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CHALLENGES TO PROTECTING RELIGIOUS FREEDOMS The Roles of Government and Societal Norms

Societal discrimination against religious groups can arise for several reasons. In many cases, religious affiliation strengthens group identity, and this sense of belonging can contribute to discrimination against those perceived as outsiders. Religious and cultural identities are often deeply intertwined, making it easier for dominant religious and social groups to invoke historical and cultural traditions as justification for restricting religious freedoms or even legitimizing acts of violence.

Nation-states thrive when diverse groups can coexist, engage in open dialogue, and have their rights safeguarded. Yet, modern trends of rising nationalism and religious fundamentalism pose serious challenges to the protection of religious freedoms in both democratic and non-democratic countries. The suppressing of religious freedoms erodes the fundamental principles of democratic societies and it undermines everywhere broader human rights protections, ultimately threatening the stability of societies as a whole.¹

This paper addresses contemporary challenges to religious freedoms through several international case studies, highlighting not only the growing complexity of these conflicts but also the implications for democratic governance and social stability. The protection of religious freedoms has long been a foundational principle primarily in Western democracies, as well as in international organizations that promote certain universal principles of human rights. In many countries that profess a commitment to the protection of religious freedoms, ideals and practice often differ; in many parts of the world, such commitments are few or even non-existent. International organizations

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¹ See Nolen D e i b e r t, “Protecting the Rights of Religious Minorities Is Crucial to Protecting Democracy Itself,” Freedom House, December 7, 2023, <https://freedomhouse.org/article/protecting-rights-religious-minorities-crucial-protecting-democracy-itself>.

profess the ideals of religious freedoms but have limited capacity to influence the behaviors of national states, especially at times such as now with rising nationalistic movements. Religious minorities thus often have few tools of protection either from governments or from international organizations. Contemporary studies document increasing threats to religious freedoms in much of the world today.

By analyzing cases from Nigeria, Russia, France, Egypt, and the United States, we demonstrate that the core issues are not simply that religious freedom is contested, but rather that specific patterns of restriction reveal pathways to understanding broader struggles over identity, nationalism, and state authority. Distinguishing these dynamics provides a clearer framework for how scholars might navigate the tensions between pluralism, secularism, and democracy.

GOVERNMENT ACTIONS AND SOCIETAL NORMS

Provisions safeguarding this fundamental right are enshrined in many global agreements, reflecting a shared international recognition by many nation-states of its importance. For example, the 1919 Covenant of the League of Nations affirmed the need for governance that ensures freedom “of conscience and religion” (Article 22).² Similarly, Article 18 of the Universal Declaration of Human Rights (UDHR), adopted by all 193 United Nations member states, explicitly guarantees “freedom of thought, conscience, religion,”³ including the right to change and practice one’s beliefs publicly or privately. The 1966 International Covenant on Civil and Political Rights (ICCPR) further codified religious freedom as a legally binding obligation, requiring signatory states to respect and ensure individuals’ freedom to adopt and practice their religion or belief.⁴ The Helsinki Final Act of 1975 further underscored these principles, obligating states to respect “freedom of thought, conscience, religion, or belief for all” (Principle VII).⁵

In addition to these legal frameworks, religious freedom has been a focal point of international efforts led by European and North American nations.

² The Covenant of the League of Nations, Yale Law School, Lilian Goldman Yale Library, The Avalon Project: Documents in Law, History and Diplomacy, https://avalon.law.yale.edu/20th_century/leagcov.asp#art22.

³ United Nations General Assembly, Universal Declaration of Human Rights (Dec. 10, 1948), United Nations, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

⁴ See United Nations, International Covenant on Civil and Political Rights, United Nations Human Rights Office of the High Commissioner, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

⁵ Organization for Security and Co-operation in Europe, Conference on Security and Co-operation in Europe: Final Act, OSCE, <https://www.osce.org/helsinki-final-act>.

International organizations, state foreign policy initiatives, Non-Governmental Organizations (NGOs), and development agencies have led international advocacy efforts to promote and spread religious freedom and tolerance.⁶

Despite these commitments, recent trends show a troubling rise in religious restrictions globally. Recent Pew Research Center reports show an escalation in religious restrictions internationally that have remained at peak levels globally for the past five years⁷ and in 2021, 183 governments worldwide harassed religious believers.⁸ Aid to Church in Need's 2023 Religious Freedom Report found that over 62% of the world's population lives in countries where religious freedoms are severely restricted or violated.⁹ This global increase in religious intolerance and state-level restrictions reveals a significant disconnect between international norms and efforts and their implementation.

Equally concerning is the relative academic neglect of the study of religious restrictions, reflecting in part the heavily secular-oriented focus of the academy in much of the developed world. As Roger Finke notes, it is only in the recent decades that scholars have begun systematically collecting data on religious freedoms, in part due to the previous lack of comprehensive cross-national datasets.¹⁰ This gap in research makes it difficult to fully understand the drivers and consequences of rising religious restrictions, further complicating efforts to address them effectively.

The rise in religious restrictions can be traced to two primary sources: *government actions* and *societal pressures*.¹¹ Governments may impose re-

⁶ See Anna S u, *Exporting Freedom: Religious Liberty and American Power* (Cambridge, Massachusetts: Harvard University Press, 2016); Elizabeth Shakan Hurd, *Beyond Religious Freedom: The New Global Politics of Religion* (Princeton: Princeton University Press, 2017).

⁷ See Pew Research Center, "In 2018, Government Restrictions on Religion Reach Highest Level Globally in More Than a Decade" (2020), Pew Research Center, https://www.pewresearch.org/religion/2020/11/10/in-2018-government-restrictions-on-religion-reach-highest-level-globally-in-more-than-a-decade/?gad_campaignid=22378837192; Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, Pew Research Center, https://www.pewresearch.org/wp-content/uploads/sites/20/2024/12/PR_2024.12.18_restrictions-on-religion-2022_report.pdf.

⁸ See Doug Baldwin, "Rising Restrictions on Religion Driven by Government Controls," Cato Institute, June 13, 2024, <https://www.cato.org/commentary/rising-restrictions-religion-driven-government-controls>.

⁹ See ACN International, "Religious Freedom in the World Report 2023," ACN International, <https://acninternational.org/religiousfreedomreport/reports/global/2023>.

¹⁰ See Roger Finke, "'Presidential Address' Origins and Consequences of Religious Freedoms: A Global Overview," *Sociology of Religion* 74, no. 3 (2013): 297–313; Brian J. Grim and Roger Finke, "International Religion Indexes: Government Regulation, Government Favoritism, and Social Regulation of Religion," *Interdisciplinary Journal of Research on Religion* 2 (2006): 1, https://www.religjournal.com/articles/article_view.php?id=13.

¹¹ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 2.

strictions through laws, policies, or direct actions aimed at limiting religious expression, particularly in cases where religion is perceived as a threat to state control, national identity, or political stability.¹² In some cases, governments actively suppress religious groups or individuals, while in others, religious minorities may be marginalized or discriminated against through bureaucratic processes, restrictions on places of worship, or limitations on religious practices.¹³

On the other hand, societal pressures—often fueled by cultural, ethnic, or sectarian tensions—can also contribute significantly to religious restrictions. These pressures may manifest through social stigmatization, violent acts against religious minorities, or broader forms of intolerance that limit the ability of certain religious groups to coexist peacefully in society.

Understanding these drivers is crucial for effectively addressing the challenges to religious freedom that persist globally. The dual role of governments and societies in shaping the religious landscape complicates efforts to protect and promote religious freedom. While international institutions and foreign policy initiatives have made progress in promoting religious freedom,¹⁴ the reality on the ground often reveals significant gaps between international norms and national practices. In what follows here, we explore the current state of religious restrictions worldwide, examining both government-imposed and societal-driven restrictions through case studies of various countries. Understanding these factors is essential for crafting effective strategies to support religious freedom worldwide and address the modern dilemma of religious intolerance.

RELIGIOUS FREEDOM AND RELIGIOUS RESTRICTIONS

We adopt the definitions outlined in *Religious Freedom: Pillar of the Human Rights Policy in the External Relations of the European Union*¹⁵ to clarify what is meant by religious freedom and religious restrictions. At its core,

¹² See Fine, “‘Presidential Address’ Origins and Consequences of Religious Freedoms: A Global Overview.”

¹³ See Ani Sarkissian, *The Varieties of Religious Repression: Why Governments Restrict Religion* (New York: Oxford University Press, 2015).

¹⁴ See, e.g., United States Policy: The International Religious Freedom Act of 1998, Congress. Gov, <https://www.congress.gov/bill/105th-congress/house-bill/2431>; National Strategy on Integrating Religious Leader and Faith Community Engagement into U.S. Foreign Policy, United States Institute of Peace, <https://www.usip.org/publications/2023/05/us-strategy-international-religious-engagement-10-years>; the 2016 Frank R. Wolf International Religious Freedom Act, Congress.Gov, <https://www.congress.gov/bill/114th-congress/house-bill/1150>.

¹⁵ See Commission of the Bishops’ Conferences of the European Union, *Religious Freedom: Pillar of the Human Rights Policy in the External Relations of the European Union* (Brussels,

religious freedom encompasses both the individual and collective dimensions of belief. At the individual level, this includes the freedom to hold or not to hold a particular faith, freedom of worship, the right to change one's religion or belief, the free choice of parents to educate their children in their religious convictions, the right to pastoral care, and the right to conscientious objection based on religious or moral beliefs.¹⁶ At the collective level, religious freedom entails the organizational autonomy of religious communities, the freedom to exercise ministry, the right to religious training and teaching, the freedom to proclaim one's faith and moral teaching, and the right to carry out charitable and collective activities in line with shared convictions.¹⁷

Religious restrictions, by contrast, refer to the fundamental hindrances to the exercise of these freedoms, whether imposed at the individual or collective levels.¹⁸ Drawing on international law and the COMECE typology, these restrictions can manifest in multiple forms: obstacles to worship or the profession of faith, restrictions on conversion or forced conversion, prohibitions on proclaiming faith publicly, destruction of places of worship, suppression of religious publications, or prohibitions on religious training and education.¹⁹

These violations can be broadly grouped into two categories: *government restrictions* and *social restrictions*. A main source of restrictions of religious freedoms is the legal, political, and regulatory measures that governments create. These measures can range from outright bans on all religious practices to preferential treatment for certain faiths over others.²⁰ According to the Government Restrictions Index (GRI) compiled by the Pew Research Center, these restrictions include laws prohibiting conversion, limiting religious preaching, banning certain religious groups, or criminalizing blasphemy. In 2022, while the global median score on the GRI remained steady at 3.0 out of 10, the number of countries with high or very high levels of government restrictions increased to 59—representing 30% of the 198 countries and territories studied.²¹ This marks the highest number recorded since the index was established in 2007.

Governments impose restrictions on majority religions for a variety of reasons. In some cases, secular or anti-religious national ideologies drive ef-

Belgium, 2010), COMECE, <https://www.comece.eu/wp-content/uploads/sites/2/2022/04/20100501-Pillar-of-the-Human-Rights-policy-in-the-external-relations-of-the-EU.pdf>.

¹⁶ See *ibidem*, 9.

¹⁷ See *ibidem*, 9.

¹⁸ See *ibidem*, 16.

¹⁹ See *ibidem*, 17-20.

²⁰ See Jonathan Fox, “Religious Regulation: The Regulation of All Religion in a Country,” in *The Oxford Encyclopedia of Politics and Religion*, ed. Paul A. Djupé, Mark J. Rozell, and Ted G. Jelen (New York, NY: Oxford University Press, 2020).

²¹ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 16.

forts to limit religious influence;²² political leaders may perceive religious groups as a challenge to their authority and attempt to curb their influence.²³ This is especially true in autocratic regimes, where maintaining control over civil society—including religious institutions—is a key priority. In other cases, governments face social or electoral pressures to regulate religion,²⁴ either to appease dominant societal groups or to align with public sentiment on religious matters. These pressures can lead to policies that restrict religious expression or grant preferential treatment to certain religious groups while limiting others.

Another driver of religious intolerance and restrictions stems from different societies and non-government actors within a country. Acts of religious intolerance or violence carried out by private individuals, organizations, or non-state groups can include mob violence, sectarian conflict, religiously motivated terrorism, and harassment based on religious attire or beliefs. The Social Hostilities Index (SHI), also developed by Pew Research Center, tracks thirteen measures of religious hostilities, including incidents of religion-related armed conflict, attacks on places of worship, and other forms of religiously motivated intimidation.²⁵

Societal discrimination against religious groups can arise for several reasons. In many cases, religious affiliation strengthens group identity, and this sense of belonging can contribute to discrimination against those perceived as outsiders.²⁶ Religious and cultural identities are often deeply intertwined, making it easier for dominant religious and social groups to invoke historical and cultural traditions as justification for restricting religious freedoms or even legitimizing acts of violence.²⁷ These societal pressures often reinforce state-imposed restrictions, creating an environment where religious minorities face both legal constraints and social hostility.

CASE SELECTION

The following case studies were selected to capture both variation and commonalities in how religious restrictions are drawn from diverse geographical regions—Africa, Eurasia, Western Europe, and North America—to illu-

²² See Fox, “Religious Regulation: The Regulation of All Religion in a Country.”

²³ See Anthony James Gill, *The Political Origins of Religious Liberty* (Cambridge: Cambridge University Press, 2008), 1–25.

²⁴ See Fine, “‘Presidential Address’ Origins and Consequences of Religious Freedoms”: 300–301.

²⁵ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 2.

²⁶ See Swee-Hoon Chua et al., “Religion, Discrimination and Trust across Three Cultures,” *European Economic Review* 90 (November 2016): 280–301.

²⁷ See Fine, “‘Presidential Address’ Origins and Consequences of Religious Freedoms”: 303.

strate how restrictions on religious freedom manifest across distinct political and cultural contexts.

Nigeria presents a case of both high government restrictions and significant societal hostilities, as religious tensions between Christian and Muslim communities frequently result in violence. Egypt similarly experiences both high levels of government-imposed religious restrictions and widespread societal discrimination, particularly against Coptic Christians and other religious minorities. Meanwhile, Russia exemplifies a case of high government restrictions, where the state exerts significant control over religious institutions, suppressing groups deemed politically or socially undesirable.

Some western democracies that profess a high degree of religious tolerance also confront issues of restrictions on freedom of religious practices. Long-standing controversies in the United States, for example, concern judicial interpretation of the principle of separation of Church and State, with such restrictions as prayer banned in public schools and prohibitions on religious displays in public places such as court houses and government buildings. In France, government restrictions on women wearing headscarves in public—a common practice, and even considered a religious requirement among Muslims—have led to criticisms of prohibiting religious freedoms, even as the government, as is the case in the United States, professes to be protecting the principle of religious neutrality.

Together, these cases were chosen not to provide an exhaustive global survey but to highlight a spectrum of restriction types—societal, governmental, and hybrid—in both democratic and non-democratic countries. The cases analyzed here provide insight into how different forms of religious restrictions manifest in diverse political and social contexts. We first take up the cases of those countries with high government restrictions and strong social-based discrimination.

NIGERIA

Despite constitutional protections for religious freedom, Nigeria experiences significant restrictions both from the government and society.²⁸ The Nigerian constitution prohibits the federal and state governments from adopting an official religion and guarantees individuals the right to practice, change, and propagate their faith without discrimination.²⁹ Religious demographics in Nigeria are nearly evenly split, with Muslims making up approximately half

²⁸ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 9, 41, 44.

²⁹ See *Constitution of the Federal Republic of Nigeria* (1999), Section 10, Section 38. Nigeria National Human Rights Commission, <https://nigeriarights.gov.ng/files/constitution.pdf>.

of the population, Christians comprising 40–45%, and 5–10% adhering to indigenous religious traditions.³⁰ This religious diversity has frequently been a source of tension, particularly in regions where different faith communities live in close proximity, resulting in high rankings in both governmental and societal restrictions on religion.³¹

Violence linked to religious extremism remains a significant challenge in Nigeria, driven primarily by militant Islamist groups such as Boko Haram and ISIS-West Africa (ISIS-WA). These groups frequently target religious sites and communities, attacking churches, mosques, and other places of worship; terrorist-related deaths in Nigeria rose by 34% in 2023.³² These groups continue to stage attacks on both Muslim and Christian populations, as well as military and civilian targets, particularly in the northeast. However, religious violence is not limited to terrorist activity. In the north central region, longstanding conflicts between predominantly Christian farmers and predominantly Muslim herders have resulted in numerous deadly clashes. Meanwhile, bandit groups have also carried out attacks on religious communities. For example, in September 2023, bandits attacked a Catholic residence in Kaduna State, killing a Catholic seminarian, and later targeted a mosque in the same state, killing seven worshippers.³³

Efforts to address religious tensions and violence have been undertaken by both governmental and nongovernmental organizations. The Nigeria Inter-Religious Council (NIREC)³⁴ works to foster dialogue between Christian and Muslim leaders, whereas groups such as the Christian-oriented Observatory for Religious Freedom in Africa (ORFA)³⁵ monitor religious persecution. In response to rising violence, Catholic bishops in Nigeria have urged national and state governments to uphold their responsibility to protect citizens and safeguard religious freedoms.³⁶ While Nigeria's constitution guarantees religious liberty, ongoing violence, government inaction, and deeply entrenched societal divisions continue to make religious restrictions a reality for many.

³⁰ See Timothy Robinson, Louisa Brooke-Holland, and Philip Loft, *Religious Minorities in Nigeria*, Research Briefing DP-2023-0081, April 12, 2023, UK Parliament: House of Commons Library, <https://researchbriefings.files.parliament.uk/documents/CDP-2023-0081/CDP-2023-0081.pdf>, 2.

³¹ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 41.

³² See U.S. Department of State, "2023 Report on International Religious Freedom: Nigeria," 2023 Report on International Religious Freedom, <https://www.state.gov/reports/2023-report-on-international-religious-freedom/nigeria/>.

³³ See *ibidem*.

³⁴ See Nigeria Inter-Religious Council, <https://www.nirec.org.ng/>.

³⁵ See Observatory for Religious Freedom in Africa, <https://orfa.africa/>.

³⁶ See U.S. Department of State, "2023 Report on International Religious Freedom: Nigeria."

EGYPT

Egypt is another country that scores highly on both Pew Research Center’s SHI and GCI scores, highlighting significant barriers to religious freedom in both state policies and societal practices. While the Egyptian constitution calls for freedom of belief and religious practice, this applies only to followers of Christianity, Islam (specifically Sunni Islam, the state religion), and Judaism. Article 98(f) of Egypt’s Penal Code states that any ridiculing or insulting of the Abrahamic religions is illegal, and this article is often invoked to target minority religions.³⁷

One of the primary tools of government restriction is Egypt’s blasphemy law. Article 98(f) of the Penal Code criminalizes “dissaining and disrespecting” Islam, Christianity, or Judaism, imposing penalties ranging from six months to five years in prison and substantial fines. In practice, this law is frequently used to suppress dissenting religious views, particularly among religious minorities such as Shia Muslims, Ahmadi Muslims, and atheists.³⁸ Furthermore, Egypt’s cybercrime law extends these restrictions into the digital sphere, penalizing online speech that is perceived as violating “family principles” or promoting blasphemy, a vague standard that authorities have used to punish individuals for their religious expressions.³⁹

Discrimination is also embedded within Egypt’s identity card system, which officially recognizes only Islam, Christianity, and Judaism. For example, Jehovah’s Witnesses, a movement that emerged from Christianity, are labeled as “Christian” on their identity cards, yet a presidential decree prohibits their religious activities.⁴⁰ This creates a system where religious identity is legally mandated.

Beyond government restrictions, social hostilities further entrench religious discrimination. Egypt’s population is approximately 90% Sunni Muslim and 10% Christian, primarily Coptic Orthodox.⁴¹ Religious communities are often geographically segregated, as seen in the distinct districts of “Islamic Cairo” and “Coptic Cairo.”⁴² While these divisions have historical roots, they

³⁷ See Saad Ahmad and Lucy Ridot, “Criminalizing Blasphemy: Implications for Egypt’s Religious Minorities,” Minority Rights Group, February 29, 2024, <https://minorityrights.org/criminalizing-blasphemy-implications-for-egypt-religious-minorities/>.

³⁸ See U.S. Department of State, “2023 Report on International Religious Freedom: Egypt,” 2023 Report on International Religious Freedom, <https://www.state.gov/reports/2023-report-on-international-religious-freedom/egypt/#>.

³⁹ See *ibidem*.

⁴⁰ See *ibidem*.

⁴¹ See *ibidem*.

⁴² See Megan Shudde, “Megan Shudde on Degrees of Religious Tolerance in Egypt,” Berkley Center for Religion, Peace & World Affairs: JYAN Blog, 2008, <https://berkleycenter.georgetown.edu/posts/megan-shudde-on-degrees-of-religious-tolerance-in-egypt>.

contribute to ongoing sectarian tensions, which have increasingly resulted in violent clashes. Intergroup conflict, mob violence, and attacks on places of worship have become more frequent in recent years, demonstrating the persistent role of religious hostility in Egyptian society.⁴³

RUSSIA

Russia is the only country in Europe classified as having very high levels of government restrictions on religion.⁴⁴ Despite its constitutional commitment to secularism and religious freedom, Russian authorities wield broad power to suppress religious activity deemed “extremist.”⁴⁵ While approximately 72% of the population identifies as Orthodox Christian,⁴⁶ official law identifies four traditional religions: Christianity, Islam, Judaism, and Buddhism. State policies and legal frameworks have increasingly marginalized religious groups outside these recognized traditions. A significant tool of repression is Russia’s expansive extremism laws, which authorities have used to imprison individuals from various religious groups. Recently, members of the Church of Scientology and Jehovah’s Witnesses have been targeted.⁴⁷

Beyond its broad extremism laws, Russia has introduced additional legal mechanisms to control religious expression. A 2022 law mandates that certain organizations, including religious groups and individuals, publicly identify themselves as “foreign agents” if they receive funding from abroad.⁴⁸ This designation carries significant stigma and legal consequences, further marginalizing minority religious communities. Due to these systematic and severe violations of religious freedom, the U.S. State Department has classified Russia as a “Country of Particular Concern” (CPC) since 2021 under the International Religious Freedom Act.⁴⁹ This designation has been accompanied by targeted sanctions, including those outlined in the Magnitsky Act and other legislative measures aimed at penalizing human rights abuses. Despite international con-

⁴³ See *ibidem*.

⁴⁴ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 36.

⁴⁵ See U.S. Department of State, “2023 Report on International Religious Freedom: Russia,” 2023 Report on International Religious Freedom, <https://www.state.gov/reports/2023-report-on-international-religious-freedom/Russia/>.

⁴⁶ See *ibidem*.

⁴⁷ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 36.

⁴⁸ See U.S. Department of State, “2023 Report on International Religious Freedom: Russia.”

⁴⁹ See *ibidem*.

demnation, the Russian government continues to suppress religious minorities, framing these actions as necessary for national security and social cohesion.

Religious persecution in Russia reflects a broader pattern of state control, where political and legal mechanisms are used to reinforce the dominance of the Russian Orthodox Church while suppressing alternative religious movements. As state repression intensifies, religious freedom in Russia remains increasingly constrained, with little indication of reform in the near future.

FRANCE

France ranks high in both government-imposed religious restrictions and societal religious hostility.⁵⁰ While the country's legal framework upholds freedom of religion, it also grants authorities significant discretion in regulating religious expression. At the same time, religious minorities, particularly Jewish and Muslim communities, face rising discrimination and hostility in society—antisemitic acts nearly quadrupled from 2022 to 2023, increasing from 436 to 1,676 reported cases.⁵¹ In addition to restrictions affecting these communities, France has also seen a notable rise in violations targeting Christians and Christian institutions. In 2023, nearly 1,000 anti-Christian hate crimes were recorded in France, with approximately 90% directed at churches or cemeteries, according to police data.⁵²

France's legal framework is rooted in the principle of *laïcité*, or secularism, which mandates the strict separation of religion and state.⁵³ Although the constitution guarantees individuals the right to practice their religion freely, the government has broad authority to regulate religious expression, particularly in public spaces.⁵⁴ One of the most contentious aspects of France's approach to secularism is its ban on religious symbols in public schools. In 2004, the French government passed a law prohibiting students from wearing religious symbols, a measure widely understood to target Muslim girls who wear headscarves.⁵⁵ The law was based on recommendations from two commissions—one from Parliament and the

⁵⁰ See U.S. Department of State, "2023 Report on International Religious Freedom: France," 2023 Report on International Religious Freedom, <https://www.state.gov/reports/2023-report-on-international-religious-freedom/france/>.

⁵¹ See *ibidem*.

⁵² See OIDAC Europe, *Intolerance and Discrimination Against Christians in Europe Report 2024*, Observatory on Intolerance and Discrimination against Christians in Europe. https://www.intoleranceagainstchristians.eu/fileadmin/user_upload/publications/files/OIDAC_Report_2024_-_Online_Version.pdf.

⁵³ See John R. Bowen, *Why the French Don't Like Headscarves: Islam, the State, and Public Space* (Princeton: Princeton University Press, 2010), 1.

⁵⁴ See U.S. Department of State, "2023 Report on International Religious Freedom: France."

⁵⁵ See Bowen, *Why the French Don't Like Headscarves*, 1.

other called the Stasi Commission—which framed Islamic radicalism as a threat to France’s secular traditions.⁵⁶

Recently, the French government has expanded restrictions on religious attire in public spaces. In 2023, France’s highest administrative court upheld the government’s ban on wearing the abaya in public schools, ruling that the ban did not violate religious freedom.⁵⁷ Additionally, the national soccer federation’s decision to ban female players from wearing the hijab was upheld in June 2023, and the government extended this prohibition to French athletes participating in the 2024 Paris Olympics.⁵⁸ The abaya ban has sparked considerable debate. While some argue that it disproportionately targets Muslim students and exacerbates social divisions, its proponents view it as a necessary measure to uphold secularism in public institutions.⁵⁹ Despite the controversy, public opinion overwhelmingly supports these restrictions: a late 2023 poll indicated that over 80% of the French population approved of the ban, and the country’s highest court has upheld it twice.⁶⁰

Even in countries with strong government protections of religious freedoms there are significant challenges in advancing a general societal acceptance of the rights of different religious groups and practices. The United States stands as a notable example of a nation with among the strongest protections of religious freedoms but a history of struggles by religious groups to be able to freely engage in some religious practices.

UNITED STATES

Despite strong constitutional protections for religious freedom, the United States has experienced moderate government restrictions on religion. In 2022, the U.S. received a moderate Government Restrictions Index score and a low Social Hostilities Index score, ranking eighth highest in the Americas for government restrictions—behind countries like Mexico, Cuba, and Venezuela.⁶¹ Whereas the First Amendment of the U.S. Constitution explicitly prohibits

⁵⁶ See *ibidem*.

⁵⁷ See U.S. Department of State, “2023 Report on International Religious Freedom: France.”

⁵⁸ See *ibidem*.

⁵⁹ See Carol Ferrara, “French Schools’ Ban on Abayas and Headscarves Is Supposedly about Secularism—but It Sends a Powerful Message about Who ‘Belongs’ in French Culture,” *The Conversation*, September 29, 2023, <http://theconversation.com/french-schools-ban-on-abayas-and-headscarves-is-supposedly-about-secularism-but-it-sends-a-powerful-message-about-who-belongs-in-french-culture-213543>.

⁶⁰ See *ibidem*.

⁶¹ See Pew Research Center, December 2024, *Government Restrictions on Religion Stayed at Peak Levels Globally in 2022*, 5.

Congress from establishing a religion or restricting religious exercise, real-world applications of this principle are often more complex.

The United States of America struggles with the balancing test, intended to protect general societal principles but seen by some groups as discriminatory. The case of the U.S. demonstrates that there is not any perfect system of protecting religious freedoms, but only degrees of protections. The U.S. Supreme Court has upheld policies that limit certain religious practices while maintaining that individuals retain the right to believe as they choose. For example, the Court ruled that prohibiting plural marriage does not restrict the religious freedoms of Mormons because they retain the right to believe, but not practice, polygamy.⁶² Military regulations establish that Jewish and Muslim persons servicemembers are free to wear traditional head-coverings and facial hair, but they must conform to the military code of dress which imposes significant restrictions on these and other religious displays such as dreadlocks, tattoos and hijabs. Are these violations of religious freedoms or reflections of the reality that in any government there sometimes are compelling government and societal interests that override the claims of particular groups to engage in certain religious-based practices?

State-level policies have tested the boundaries of religious freedom and government authority. In 2024, Louisiana passed a law requiring all public-school classrooms—from kindergarten through state-funded universities—to display the Ten Commandments in large, readable font. Governor Jeff Landry signed the legislation into law, framing it as a reflection of the nation’s religious heritage.⁶³ However, a federal judge later blocked the law, ruling it unconstitutional under the First Amendment’s Establishment Clause.⁶⁴ This case exemplifies the ongoing tension between government actions promoting religious symbols and the constitutional limits on state endorsement of religion.

DISCUSSION

Religious restrictions have far-reaching political, social, and humanitarian consequences. As seen in the cases of Nigeria, Russia, France, and Egypt,

⁶² See *Reynolds v. United States*, 98 U.S. 145 (U.S. Supreme Court 1979).

⁶³ See Sara Cline, “New Law Requires All Louisiana Public School Classrooms to Display the Ten Commandments,” *AP News*, June 20, 2024, AP News, <https://apnews.com/article/louisiana-ten-commandments-displayed-classrooms-571a2447906f7bbd5a166d53db005a62>.

⁶⁴ See Aubri Juhasz, “Judge Blocks Louisiana Law Requiring Display of Ten Commandments in Classrooms,” *NPR Morning Edition*, November 13, 2024, NPR, <https://www.npr.org/2024/11/13/nx-s1-5188450/judge-blocks-louisiana-law-requiring-display-of-ten-commandments-in-classrooms#:~:text=Hourly%20News-,Judge%20blocks%20Louisiana%20law%20requiring%20display%20of%20Ten%20Commandments%20in,public%20school%20classrooms%20is%20unconstitutional>.

these restrictions not only affect religious minorities but also contribute to broader societal divisions, nationalism, and intolerance. Research consistently demonstrates the role that religion and religious leaders play in shaping social tensions, civil unrest, and even civil wars. When governments suppress religious freedoms or fail to prevent religious discrimination, they create conditions for further instability. Studies suggest that engaging religious actors in conflict prevention, peacebuilding, and governance is crucial to mitigating these risks.⁶⁵

Comparisons across cases reveal that restrictions take different forms but generate similar dynamics of exclusion and tension. In France, the strict secular policies designed to uphold *laïcité* often reinforce rising social hostility toward religious minorities. Government bans on religious attire, particularly those targeting Islamic dress, may legitimize broader societal discrimination, creating a reciprocal relationship between public attitudes and state policy. Similarly, in the United States, while explicit legal prohibitions on religious expression are less common, social and political battles over religious displays, education policies, and religious accommodations reflect ongoing tensions about the place of faith in public life. Together, these examples highlight that restrictions—whether state or reinforced by societal norms—can pose a threat to social stability and democratic principles.

There is no ideal governmental model for protecting religious freedoms. The United States has long portrayed its national practices as an international exemplar for the balancing of government interests and religious freedoms. And yet, many of the most intensely fought political conflicts in the country center on differing interpretations of what religious freedom entails. This contradiction illustrates that even states that champion religious freedom abroad are internally divided on its meaning and practice.

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To conclude, religious restrictions and freedoms are not isolated issues; they intersect with broader modern dilemmas. Conflicts over religious expression often serve as proxies for deeper struggles over national identity, cultural integration, and the role of the state in regulating personal beliefs. As globalization facilitates greater religious diversity within nations, governments face mounting pressure to navigate the complexities of religious pluralism while maintaining social cohesion. These challenges underscore the need for ongoing

⁶⁵ See *Between Terror and Tolerance: Religious Leaders, Conflict, and Peacemaking*, ed. Timothy D. Sisk (Washington, D.C.: Georgetown University Press, 2011).

dialogue and policy adaptations that balance religious freedoms with evolving societal norms and political realities.

Beyond the immediate societal effects, the United States has long promoted religious freedom as a fundamental human right and a stabilizing force for democracies worldwide. Yet questions remain regarding the effectiveness of these policies. How religious freedom is measured and enforced globally is contested, and the U.S. itself faces ongoing challenges in balancing religious liberty with other legal and societal interests. This contradiction underscores the importance of treating religious freedom not as a settled principle, but as an evolving practice shaped by politics, culture, and international norms.

At its core, the debate over religious restrictions is about the limits of state power and the extent to which governments should intervene in matters of faith and conscience. As societies grapple with issues of secularism, nationalism, and human rights, the way religious freedoms are protected, or curtailed, will continue to shape the political and social landscapes of the modern world. Whether through legal frameworks, public discourse, or grassroots activism, the question of religious liberty remains central to broader discussions about democracy, identity, and governance in the twenty first century.

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ABSTRACT / ABSTRAKT

Julianna J. THOMSON and Mark J. ROZELL, Challenges to Protecting Religious Freedoms: The Roles of Government and Societal Norms

DOI 10.12887/38-2025-3-151-10

In an era defined by rising nationalism, authoritarianism, and religious fundamentalism, protecting religious freedom has become a central global challenge. While international law and human rights frameworks have long enshrined the principle of religious liberty, the gap between global commitments and national practices has widened, leaving religious minorities vulnerable to state and societal restrictions. Drawing on case studies from Nigeria, Egypt, Russia, France, and the United States, we show that both government policies and social hostilities shape restrictions on religious freedom across political systems and cultural contexts. Using comparative analysis of legal frameworks, international reports, and documented incidents of repression, we identify distinct yet interconnected pathways by which religion becomes a site of contestation over identity, nationalism, and state authority. We argue that restrictions, whether imposed by governments or reinforced by societal pressures, undermine social cohesion, exacerbate divisions, and threaten democratic governance. We conclude that no single institutional model guarantees religious freedom, as even nation-states with strong legal protections struggle with deep internal conflicts over its meaning and scope.

Keywords: religious freedom, religious restrictions, nationalism, secularism, human rights, democracy, comparative politics, Nigeria, Egypt, Russia, France, United States

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Julianna J. THOMSON and Mark J. ROZELL, Wyzwania dla ochrony wolności religijnej. Rola rządu i normy społeczne

DOI 10.12887/38-2025-3-151-10

W epoce, którą definiują narastający nacjonalizm, autorytaryzm i religijny fundamentalizm, ochrona wolności religijnej stała się wyzwaniem na skalę światową. Podczas gdy prawo międzynarodowe i deklaracje ochrony praw człowieka od dawna pieczętowicie chronią zasadę wolności wyznania, dostrzec można poszerzającą się rozbieżność między zobowiązaniemi globalnymi a praktyką poszczególnych krajów, co łączy się z faktem, że mniejszości religijne podlegają różnego rodzaju restrykcjom ze strony tak państwa, jak i społeczeństwa. Opierając się na analizie sytuacji w Nigerii, Egipcie, Rosji, Francji i Stanach Zjednoczonych, wykazujemy, że zarówno polityka prowadzona przez rządy poszczególnych krajów, jak i wrogość społeczna, stanowią źródło restrykcji nakładanych na wolność religijną w różnych systemach politycznych i kontekstach kulturowych. Dokonawszy analizy porównawczej systemów prawnych, międzynarodowych raportów i udokumentowanych przypadków represji, wskazujemy na odmienne, aczkolwiek powiązane ze sobą praktyki, które sprawiają, że religia staje się obszarem sporu wokół tożsamości, nacjonalizmu i zakresu władzy państowej. Wskazujemy, że restrykcje, bez względu na to, czy narzucone zostają przez rząd, czy ich źródłem pozostają naciski społeczne, podważają spójność społeczeństwa, pogłębiają podziały i stanowią zagrożenie dla rządów demokratycznych. We wnioskach podkreślamy, że nie istnieje obecnie żaden model instytucjonalny bezwzględowo gwarantujący wolność wyznania, nawet bowiem państwa narodowe, w których istnieje silne umocowanie wolności religijnej w prawie, zmagają się z głębokimi konfliktami wewnętrznymi dotyczącymi jej rozumienia i zakresu.

Tłumaczenie *Dorota Chabrajska*

Słowa kluczowe: wolność wyznania, ograniczenia wobec wolności wyznania, nacjonalizm, sekularyzm, prawa człowieka, demokracja, polityka porównawcza, Nigeria, Egipt, Rosja, Francja, Stany Zjednoczone

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