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CONTRIBUTION "1905, TOUTE LA LOI, RIEN QUE LA LOI"

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1905, the whole law, nothing but the law

A profound modification of the law of December 9, 1905, as initially announced by the government regarding the separation of Church and State, would cause an earthquake in the Republican base. This text draws its strength from the balance and stability of its drafting, which was revised only following technical or ad hoc adjustments and without damaging its general economy and the substantive rules it contains, including the provisions relating to the police of worship. **We thus plead for a full and complete application of the 1905 law.**

In the face of the rise of religious fundamentalism and in order for public order to be strengthened, the 1905 law continues to be a reference because it ensures a fundamental balance in the expression of religions in the public space.

It would seem, however, that the 1905 Act is not sufficiently known or understood with the exception of its first two articles. A return to the text would be useful to explain first of all the juridical mechanism of secularism. In addition to stating the law and explaining its raison d'être based on history, a pedagogical work in relation to the world of education could be carried out around the 1905 law. **We will only be able to reaffirm our model of a peaceful society by giving a clear content to the notion of secularism as a tool at the service of the common good.**

Numerous polls show that French society is one of the least religious in the world. None of the monotheistic religions is representative of a large majority of the French population. The share of "non-religionists" has risen from 27% to 58% of the French population in the forty years since the 1980s. The practice of religion is therefore marginal, including among those practicing Islam, the vast majority of whom are in favor of the 1905 law. It is therefore necessary to relativize the rise of Islam on our territory because it is a peripheral factor on the sociological level. However, we should not underestimate the existence of a liberation of speech and the stigmatization of French Muslims. Their influence is not in line with the reality of the country, due to ethnic and linguistic differences, the origins and diversity of group strategies, or individual behaviors of integration of Islam.

In addition, different issues are articulated, and are detached from religious contingencies. In particular, the historical question of the relations that France maintained with North African countries in the colonial and post-colonial period, the socio-economic inequalities specific to immigrant populations, and the evolution of the French model of integration, interact and intersect.

At the same time, there is a rise of religions in the political space associated with identity claims and the double language of religious leaders claiming to speak on behalf of the majority of their followers.

The lack of reaction on the part of the political authorities - those from the left in particular - when it is not suspected of connivance, arouses incomprehension among our fellow citizens, especially those who live in an environment where religion, namely Islam, seems to be much more visible than it was ten years ago. This situation explains the sharp decline in the appreciation of secularism as something that should place all religions on an equal footing. The visibility of a new dynamic religion helps to understand in part why in certain urban and rural territories secularism is declining and seems threatened compared to ten years ago. This feeling is shared by the majority of people who declare themselves Muslims (*Les Français et la laïcité, état des lieux*, Fondation Jean Jaurès, 2019). One must be very firm against the most radical currents that advocate Islam as a political ideology and therefore do great harm to their religion and their followers. Such an approach would serve the latter well in affirming the practice of their faith within the framework of the principles of the 1905 law.

We can focus on the lack of territorial cohesion, whether it is a question of neglected rural territories or the configuration of our cities, some of whose neighbourhoods were built quickly, on the same model, to absorb the housing crisis,

welcome a work immigration transformed into a family immigration, without the means of reception, mobility, culture and integration having been provided. **The principles of secularism should be applied concretely in the use of public facilities to deal with the root causes of evil, to fight against community withdrawal, even entryism, to educate, to integrate and to fight discrimination in order to give our fellow citizens the means to participate in the common republican destiny. To do this, the action of the public authorities must be adapted and increased.**

In conclusion, the answer to the fundamentalist peril certainly does not consist in modifying the 1905 law, which would implicitly mean that the Republic would call itself into question in its foundations. The 1905 law provides a clear and sufficient framework. However, a new explanation of the text is necessary in the context of the rise of religious fundamentalisms on all sides, in order to prevent extremist ecosystems from thriving at the expense of the Republic's shared values. It is therefore urgent to put forward proposals on how secularism should be thought of, to insist on its appropriation by public actors and citizens, and to offer concrete modalities for putting them into practice. **We must oppose the temptation to adopt liberticidal laws in the name of the protection of the individual and continue to respect the right to believe or not to believe, freedom of conscience and freedom of expression, which are immutable and intangible.** Secularism in France has a fair, balanced and stable framework. It is precious. **In the Republic, one value is not opposed to other values.** At a time when our country is going through a major crisis, the temptation to resort to liberticidal laws only makes sense to mask the shortcomings of a public action impoverished and demobilized by the current majority. **The urgency is not to repress liberties and those who courageously carry them out loud and clear, but to allocate resources and take consistent action to protect them.**

1st signatory :

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