doctrine. The desire for autonomy does not imply a separatist movement.

Through a rereading of the history of the first Christianity, this stimulating book joins very current problems: how to relaunch ecumenism? What future for synodality? How far do you go to inculturation of the Gospel? What are the requirements of Orthodox as well as Catholic identity? How to promote a culture of debate in the Church?

Rev. Dr. Constantin Rus

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While religious sociology diagnoses the return of a new "ultramodern religious or secularization is itself secularized, the law is increasingly sought by the contradictory manifestations to which it gives rise today. As in echo of these multiple requests, the young *Revue du droit des religions*, which is in its 8th issue aims to offer a better understanding of the issues relating to the legal framework for religious phenomena in our contemporary societies relying on all legal disciplines in their relationship with religions, whether in the various branches of public law and French private law, but also international law, European law or comparative law". Initiated by the UMR7354 DRES (Law, Religion, Enterprise and Society) and published by the Presses Universaires de Strasbourg, the *Revue du droit des religions* is a semiannual journal dedicated to the legal regulation of religious fact in both French and international law, European law or foreign law.

The legal expressions of these regulations being as diverse as the realities before it, we are not surprised by the apparently eclectic nature of research on these fields where multidisciplinary is required. The rigorously scientific approach of the journal, supported by a confirmed research team, led to the choice of a thematic presentation by files.

After a first issue on "Le financement public des cultes dans une société sécularisée", the *Review* dealt successively with "la dissimulation du visage dans l'espace public" (no. 2), "enjeux contemporains du patrimoine culturel religieux" (nr. 3), of "laïcité: la nouvelle frontière" (nr. 4), of

"l'organisation religieuse, une entreprise comme une autre?" (nr. 5), (of) "valeurs de la République et l'Islam" (nr. 6), of "convinctions religieuses et (des) ajustements à la norme" (nr. 7) and "quel statut pour les ministres du culte?" (nr. 8). Each of the projects generally begins with a technical presentation of the legislation in force in France, in Europe and sometimes in other countries of the world, like the United States for example, of which Blandine Chélini-Pont and Gregory Mose comment on the battle around the 1st amendment in the issue nr. 4. But it is obviously the French and European legislation which has the priority as we can verify it from nr 1 on the financing of religions or the perspective of Gérard Gonzalez from the European Convention on Human Rights expanded with the presentations by Francis Messner and Françoise Curtit on public funding and taxation in European law in general.

Each issue then includes a *Varia* section proposing to explore in depth the issues that have been in the news, as in nr.1, the collision between state law and religious norms (Vincente Fortier), the protection of prisoners' religious freedom (Laurent Mortet) or conscientious objection to military service (Petr Muzny), in nr. 2, secularism in the educational institution (Lauren Bakir), the prerogatives of the worshiper (Frédéric Dieu) and reproductive rights in the UN bodies (Lucie Veyretout). Finally follow *chronicles* which return on recent events relating to the relations between law and religions: in nr. 1, "Les crèches de Noël devant le jude administratif" (Pierre-Henri Prélot), "le prétendu délit de blasphème en droit local alsacien-mosellan" (Jean-Marie Woehrling) or "la réforme des cultes au Grand-Duché du Luxembourg en 2015" (Francis Messner).

The second issue devoted to The concealment of the face in public space returns to the growing place accorded to the visibility of religious convictions in social debate. This dossier, coordinated by Pierre-Henri Prélot, analyzes the legal foundations of the law of October 11, 2010 and largely explores the modes of development of public action relating to the wearing of religious symbols. After recalling the "l'interdiction de la dissimulation du visage à la lumière du principe de laïcité" (P.-H. Prélot), Anne Levade ("La loi du 11 octobre 2010 au prisme du Conseil d'État et du Conseil constitutionnel") and Patrice Rolland ("L'arrêt S.A.S. c/France de la Cour européenne des droits de l'homme) presents the French and European case law framework. The question interests French political culture as much ("La politique du voile en France: droits et valeurs dans

la fabrique de la laïcité", Philippe Portier) as Islam of France ("L'envers de la législation sur les voiles: une domestication de l'islam par la loi", Franck Frégosi and "La diversité de points de vue des auteurs musulmans sur la dissimulation du visage", Moussa Abou Ramadan). The *chronicles* of this 2nd issue open to foreign and international legal systems, in France, ("Bonne foi et engagements internationaux de la France en matière de libertéde religion" (Gérard Gonzales), Austria ("La loi de 2015 sur l'islam en Autriche" (Francis Messner), and Canada ("Canada: l'école peut enseigner la religion, mais le conseil municipal ne peut prier" (Stéphane Bernatchez et Marie-Pierre Robert).

As the law shares with religion a propensity for fixity and tradition, we are not surprised by the place reserved for the law of religious heritage in the law of religions, a theme precisely retained for the 3rd issue of the *Revue du droit des religions*. As Anne Fornerod notes in the introduction, "The religious cultural heritage, movable and immovable, is indeed an important part of historical and artistic heritage". The topic is so broad that the proposed reflections illustrate just a few of the research directions in the field. How to value this heritage? ("La valorisation patrimoniale des édifices religieux entre affectation cultuelle exclusive et contractualisation", Pierre-Henri Prélot). How to protect it? ("La patrimoine cultuel immobilier: un patrimoine en péril?" Stéphane Duroy) What can be the role of the state, of the public authorities in this matter? ("Les défis de la conservation du patrimoine de l'Église de Suède: financement étatique et continuité de l'usage", Eva Löfgren; "La protection du patrimoine religieux en Estonie: lieux de culte et sites naturels sacrés", Ringo Ringvee). The canonist will be especially interested in the examination of the regime of exclusive cultic affection related to the French laws of 1905 and 1907. How to coexist the requirements of a canon law that defends the sacred character of places of worship and recalls their functions liturgical with the cultural claims legitimized by the considerable investments at the expense of the communities. It can be seen that the law is not exercised in a uniform manner across countries or even regions. The question thus arises of the use, religious and / or profane, of this heritage, in a given context. The example of Belgium is particularly suggestive, where public intervention undergoes subtle modulations depending on the level of power, the degree of involvement (optional or compulsory), religious or convincing opinions, and so on ("Les pouvoirs publics et les édifices cultuels en Belgique", Jean-François Husson).

Here again, *Varia* and *Chroniques* make it possible to stick to the news, whether on the question of the fate of migrants, that of the principles on which the Advocates General of the Court of Justice of the European Uunion are based or that of the evolution of Luxembourg debt restructuring law. On the first subject, Mustapha Afroukh of the European Institute of Human Rights in Montpellier outlines a hierarchy of rights and freedoms by examining "the respect for freedom of religion in European litigation concerning the expulsion of foreigners". On the second subject, Fleur Laronze and Mélanie Schmitt ("La religion et la travail au milieu du gué européen: sur la méthode juridico-politique des avocats généraux près la CJUE") analyze the interconnectedness to which the European magistrates have recourse. As for Francis Messner ("La réforme de l'organisation paroissiale au Luxembourg"), whose expertise has been sought several times in Luxembourg, he clearly explains how the current reform profoundly changes the way of funding parishes. We are finally impressed by the wealth of information provided in such an expert manner, of which it is impossible to cite here all the contributors.

The field of discipline that methodically explores, among others, the UMR DRES (Law, Religion, Enterprise and Society) is far from exhausted. The multiple contributions of this young Review will not fail to provide the guidelines that political decision-makers need for a pluralist treatment of the religions marking the European landscape. But it is all of the players in this space who are called upon by law. It is a question of respecting the principles that underlie its identity.

The number 4 deserves special mention in this regard. Entitled "*Laïcité: la nouvelle frontière*", this number engages in the debate which agitates in a recurring way French society and entire world as well. Even more than an overabundant literature on the subject (we note in passing the in-depth reviews of the works of David Koussens, Pascal Courtade and others), these are judicial decisions which reminds us to begin with the file opened on this principle whose the Constitutionnal Council finally seems to have given a substantial definition in its response to a QPC dated February 21, 2013.

On the basis of this new precision with regard to its three components (neutrality, equal treatment of religions and guarantee of the free exercise of worship), the file summarizes the multiple cases which have marked the debates over the last ten years (Baby Lou case, El Khomri law, judgments

of the EU Court of Justice in 2015, etc.). Secularism, which would have become the bearer of affirmed values, would have broken with the principle of neutrality by widening more and more the spaces where it manifests itself (school, business). It is easy to see that the shadows of an Islam too little integrated in the host societies tarnish the Republican project that a laicization in the service of national identity has difficulty reconciling with the rights of foreigners. As a result, the reconciliation of the obligation of religious neutrality and the principle of non-discrimination is far from being obvious for public officials confronted with fundamentalist behavior. Same problem for the exceptional installation of mangers in public places, the criteria used to judge this exceptionality being rather vague. Very documented analyzes of the file, it will be remembered that there are never simple solutions to the problems posed, but arguments and reasoning likely to pacify the debates and allow us "to live together".

Since many questions relate to Muslim worship, we will take advantage of the concrete insights provided by Jean-Marie Woehrling in the *varias* on the place to be given to this worship in the particular framework of Alsatian-Mosellan law.

In the first of the two *chronicles*, V. Fortier evokes the links between oath and religion, and more precisely the conscientious objection raised against the professional oath. F. Messner and P.-H. Prélot comment on the recent decree making it compulsory for paid chaplains in the army and in hospitals and penitentiaries to hold a diploma in civil and civic training.

The annual section devoted to reading notes closes this issue by reporting on a selection of works which testifies to the diversity of publications in the field of the law of religions and also to the fruitful links which it maintains with other disciplines.

The title of this dossier number 5 on "*L'organisation religieuse, une entreprise comme une autre?*", coordinated by Fleur Laronze, does not shock anyone at first glance, while wondering for example about the compatibility of Reformed and Lutheran Protestants with the Republic would be perceived as incongruous. There would therefore be a "Muslim problem" in this respect which deserves a presentation with some elements of solution, because in matters of worship and religion nothing is ever written in stone. Anne Fornerod underlines in this respect the singularity of Islam in the litigation of the nationality which sees the judge putting in relation the Moslem religious practices of the candidates for the acquisition

of the French nationality and the respect of republican values (Islam, the judge and the values of the Republic).The resistance to applying labor law to these personnel is essentially backed by the doctrinal positions of the Catholic Church, anxious to defend and promote a sacred figure of the priest inspired by monasticism. This concept was reinforced for financial reasons during the 1960s and 70s during discussions relating to the establishment of social security coverage for ministers of religion. Catholic dioceses and religious congregations were unable to pay contributions to the general health and old-age insurance scheme, while pastors and rabbis were covered by this same scheme since 1945 without having a contract. job. The lay pastoral collaborators, whose number grew in the 1970s, must first have the same status as that of the ministers of religion, then a contract with membership clause to finally benefit from an employment contract with a mission letter from the bishop attached.

The three articles published in the *varia* deal with subjects which constitute incontestable contributions to reflection. Thus, in the first article ("La Belgique francophone accouche douloureusement d'un cours de philosophie et de citoyenneté non désiré par tous, by Xavier Delgrange") the very detailed contribution on the establishment of a course in philosophy and citizenship in Belgium facilitates the understanding of the very complex system of religious education existing in this country and is more widely established as an indicator of the evolutions of the religious education in Europe, struggling with secularization and the phenomen a of radicalization. In the second article ("Le droit des religions, une discipline? Contribution à la construction d'un objet problématique, by Vincente Fortier"), fifteen years after the publication of the Treaty on French law of religions and the recent appearance of the title "law of secularism", a reflection at new costs is engaged on the structuring of a law of religions as legal discipline. Finally, a third article ("La mentalité religieuse de l'État constitue-t-elle un principle opérationnel?"), is devoted to the application of the principle of neutrality, the interpretations of which are multiple in the various European states.

A *chronicle* on the consolidation of the principle of autonomy of the Churches in European law, indirectly completing the dossier on religious organization as a business, and another devoted to alternative menus in school canteens conclude this fifth issue.

The question of the compatibility between the essential values of French society and the religious principles and practices of Islam is developed in more depth in nr. 6 where Pierre-Henri Prélot (,"Les tentatives d'organization du culte musulmane en France au prisme du principe de laïcité"), Didier Leschi ("L'organisation de culte musulmane: un regard de praticien administratif"), Anne Fornerod ("L'islam, le juge et les valeurs de la République"), Mathilde Philip-Gay ("Valeurs de la République et islam à Mayotte") and Alessandro Ferrari ("Islam et valeurs: l'expérience italienne") gather the elements of a dossier rich in historical, administrative and legal information in France, in a neighboring country, Italy and in a space where the question takes a particular relief, namely in Mayotte.

Three *varia,* two *chronicles* and *book reviews* accompany the dossier on the values of the Republic and Islam. Candice Bordes presents civil religion in the thought of Jean-Jacques Rousseau and its contemporary translation in American culture. David Koussens and Bertrand Lavoie offer a socio-legal analysis of the foundations and effects of the Quebec law of October 18, 2017 on religious neutrality, aimed in particular at framing requests for accommodation on religious grounds. Mariëtta van der Tol returns to the illegality of the ban on burkini in France by analyzing them with regard to the factors characteristic of the principle of tolerance.

The two *chronicles* respectively refer to recent case law on the regulation of the wearing of religious symbols in companies and the project to ban the ritual circumcision of children in Iceland. Very thorough reading notes conclude this issue.

The dossier nr. 7 "*Convinction religieuses et ajustements de la norme*" coordinated by Vincente Fortier and Jean-Marie Woehrling is very aptly contributing to a better understanding of developments in the application of "reasonable accommodation" and, more broadly, of reconciliation fundamental rights. Its resolutely international character, with contributions written by specialists from Canada, Belgium, Germany, Spain and France makes it possible to renew the approaches and to facilitate the understanding of this concept. Reasonable accommodation in Canada finds its legal foundations in the right to equality guaranteed by the Constitutional Charter and has undergone judicial development before being framed by law in religious matters ("Le principle d'accommodement raisonnable en matière religieuse, by Marion Montpetit and Stéphane Bernatchez"). The principle of equality also occupies a central place in Belgium, a country where the

culture of negotiation and compromise has facilitated the implementation of adjustments to the common standard. Talking about accommodation also means taking an interest in the principle of proportionality, which occupies a central position in legal reasoning when it comes to assessing the lawfulness of an action with regard to rights and freedoms ("Le principe de proportionnalité, by Sébastien Van Drooghenbroeck and Xavier Delgrange"). One of the contributions thus endeavors to take stock of the matter in the light of the case-law of the European Court of Human Rights relating to freedom of religion. In German law, the application of general civil law clauses leads to balanced solutions in the event of a conflict between a religious conviction and conflicting interests. In Spain, the Constitutional Court considered that accommodation is only possible if it is the subject of a legislative text, which has led judges to largely disregard the principle of proportionality.

In the context of *varia*, Maria Cristina Ivaldi recalls that the recognition by the Constitutional Court of secularism as the supreme principle of the Italian constitutional order did not, however, have the effect of excluding crucifixes from classrooms or limiting the wearing of religious symbols in public spaces. Marcio Henrique Pereira Ponzilacqua presents the Brazilian law of religions by placing it in its historical and cultural context, emphasizing recent jurisprudential developments. Finally, Valentine Zuber details a history of secularism from the angle of a political concept stemming from Western modernity and linked to a movement of secularization which has affected all modern nation-states.

Pierre-Henri Prélot's *chronicle* is devoted to two decisions of the Council of State rendered in 2018, one relating to a priority question of constitutionality (QPC) aimed at invalidating the election of a professor, priest of his state, as President of the University of Strasbourg; the other aimed at challenging the legality of a decree and a decree of May 2017 relating to the civil and civic training of chaplains.

The title of the thematic dossier nr. 8 "*Quel statut pour les ministres du culte*?" reflects a questioning linked to the profound changes in the religious landscape in France and more generally in Europe. For several decades, in fact, the pluralization of religious convictions and a movement of increasing secularization of society have redesigned the traditional frameworks for the organization of worship and the very conception of the minister of worship modeled on the model of the Catholic cleric. The

current diversity of cults and the recompositions at work within each of them have seen the emergence of new types of authorities alongside the classic function of the clergyman exercising a priesthood: imam, spiritual master, preacher, chaplain, pastoral cooperator, even social animator or association manager, without forgetting female figures, are all diverse profiles included today under the name of "religious leaders".

This is a general topic dealt with in issue 8 of the *Review* both in terms of theory (Brigitte Basdevant-Gaudemet, Le statut des ministres du culte en France au XIXe siècle; Francis Messner, Les statuts des ministres du culte dans les États de l'Union européenne; Françoise Curtit, Les droits et devoirs des ministres du culte devant la Cour européenne des droit de l'homme; Jean-Marie Woehrling, Statut des ministres du cult et droit française; Philippe Auvergnon, Ministres du culte et exclusion du contrat de travail: à propos d'un changement de paradigme; and Vincente Fortier, Imam et droit pénal: de quelques infractions liées à l'exercice des fonctions cultuelles") and in terms of practices in several European countries.

The *varia*, through very different approaches, also evoke the adaptations of the law to the evolution of religious landscapes: L. Bakir illustrates in a stimulating way the ambivalences of secularism conceived as a value, G. Bucumi analyzes the consequences of the he introduction of a confessional oath in the new constitution of Chad and A. Fornerod observes the effects of the plurality of beliefs on the regulation of the authorizations of absence for religious holidays of the employees and public agents.

L.-L. Christians and L. Vanbellingen inaugurate a *chronicle* of Belgian law and, to conclude this volume, the annual reading notes by C. Bordes, O. Saly-Rousset and Ph. Ségur present a selection of recent works which each explore their way the relationship between law and religion.

Finally, the consistency and scientific rigor of all the numbers in this Review, which is essential in this promising disciplinary field, should be emphasized.

Rev. Dr. Constantin Rus