

FREEDOM BUT...:

OUTLINE OF A COMPARATIVE APPROACH TO THE EXPRESSION OF RELIGIOUS CONVICTIONS IN THE WORKPLACE (AUSTRALIA, BRAZIL, CANADA, FRANCE, GREAT BRITAIN, THE NETHERLANDS, SENEGAL)

PHILIPPE AUVERGNON

Director of research at the CNRS, COMPTRASEC, UMR 5114 CNRS-Université de Bordeaux.



35 years ago, when we published the first issue of the *Comparative Labour and Social Security Law Bulletin*, with “Bulletin” now replaced by “Review”, we wanted to “contribute to the development of analysis and exchanges of ideas on labour and social security law around the world”. The “socialist” model of countries in Central and Eastern Europe was collapsing, with the resurgence of union freedom, the hope of new freedoms and rights for workers. Indeed, a future Nobel Prize winner had warned us that “the times they are a-changing”. In any case, it seems unlikely that at the time we would have thought it necessary to dedicate a report to “the expression of religious convictions at work”.¹

What explains our current interest in this matter? Most likely the fact that certain countries are witnessing a “return of religion”, including in the workplace. This “return” has come as a surprise to those who thought the phenomenon had disappeared. It is part of a rise of fundamentalism in all religions. This is manifested by “a pressing need to practise religious precepts in detail, with great formality, anytime and anywhere”.² Thus, although there is not always a rise in expressions of religious convictions in the workplace, it has now become more visible in certain countries, and as such, could be seen as more problematic. This being the case, it may be the result of personal intransigence or ignorance. However, we must not deceive ourselves. The fact that this is a current issue results from the current context of internationalisation and globalisation. Often, the problem does not result from expressions of religious convictions, rather from their diversification.³ This is essentially due to economic,

¹ Issue n° 1981/1 of the *Comparative Labour and Social Security Law Bulletin* contained a French translation of the statutes of the independent and self-governed Polish trade union “Solidarnosc”, a trade union supported by the Catholic Church and whose activity was not loath to integrating various displays of religious convictions in the workplace.

² Ph. Waquet, *L'entreprise et les libertés du salarié*, Ed. Liaisons Paris 2003, p. 175.

³ Cf. not. F. Camas Roda (coord), “*El ejercicio del derecho de libertad religiosa en el trabajo en el ámbito internacional y europeo*.”