67%), the Spanish (50%) and the Norwegians (45%), while the least proud are the Germans (23%), the Austrians (24%) and the British (25%);

d) The comparison of differences between two analysed variables is especially significant – the most similar values concern Portugal (5%), Spain (10%) and the Netherlands (11%), while the largest differences occur in the case of Scandinavian countries (22-24%).

The above phenomenon of diminishing the role of religion in social life is accompanied by the process of abandoning the faith of their fathers by Christians in Western Europe, commonly noticeable in social life, academic studies and journalism. The comparison of the share in the population of persons brought up as Christians with the number of Christians who still attend Church illustrates this process.

Table no. 4. The comparison of persons raised Christian with the persons who still practice faith in %

*% who say they are/were ...*

	<b>CURRENTLY CHRISTIAN</b>	<b>RAISED CHRISTIAN</b>	<b>DIFFERENCE</b>
 Belgium	55%	83%	-28
 Norway	51	79	-28
 Netherlands	41	67	-26
 Spain	66	92	-26
 Sweden	52	74	-22
 Denmark	65	80	-15
 France	64	75	-11
 Portugal	83	94	-11
 Finland	77	85	-8
 Germany	71	79	-8
 Ireland	80	88	-8
 Italy	80	88	-8
 Austria	80	86	-6
 Switzerland	75	81	-6
 UK	73	79	-6

Source: *ibidem*, p. 37.

The process of leaving religion by Christians in Western Europe occurs differently in individual countries. It is most advanced in Belgium (28%), Norway (28%), the Netherlands (26%) and Spain (26%), which is visible in the percentage difference between persons raised Christian and still practicing religion later on in their life. Such a high result of the last one from the mentioned countries might be surprising, as it was historically treated as a stronghold of Catholicism.

Western Europeans hierarchize the reasons for leaving religion in the following way (expressed in the median of all 15 countries):

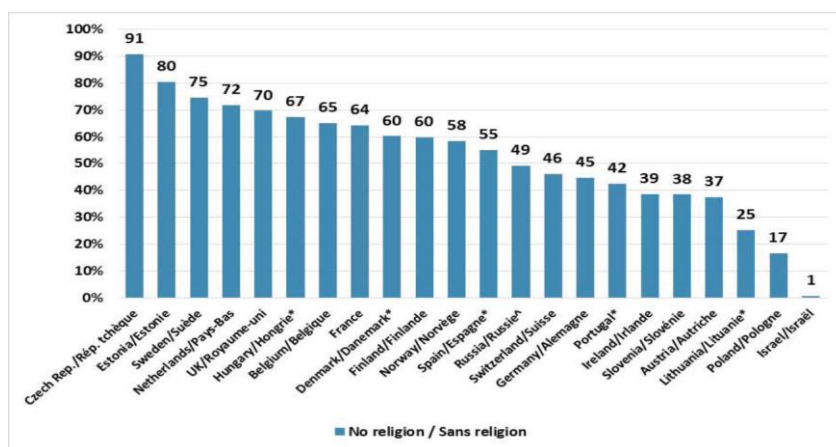
- a) gradual, evolutionary departure from the faith (68%);
- b) incompatibility with religious views on social life (58%);
- c) lack of faith in religious teachings (54%);
- d) disgust with scandals in religious institutions (53%);
- e) not satisfying spiritual needs by religion (26%);



- f) religion unnecessarily occupies their time (21%);  
 g) devoting time to something extra-religious (8%)<sup>8</sup>.

Religious vitality among young people is especially important for the future of Christianity in Western Europe and more generally in Europe. This problem became the subject of research conducted by the *Benedict XVI Centre for Religion and Society* in London in cooperation with *Institut Catholique de Paris*. Their result is a report from 2018<sup>9</sup> analysing religious attitudes among young people from 16 to 29 years old in 21 European countries (plus Israel). The table below presents the size of the population of those young people included in the group not practicing any religion.

Table no. 5. Young Europeans and Israelis (16-29 years of age) not affiliating with any religion in %



Source: S. Bullivant, *Europe's Young Adults and Religion Findings from the European Social Survey (2014-16) to inform the 2018 Synod of Bishops 2018*, p. 6, file:///E:/2018-mar-europe-young-people-report-eng.pdf [retrieved on 10.07.2018].

From the research conducted by the aforementioned centres, arises a picture of a huge gap between irreligious and religiously affiliated communities. The Czechs (91%), the Estonians (80%) and the Swedes (75%) constitute the largest group of young secularized people, whereas among the ones most attached to faith there are the Israelis (1%), the Poles (17%) and the Lithuanians (25%). It needs to be pointed out that not only Christians, but also representatives of other religions were taken into consideration. In general, religion constitutes an alien aspect of life for the most young Europeans, which is pessimistic for the future of Christianity in Europe and mainly in Western Europe.

<sup>8</sup> Pew Research Center, *Being Christian in Western Europe ...*, op. cit., p. 87.

<sup>9</sup> S. Bullivant, *Europe's Young Adults and Religion Findings from the European Social Survey (2014-16) to inform the 2018 Synod of Bishops 2018*, file:///E:/2018-mar-europe-young-people-report-eng.pdf [retrieved on 10.07.2018].

## Constitutional aspects of the relationship between the state and Christianity in Western Europe

The basic issue in the functioning of Churches as religious communities is their legal and constitutional situation, which is the answer to the question on the approach of the state to the Churches in their territory.

In contemporary Western Europe – in our case, just like in earlier studies, limited to fifteen countries – there are three models of relationships between the state and the Church, including Christian ones: a) model of a confessional state; b) model of a secular state with a radical separation between the state and the Church; c) model of a moderately secular state with a friendly separation between the state and the Church<sup>10</sup>.

**The first group of countries** among the enumerated fifteen states includes: the United Kingdom and Denmark<sup>11</sup>. Until recently also Finland, Sweden and Norway belonged there. However, by the decision of the parliaments of these countries, they ceased to be confessional states: Finland in 1999, Sweden in 2000 and Norway in 2012. The common feature of confessional states is granting the position of official (national) Church or dominant religion in the constitution to one of the Churches. At the same time, other Churches or religions are guaranteed full freedom to create their own, independent communities.

All the above confessional states, including the ones until recently, are Protestant countries. The **United Kingdom** is a common example among them, where in the times of Henry VIII and pursuant to the 1534 Act of Supremacy the position of a state Church was granted to the Anglican Church. The Supreme Head of the Church of England is the Queen, also the Presbyterian Church of Scotland, of a similar status, is subject to her. The Queen appoints archbishops and all the bishops as well as deans of cathedrals after taking the advice of the Prime Minister and via the Church and state commission. Absolute subordination of the clergy to the Crown is expressed in the duty to swear allegiance to the Queen. However, the state does not finance remuneration or pensions of the priests, neither does it cover the Church operational costs.

Although the United Kingdom does not have a written constitution, the legal guarantee of the Anglican Church is provided by the ecclesiastical law, including the Canon Law, which is an integral part of the state law. A large autonomy of the

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<sup>10</sup> The classification is based on the following publications: J. Krukowski, *Konstytucyjne modele stosunków między państwem a Kościołem w Europie*, a report presented on 26.02.2004 at the meeting of the Commission of Legal Sciences of the Polish Academy of Sciences Branch in Lublin, [http://www.pan-ol.lublin.pl/biul\\_9/art\\_907.htm](http://www.pan-ol.lublin.pl/biul_9/art_907.htm), retrieved on 20.05.2018.; as well as K. Orzeszyn, *Podstawy relacji między państwem a kościołami w konstytucjach państw członkowskich i traktatach Unii Europejskiej. Studium prawno-porównawcze*, Wydawnictwo KUL, Lublin 2007.

<sup>11</sup> In Western Europe also the following countries belong to this group: Greece, Cyprus, Malta and San Marino.

Church results from the fact that it is not the parliament which regulates its sphere by acts, but the General Synod consisting of the House of Bishops, the House of Clergy and the House of Laity. However, the legislation drafted by this institution must be approved by the Queen.

Other aspects of socio-political life confirm the unique role of the Anglican Church and the Presbyterian Church. And so in state schools Religious Education is obligatory as well as everyday prayers. However, children might be excused from these duties by their parents. Actually, teaching Religious Education, the content of which is determined on the local level, concerns religious studies more rather than indoctrinates. As regards the public media (for example BBC), they have the duty to broadcast Anglican church services as well as religious programmes on a daily basis. One striking thing is that in comparison with countries included in the remaining groups of our categories, there is a legal prohibition on publishing blasphemous materials, that is anything attacking the truths of the Anglican Church or the existence of God<sup>12</sup>.

The role of the Anglican Church and the Presbyterian Church as official state Churches is confirmed in the fact that only they have the public rights, while other Churches function as private associations.

**Denmark** is another confessional state from the analysed in this article fifteen countries of Western Europe. The Constitution of this country from 1953 states that (Article 4): “the Evangelical Lutheran Church shall be the Established Church of Denmark, and as such shall be supported by the State”<sup>13</sup>. This Church has a status similar to public authorities, which distinguishes it from the status of other religious associations functioning as private organizations, just as in the United Kingdom. As a democratic law-governed state, the Constitution of Denmark entitles its citizens (Article 67) “to form congregations for the worship of God in a manner according with their convictions, provided that nothing contrary to good morals or public order shall be taught or done”<sup>14</sup>.

Unlike in the United Kingdom, the constitutional support of the state Church in Denmark is provided by the so-called Church tax (1.5% of the tax base of the members of the Church of Denmark) as well as subsidies. The funds from the first source finance the remuneration of priests, while the subsidies cover: the bishops’ remuneration, the priests’ pensions, the administrative costs of parishes and dioceses, renovations and the equipment of historic churches.

In Denmark, apart from the Evangelical-Lutheran Church, there are also religious associations recognized as well as not recognized by the state. The former benefit from tax reliefs to a limited, smaller extent when compared to the state Church. They

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<sup>12</sup> K. Orzeszyn, *Podstawy relacji między państwem a kościołami ...*, op. cit., pp. 91-98.

<sup>13</sup> *The Constitutional Act of the Kingdom of Denmark from 5 June 1953*, [http://biblioteka.sejm.gov.pl/wp-content/uploads/2015/07/Dania\\_po1\\_010811.pdf](http://biblioteka.sejm.gov.pl/wp-content/uploads/2015/07/Dania_po1_010811.pdf) [retrieved on 26.06.2018]; (the English version retrieved on 16.02.2020 from [http://www.stm.dk/\\_p\\_10992.html](http://www.stm.dk/_p_10992.html))

<sup>14</sup> *Ibidem*.

also have the right to take certain legal actions in the area of civil law, for example solemnizing marriages.

Similarly to the United Kingdom, the Church has a basic importance in the primary and secondary education. Religious Education lessons are compulsory throughout the period of ten years, while the Ministry of Education imposes its curriculum, which is non-denominational, similarly to the United Kingdom. The number of lessons is determined by the school board or district council, which serves the inclusion of society to the process of religious teaching. Moreover, the decision whether to participate in Religious Education lessons or not is left to the children and their parents. In the second case it is the parents who take on the duty to provide their children with religious education.

**The second group of countries** are secular states with radical separation of the Church and the state. From the chosen fifteen countries, France and Holland belong to this category. The first of these countries is a model example. The Fifth Republic of France inherited a political system firmly attached to the adherence to the secularity of the state<sup>15</sup>. Long before it was formed, the most significant legal act regulating the relationships between the state and Churches was – still legally binding – the law of 9<sup>th</sup> December 1905<sup>16</sup>. The highest legal confirmation of the provisions of the law from 1905 was expressed in the French Constitution from 1958. The first article points out that “France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs”<sup>17</sup>. It implies a strict separation of the religious and the state sphere in public life. Moreover, the rules of secularity and equality before the law, guaranteed by the French Republic, make it impossible for a given group to apply for the status of religious, ethnic or national minority – which is incompatible with the European law. However, it did not mean that the importance of religion in social life was unnoticed, as these groups were submitted to the private law as “religious associations”.

Upholding the principle of the secularity of the state in the public sphere is the basis of the French political system. Theoretically, this principle might manifest itself in the following way<sup>18</sup>:

– Ceremonies, processions and other mass demonstrations outside the place of religious worship are possible if they do not disturb public order; however, the mayor

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<sup>15</sup> Cf. S. Musiał, *Francja laicka – aspekty historyczne i współczesne*, „Przegląd Religioznawczy”, 2017, no. 3 (265), pp. 154-159.

<sup>16</sup> *Loi du 9 décembre 1905 concernant la séparation des Eglises et de l'Etat*. Version consolidée au 12 septembre 2017, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000508749> [retrieved on 10.04.2016].

<sup>17</sup> *La Constitution*, <https://www.legifrance.gouv.fr/Droit-francais/Constitution>, [retrieved on 25.06.2018]; (the English version retrieved on 16.02.2020 from <https://www.refworld.org/docid/3ae6b594b.html>)

<sup>18</sup> *Charte de la laïcité*, <https://www.interieur.gouv.fr/Media/MI/Files/Actualites/Charte-de-la-laicite> [retrieved on 14.05.2017].

might impose the route or space for these manifestations for safety reasons or due to disruptions to road traffic;

– Religious views on social, ethical or political issues can be freely expressed if they do not refer to discrimination, hatred, violence or civil disobedience;

– In administration, public services, enterprises and associations performing public service tasks, neither of the employees can manifest his or her religious, political or philosophical beliefs through badges, clothes or proselyte behaviour;

– In private enterprises, which do not perform public service tasks, the manifestation of religious beliefs might be restricted or banned by internal regulations if the subject of the carried out work justifies that and if this restriction is proportional to achieving the assumed goal of the job;

– In the public sphere such as public roads open to population or public services, there is a ban on covering your face, which is the result of the public safety requirements and not the principle of secularity.

The educational system has been the most important of all complex issues for the secular France for years. At present all schools have similar curriculum, including the principles of secularity, only private religious schools allow prayers and religious ceremonies.

In the current interpretation of secularity in France equality and worldview freedom are emphasized, as well as the issues of human rights guarantee to practice religion and create conditions to do so<sup>19</sup>. Hence in the name of respect for freedoms the state makes it possible to religiously instruct children on Wednesday, which is partially free from classes, it supports church monuments financially, employs chaplains in hospitals, prisons and the army, or holds consultations with Churches in important social debates.

Due to historical reasons there are separate relations between the state and Churches in three Alsatian departments<sup>20</sup>.

A similar radical model of the secular state to France exists in **the Kingdom of the Netherlands**, where for a few centuries after the reformation the official Church was the Calvinistic Church. In 1983 the fragment of its Constitution concerning religion was changed, by deleting all references to religion in the institutional sense and introducing a regulation in Article 6 item 1 as follows: "Everyone shall have the right to profess freely his religion or belief, either individually or in community with

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<sup>19</sup> Cf. further S. Musiał, *Francja laicka – aspekty historyczne i współczesne*, „Przegląd Religioznawczy”, 2018, no. 3 (265).

<sup>20</sup> This is due to the fact that from 1871-1918 the departments were a part of the German Empire, so in the period of passing the 1905 Law on the Separation of the Churches and the State. After these lands returned to France in 1918, it was decided that the regulations of the local ecclesiastical law in France from before 1871 would stay the same.

others, without prejudice to his responsibility under the law"<sup>21</sup>. Unlike in the French model, the Netherlands grant state subsidies for Church education and charity work.

**Ireland** is often included in the group of secular countries with a radical separation of the state and the Churches<sup>22</sup>, but it is quite the contrary according to the provision of Article 44 item 1 of the Constitution: "The State acknowledges that the homage of public worship is due to Almighty God. It shall hold His Name in reverence, and shall respect and honour religion"<sup>23</sup>. Moreover, financing denominational education by the state (90% of Irish schools, as a rule run by Catholic religious congregations), the status of Religious Education as a compulsory course, or even including it in the Leaving Certificate examinations raises further doubts. Hence Ireland will be included in the next group of countries.

**The third**, most numerous group from the analysed fifteen countries includes secular states with a friendly separation of the state and the Church, but with the clearest recognition of the legal standing of Churches due to historical reasons. Apart from the countries excluded from the two remaining groups, that is Finland, Sweden, Norway and Ireland – we might also classify the following states here: Germany, Austria, Belgium, Spain, Portugal, Italy and Switzerland.

Model solutions in this group of states are provided in Germany. The Catholic Church and the Protestant Churches have more or less 30% of believers each. All citizens and religions are granted within fundamental rights the constitutional guarantees of the freedom of religion, conscience, religious and worldview beliefs (Article 4 of the Constitution)<sup>24</sup>. At the same time there is no state Church, but a separateness of the state and the Churches. Article 137 of the Constitution states that "Religious societies shall regulate and administer their affairs independently (...), They shall confer their offices without the participation of the state or the civil community (...). Religious societies that are corporations under public law shall be entitled to levy taxes on the basis of the civil taxation lists in accordance with the *Land* law"<sup>25</sup>. This tax is imposed by entitled communities on its members and covers 80% of the budget of the Catholic Church and Protestant Churches<sup>26</sup>. The communities also benefit

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<sup>21</sup> The Constitution of the Kingdom of the Netherlands from 28 March 1814 in accordance with the current legal status as of 21 March 2002, source: <http://libr.sejm.gov.pl/tek01/txt/konst/holandia-r1.html> [retrieved on 10.06.2018]; (the English version retrieved on 16.02.2020 from <https://www.government.nl/documents/regulations/2012/10/18/the-constitution-of-the-kingdom-of-the-netherlands-2008>).

<sup>22</sup> As Józef Krukowski and Krzysztof Orzeszyna claim in the publications quoted above.

<sup>23</sup> *The Constitution of Ireland*, source: [http://biblioteka.sejm.gov.pl/wp-content/uploads/2015/11/Irlandia\\_pol\\_010711.pdf](http://biblioteka.sejm.gov.pl/wp-content/uploads/2015/11/Irlandia_pol_010711.pdf) [retrieved on 11.06.2018]; (the English version retrieved on 16.02.2020 from <http://www.irishstatutebook.ie/eli/cons/en#part13>).

<sup>24</sup> *Basic Law for the Federal Republic of Germany*, [libr.sejm.gov.pl](http://libr.sejm.gov.pl) [retrieved on 25.08.2018]; (the English version retrieved on 16.02.2020 from <https://www.bundesregierung.de/breg-en/chancellor/basic-law-470510>).

<sup>25</sup> *Ibidem*.

<sup>26</sup> *Relations between the State and the Church in Germany*, <https://www.isp.org.pl/pl/publikacje> [retrieved on 20.09.2018].

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from tax exemptions (e.g. in the case of donations to a religious community). Religious community institutions are also included in the commonly financed public systems (religious schools, hospitals). The state provides remuneration for Religious Education teachers of individual denominations in public schools (it is confessional teaching, although it includes elements on the knowledge of other religions), employees of theological departments at state universities and military chaplains<sup>27</sup>. A similar system exists in Austria.

The German model of a secular state was adopted to a large extent by European countries, which have undergone transformation from Catholic states to secular states, namely Ireland, Spain and Italy, first of all.

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<sup>27</sup> *Ibidem*.