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Control the uncontrollable: French secularism and 'religious risk'

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ABSTRACT

This contribution examines the French cult controversy in the late twentieth century through the theoretical framework of the 'risk society'. While the sociological concept of 'risk' has often been applied to issues such as nuclear energy and environmental degradation, it also offers a relevant framework for analysing the concept of religion. In the context of the 'second modernity', characterised by increased uncertainty, religion may be simultaneously reinterpreted as an axiological resource and an ontological risk. The case of the French cult controversy, culminating in 2001 with the About-Picard Law that strengthened the legal regulation of so-called '*sectes*', reveals how fears surrounding 'religious risk' gained traction in public discourse. By tracing the processes through which this fear expanded, I argue that such risk-conscious interpretations of religion have contributed to a transformation of French secularism (*laïcité*), shifting it from a liberal to a more authoritarian model. At the same time, the co-making processes of religion (as risk) and secularism (as control) illustrate the paradox inherent in risk management: efforts to control one form of risk ('cults') may generate new risks, such as the erosion of religious freedom, a core value of the secular state.

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How should a modern secular state, for which religious freedom is one of the core values, treat religious groups that are socially controversial? This is the crucial question that Japanese society faces following the assassination of former Prime Minister Shinzo Abe (1954–2022). The assassin, whose mother is a devout member of the Unification Church, had expressed deep resentment towards this religion, believing that its excessive demand for financial contributions had ruined his peaceful family life. Abe was known to have received the Church's political support and had allegedly provided the group with political protection. Since this tragedy, public opposition to the Unification Church has intensified in Japan, and in response to negative public sentiment, the government filed a request with the Tokyo District Court for an order to deprive the organisation of its tax-exempt status as a religious legal person. On 25 March 2025 the Tokyo District Court ruled in favour of the Japanese government and the case is now expected to be appealed at the Tokyo High Court. What surprised me, however, as a Japanese scholar specialising in

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French *laïcité*, was the increased attention given to France's anti-cult policies after the tragedy. Certain politicians and anti-cult activists, and even some scholars, promote the French case as an 'advanced model' and call for the introduction of similar legislature in Japan to prevent what they believe to be a serious risk.

Given this actuality of my own country, this contribution explores the French cult controversy in the late twentieth century within the theoretical framework of the 'risk society'.[1] In his landmark work *Risk Society*, first published in 1986 in the aftermath of the Chernobyl disaster, Ulrich Beck (1944–2015) described the contemporary world as one haunted by the perception of numerous risks engendered by the process of modernisation (Beck 1992). In this context of the 'second modernity', characterised by uncertainty, all the promises of modernity appear to have been broken: nuclear power, once a symbol of hope for clean and safe energy, has turned into a source of fear for potential catastrophe, as dramatically recalled by the disaster at Fukushima in 2011 (Beck, Suzuki, and Ito 2011). However, it is not only modern technology whose certitude is undermined by the dynamics of the 'reflexivity' that is intrinsic to modernity itself (Giddens 1990). As Jean-Paul Willaime and Philippe Portier highlighted recently, modern French secularism is also under question in this era of 'ultra-modernity' (Willaime and Portier 2021). Undeniably, the uncertainty of the contemporary world calls religion back to the public sphere as social capital, a societal source for collective identity and moral ethics, which may provide some certainty. However, at the same time, this 'deprivatisation' of religion (Casanova 1994) sometimes manifests as a social problem – the problematisation of certain religious movements – that aggravates the uncertainty of the world.[2]

By examining the case of the French cult controversy in the late twentieth century, I want to argue that a dual transformation has occurred in the perception of religion and the mode of secularism within this risk society. As several sociologists have critically observed (Altglas 2008; Beckford 2004; Palmer 2011), France has adopted an exceptionally proactive anti-cult policy compared to other Euro-American nations. The 2001 About-Picard Law, which 'aimed at strengthening the prevention and the repression of cultish movements infringing on human rights and fundamental freedoms', has been widely known even in the Japanese archipelago (Koizumi 2005; Nakajima 2002, 2004). However, no one has yet to approach the making of this law from the theoretical framework of the risk society. By applying this framework in this contribution, I reveal a process of co-construction: the appearance of new types of religious perception as 'risk' and the corresponding evolution of French secularism into a model of 'control'. Furthermore, the concept of risk allows me to contextualise this specific case within a broader discussion on religion and society, including, for example, social issues related to Islam and highlighted by the 2004 Law banning religious symbols (e.g. hijab) in public schools, the 2010 Law banning full-face covering (e.g. burka), and the 2022 Law targeting 'Islamist separatism'. If we accept the argument that French secularism has shifted its nature from liberal into authoritarian, this 'securitarian turn' (Portier 2016, 2021) can be sociologically understood as a product of the new perception of religion as risk.

This sociological terminology, 'risk', requires some preliminary methodological explanation, particularly when applied to living human groups. Does the use of this negative term imply that this contribution is trying to describe some religious groups as dangerous? Of course not. In fact, it is quite the opposite. Niklas Luhmann (1927–1998), author of *Risk: A Sociological Theory*, distinguished two ways of observing risk (Luhmann 1993). On

the one hand, as a 'first-order observation', risk is examined in terms of reality and objectivity. Is the religious group truly dangerous or not? Are the countermeasures appropriate? These questions are central to this level of observation. On the other hand, in a 'second-order observation', the focus shifts to the process by which the risk perception is constructed or deconstructed and the risk management is evaluated. In other words, on this level, the appropriateness of the risk perception and the risk management are put into parentheses. How has France become risk-conscious in terms of religion? How has France managed the risk related to religion? And what are the consequences of such risk management? These questions are central to my analysis. Is this seemingly neutral perspective too indecisive, irresponsible or even risky, when the issue concerns fundamental human rights, whether framed as the protection of individuals from 'cults' or as the defence of religious freedom from a 'witch-hunt'? Perhaps it is. As Luhmann suggests, after engaging in second-order observations, we must return to the first-order observation. However, before making a value judgement, we must first understand. This is a stance that is also urgently needed in the post-2022 Japanese context to which this contribution's argument might be equally relevant.

The ambivalence of 'religious risk' in relation to modernity

Is it appropriate to apply the sociological concept of risk to the religious domain? While sociologists often use this concept to analyse social issues related to ecology or technology, its application to religious matters has received relatively less attention. This is likely in part due to the potential risk of it being misinterpreted as an anti-religious argument, suggesting that all religions are potentially dangerous. However, if the sociological observation stands properly at the 'second order', this concept allows for a deeper understanding of the nature of labels, such as 'cults' and 'extremism', that have preoccupied the contemporary world over the past several decades. In effect, 'religious risk', understood simply as a risk related to religious matters, embodies sociologically ambivalent characteristics regarding its relationship with modernity. On the one hand, religious risk is a side effect of modernity. For example, the 'cult problem' can be viewed as a by-product of a religious process inherent to modernisation, which Danièle Hervieu-Léger calls the 'dissemination' of religiosity. Marked by the phenomena of rationalisation and individualisation, modernity does not necessarily result in secularisation as a general decline of religion; instead, through its pluralising effect, modernity encourages the proliferation of individualised and deinstitutionalised forms of religiosity, thereby disrupting the religious monopoly held by traditional institutions. In short, religion does not vanish in modernity but instead becomes fragmented and diffused. The emergence of new religious movements in the latter half of the twentieth century,[3] coinciding with the stagnation of traditional churches, is an effect of this pluralisation of religiosity, while the 'cult problem' is a side effect of it, arising in contexts where society cannot adjust to this religious pluralism (Hervieu-Léger 2001). In this regard, the religious risk associated with 'cults' is a product of modernity, as are all other risks with a global reach.

On the other hand, religious risk transcends borders established by modernity, both geographically and normatively, as the Japanese sociologist Inoue (2018) explains with his concept of 'de-borderisation (*borderless-ka*)'. Certain new religious movements that expanded in the late twentieth century are characterised not only

by their active engagement in overseas missions but also by the syncretic patchwork, or 'bricolage' to use Levi Strauss' term, of religious motifs drawn from various 'foreign' religious cultures in order to constitute their beliefs (see also Altglas 2014), whereas older new religious movements remained deeply rooted in the 'traditional' religious culture from which they emerged. Normatively, and more importantly for my argument, this process also challenges the modern conceptual dichotomies of private/public and religious/secular, because rather than being confined to the private sphere, contemporary religions also undergo 'deprivatisation' (Casanova 1994). This dual – geographic and normative – process of religious 'de-borderisation' is also evident in the idea of religious risk. For example, human catastrophes such as the 1978 mixture of mass suicide and homicide by Peoples Temple in Guyana, the 1993 tragedy of Branch Davidians in Texas, the 1995 subway gas attack by Aum Shinrikyō in Tokyo, and the mass suicides by Solar Temple in Canada, Switzerland, and France in the 1990s have demonstrated that the 'cult problem' is not specific to some countries but is a potential concern for all nation-states. Confronting these social problems, politics can no longer dismiss religious risk as merely a private matter. Thus, all states founded on the principle of secularism – sociologically defined as the equal guarantee of religious freedom by the separation of a religiously neutral state from any church (Baubérot and Milot 2011) – face the challenging question of how to regulate this religious risk that is now manifesting as public social problems.

In this global context, where modern nation-states are compelled to manage religious risk, the specificity of the French Republic lies – as is widely recognised (Altglas 2008; Beckford 2004; Palmer 2011) – in its active engagement in reinforcing state control over religious matters, in the name of defending public security against cults. Nathalie Luca provides a persuasive explanation for this French exceptionalism. She sees the cult problem as a kind of mirror reflecting the collective values (what she calls the *frontières symboliques* ['symbolic borders']) of each nation-state: certain groups are accused of being cults because they are perceived as infringing upon the collective value of the society. France's particularly active campaign against cults can be understood, according to Luca, as a defensive reaction to the infringement of its national value: *laïcité*, considered a part of French religious culture. In this culture, which defines religion as a private matter, prioritises Enlightenment-inspired freedom of thought, and exhibits a strong aversion towards religious engagement with lucrative activities, religious movements are accused of being cults (or '*sectes*' in French) when they are perceived as infringing these social norms (Luca 2004, 2008). While this sociological explanation is highly pertinent, I argue that French secularism, *laïcité*, should be analysed as a dynamic mode of state regulation of religion, rather than treated as a static tradition of French religious culture. As I will demonstrate, this is because the influence between secularism and religious risk is not mono-directional but mutual. In other words, the emergence of the perception of religious risk in the final decades of the twentieth century has transformed the very idea of *laïcité*. By adopting this perspective, this contribution seeks to emphasise not French exceptionalism, but rather its potentially universal aspects, implying that the perception of religious risk and the emergence of an authoritarian model of secularism are phenomena that could someday manifest in other societies or may already be present in other contexts, such as post-2022 Japan.

The beginnings of 'risk consciousness' in France

In France, awareness of the 'risk' associated with 'cults' began to emerge around 1980. Up until then and with the exception of anti-cult campaigns by certain interest groups, the sense of danger was not yet widely shared by French society. However, this period can be regarded as the nascent phase of the French cult controversy, as it was during this time that two leading anti-cult organisations were established: the National Union of Associations for the Defence of Families and Individuals (*Union Nationale des Associations de Défense des Familles et de l'individu*, UNADFI), founded in 1983 as a nationwide union of the regional Associations for the Defence of Family Values and Individuals (*Association pour la Défense des valeurs Familiales et de l'individu,* ADFI), and the Centre Against Mental Manipulation (*Centre Contre les Manipulations Mentales*, CCMM), founded in 1981. According to Étienne Ollion, CCMM played a crucial role in importing the 'mind control theory' from the United States. Ollion describes the effect of this importation as the 'secularisation of the definition of cult', marking a shift from viewing these groups as religious 'heretics' to considering them as 'cults' based on their alleged techniques of mental manipulation (Ollion 2017).

The first political response to these issues was a report by a Socialist member of the lower house of the Parliament, Alain Vivien. Submitted in 1983 to the prime minister, the Vivien Report, titled *Les sectes en France: Expressions de la liberté morale ou facteurs de manipulation?* ('Cults in France: Expression of Moral Freedom or Factors of Manipulation?'), was not published until 1985 (Vivien 1985). The immediate catalyst for the Vivien Report was an incident involving a young member of the Unification Church who had been kidnapped by the group in March 1982. Her family had enlisted the help of former members to persuade her to leave the group. This *affaire* of 'deprogramming' by anti-cult movements received widespread media coverage, sparking public interest in the issue. Shortly after this incident, in September 1982, Prime Minister Pierre Mauroy commissioned Vivien to investigate the cult problem. The Vivien Report identifies 116 'cults' operating in France, categorising them into four groups: oriental, syncretic/esoteric, racist/fascist, and others. Among these, nine religions are highlighted, including the Unification Church, Scientology, International Society for Krishna Consciousness, Transcendental Meditation, and Soka Gakkai. The Report also contains nine recommendations for addressing the cult problem, including the installation of an interministerial organisation to manage the issue, the promotion of 'open *laïcité*', and the reinforcement of international cooperation among organisations connected to this problem. However, public interest in the issue gradually declined. Consequently, even if – retrospectively – the Vivien Report was a milestone marking the beginning of the French cult controversy, it was largely forgotten until late 1995 when the real controversy began.

Cults as a sign of a spiritual 'void'

The Report's third recommendation – the promotion of 'open *laïcité*' – reflected the 1980s association of the cult problem with the alleged individual and psychological emptiness experienced by young people. According to Vivien, who was an enthusiastic republican and freethinker, *laïcité* is a 'particularity of French ideology', originating from the 'legitimate combat' of the Third Republic with the Catholic

Church over the control of the education system in the late nineteenth century. However, he continues, after the 1905 Law on the Separation of Church and State, *laïcité* in schools (except for the so-called philosophy class) has transformed to be nothing but 'a neutrality with respect to the reflection and teaching of the major philosophical and religious trends of the world in which France is situated' (Vivien 1985, 111). As a result, this 'degradation of *laïcité*', which neglects the 'metaphysical dimension inherent in human beings', has created a 'moral or religious "void"' among young people (Vivien 1985, 111). For Vivien, this is the root cause of the proliferation of cults in contemporary society. Based on this diagnosis, he prescribes the promotion of 'open *laïcité*' as a countermeasure and as a different form of *laïcité* which would allow 'talks and, if necessary, comparison of various religious or philosophical ideologies' in education. He emphasises that the purpose of this renewed form of *laïcité* would be to ensure that 'children and adolescents [...] cannot only form their own opinions about the choices they make or the advice they receive, but also acquire moral and spiritual tools enabling them to make these choices with the best guarantee of free judgement and intellectual autonomy' (Vivien 1985, 112).[4] This diagnosis of and prescription for the cult problem reflects a broader trend at a time when the spiritual 'void' among young people had become a universal explanation for various social problems and all countermeasures consisted of thinking about how to fill that void. In the case of Vivien, it was 'free judgement' (*libre examen*) and 'intellectual autonomy' – in short 'Reason'– that must fill this void.

Even though the cult problem had not yet widely captured the attention of the French public, this mode of interpretation of the issue – as a sign of a spiritual void – was shared among those involved in addressing it, including the Catholic Church. In 1986, one year after the publication of the Vivien Report, the Vatican released an ecclesial document titled *Sects or New Religious Movements: A Pastoral Challenge*. The French edition of this report was published the same year with a preface and articles written by Fr Jean Vernette (1929–2002), who was responsible for addressing the cult problem within the French Catholic Church. A collaborative work of the Vatican's four dicasteries – the Secretariat for Christian Unity, the Secretariat for Non-Christians, the Secretariat for Non-Believers, and the Pontifical Council for Culture – this Roman Document (*Document romain*) analyses the cult phenomenon through questionnaires sent to episcopal conferences around the world. In keeping with the ecumenical tone of Vatican II, far from accusing cults, this document analyses the reasons for their success in contemporary societies and seeks to draw some lessons for the Catholic Church: the cult problem, it argues, reflects the pathology of the dehumanising modern world, which is marked by a 'void crying out to be filled'. Furthermore, the reason for the success of cults is said to lie in their responses to the existential questions of young people, questions that the Catholic Church has failed to address. Thus, the report concludes that if the Catholic Church seeks to respond to these social needs, 'the challenge of cults could prove to be a useful stimulus for spiritual and ecclesial renewal' (*Église Catholique* 1986, 24).[5] While there is a difference in their tone, the Roman Document and the Vivien Report paradoxically share the common perspective that the cult problem is a product of

a psychological void among young people. Their difference lies only in how to fill it – by Reason for Vivien and by Faith for the Catholic Church.

Exceeding the threshold: Solar Temple and the Guyard Report

While in the 1980s the cult problem was regarded as an issue affecting only a limited number of individuals, namely those who had a 'void' in their hearts, as well as the anti-cult movements composed of parents of cult members and former members, it suddenly gained widespread and enduring public attention in the mid-1990s, when it was perceived as a significant risk for French society as a whole. A pivotal moment was, as Étienne Ollion notes, December 1995, when two major events coincided and fuelled a sense of fear (Ollion 2017, ch.3): the collective suicide by the Solar Temple in Vercors and the publication of the Guyard Report. While the tragic events of 1978 in the Peoples Temple in Guyana, the 1993 tragedy of the Branch Davidians in Waco, Texas, and the 1995 gas attack by Aum Shinrikyō in Tokyo had undoubtedly shocked the French public, these incidents were regarded merely as tragedies occurring in other counties, far from France – either across the Atlantic or in the literally 'Far East'. The first collective experience that made French people realise the fear of cults was the group suicide committed by members of the Solar Temple in December 1995. Founded by Joseph Di Mambro (1924–1994) and expanded under the charismatic leadership of Luc Jouret (1947–1994), this esoteric movement had already carried out group suicides in Canada and Switzerland in 1994 (Bodgan 2011). The following year, when the charred remains of its followers, many with their heads wrapped in plastic bags, were discovered in a mountain cave, French media provided extensive coverage sensationalising the gruesome and sinister nature of the incident. Thus, the risk consciousness against cults was widely shared within French society. The case of the Solar Temple demonstrates the aforementioned global characteristic of religious risk: it is not confined by artificial borders of nation-states but moves across the world – Canada, Switzerland, and finally, France. After this catastrophe, French society was haunted by a sense of menace and could no longer dismiss the risk of cults as external or irrelevant. To use Luhmann's terminology (Luhmann 1993), the cult problem had now crossed the 'threshold of catastrophe'.

Almost simultaneously with this tragedy, in December 1995 another report on cults was submitted to the National Assembly, titled *Les sectes en France* ('Cults in France'), by a parliamentary research commission (Guyard 1995). Published in January of the following year, in the middle of the sensationalist coverage of the Solar Temple's mass suicide, what eventually came to be known as the Guyard Report attracted significant attention, especially for its lists of 172 cults and ten criteria for identifying such groups. The ten criteria were 'mind destabilisation', 'excessive financial demands', 'induced rupture with the original environment', 'harm to physical integrity', 'forced recruitment of children', 'relatively antisocial discourse', 'causing trouble to public order', 'abundance of legal wrangling', 'eventual deviation from conventional economic circulation', and 'attempts to infiltrate public authorities'. The Guyard Report legitimises these criteria – originally used by the Central Directorate of General Intelligence (*Renseignements généraux*)[6] – as being based on the 'common sense that public opinion attributes to the concept [of cult]'. The Report acknowledges that a legal definition of cults based on what these groups believe would be impossible to implement in a secular state that needs

to remain neutral and guarantee the freedom of conscience. However, it is obvious that the application of these criteria is quite difficult because all of them are subjective. Thus, immediately after its publication, sociologists of religion criticised the Guyard Report, highlighting issues such as the arbitrariness of the criteria and the lack of research supporting its arguments (Champion and Cohen 1999; Introvigne and Melton 1996). Nevertheless, in a risk society haunted by a sense of fear, academic arguments are often relativised and can hardly gain traction: criticised as sympathisers or advocators of cults, sociologists of religion were nearly excluded from the decision-making process on the issue, which was dominated by anti-cult activists.

This episode exemplifies the potential conflict found in risk societies, between 'scientific rationality' and 'social rationality' (Beck 1992, ch.7). Indeed, whereas modern science gained social trust in the 'first modernity' by claiming the supremacy of its scientific rationality, this supposed monopoly of knowledge is increasingly undermined by the reflexive nature of modernity itself. As a result, scientific rationality is no longer accepted unquestioningly but instead enters into a potential conflict with alternative forms of social rationality. Beck describes this uncertainty inherent in modern science with reference to the natural sciences and social debates on ecological issues. The French cult controversy illustrates, however, that such scientific uncertainty is equally applicable to the social sciences: social rationality, represented by the anti-cult movements, stands, in this case, in direct opposition to the scientific rationality advocated by scholarly experts on new religious movements.

Arbitrariness of the borders : the uncertain status of 'traditional religions'

In addition to these well-known lists and criteria, the Guyard Report made some recommendations for responding to the risks from cults. For instance, an 'Interministerial Observatory' under the direct authority of the prime minister was immediately set up by the then Prime Minister Alain Juppé. More notable is the Report's proposal to create a High Council on Religion (*Haute conseil des cultes*), a proposition which illustrates that the 'catho-*laïcité*' – a mode of French secularism that privileges Catholicism – would be reinforced through the fight against cults. Indeed, there are two legal frameworks for religious organisations in France: the 1901 Association Law, which grants legal status for non-profit organisations (*associations déclarées*), and the 1905 Separation Law, which does the same for religious associations (*associations cultuelles*; lit. 'associations of worship'). Whereas most newly established religious movements in France operate under the former status, according to the Report, an increasing number of cults are seeking recognition as religious associations in order to gain greater social legitimacy. The Report proposes the creation of the High Council on Religion to evaluate the appropriateness of such requests and to prevent the eventual recognition of cults as religions.

Furthermore, the Report proposes that the representatives of 'recognised religions' (*religions reconnues*) would be included in the Council's membership: 'one-third of the members would represent recognised religions, one-third would consist of individuals with exceptional expertise in the religious field, and one-third would include representatives of relevant administrative authorities' (Guyard 1995). Although under the current French law on religion, based on the 1905 Separation Law, the category of recognised religion does not exist, the Report's language

evokes the nineteenth-century legal system of recognised religions, which granted official status only to traditional churches. This persistence of pre-twentieth-century conceptualisations of religion illustrates a discrepancy between the current legal system and the rapid religious pluralisation of French society in the late twentieth century (Hervieu-Léger 2001; Messner 1999). In this pluralistic context, *laïcité*, which was established as an institutional separation of church and state, now appears as a tool for distinguishing between (legitimate) traditional religions and other (potentially dangerous) cults.

However, under the uncertainty of a risk society, even traditional religions are not necessarily exempt from the risk of being accused of being a cult: all religions can be perceived as potential carriers of religious risk, as exemplified by another publication, *Les Naufragés de l'Ésprit* ('Castaways of the Spirit') which appeared in May 1996 (Baffoy, Delestre, and Sauzet 1996), only four months after the Guyard Report. The Charismatic Renewal movement, influenced by the Pentecostal movement in the United States, had been spreading within French Catholicism since the 1970s. Religious communities such as, for example, Chemin Neuf, Théophanie, and Les Béatitudes attracted many young Catholics under the official recognition of the Church. In this context, the aforementioned anthology accused some of these charismatic movements of 'cultish deviation' (*dérives sectaires*), drawing on the personal experiences of the three editors, all of whom had been involved in or were familiar with the Charismatic Renewal movements, as well as the testimonies of former members of these movements. As Samuel Dolbeau recently noted, their criticism of the Charismatic Renewal movement was largely framed within the broader context of the 'cult controversy', which is demonstrated by the subtitle, *Des sectes dans l'Église catholique* ('Cults in the Catholic Church'). Furthermore, the book uses terminology commonly associated with cults, such as 'deviation', 'domination', 'manipulation', and 'violation of conscience'. In other words, the accusation against the Catholic Charismatic Renewal was framed using the anti-cult movement's vocabulary (Dolbeau 2022).

The Catholic Church, which had seemingly been distinguished categorically from cults, now found itself facing accusations of harbouring cults within its own ranks. The *Dico des sectes* ('Dictionary of Cults'), published in 1998 by the anti-cult organisation CCMM, lists certain Charismatic Renewal movements, whereas none had been included in the Guyard Report (Drogou and Centre Roger-Ikor 1998). This expansion of the contours of religious risk, where all religions – whether traditional or not – may be considered potentially dangerous, will be repeated by future fusions between problems of cults and the 'radicalisation' in the 2010s (Bouzar 2014, 2015) and by the recent scandals involving sexual abuse within the Catholic Church (Béraud 2021).

The anti-cult movement's fight to protect the Republic

The victory of the left coalition in the 1997 legislative election intensified the French anti-cult movement. The social perception of the cult issue had changed significantly, compared to that of the 1980s: the phenomenon was no longer seen as a sign of spiritual 'void' among young people, but as a menace threatening the national identity of the French Republic. Although Prime Minister Alain Juppé had established the Interministerial Observatory on Cults (*Observatoire interministériel sur*

les sectes) in 1996 following the recommendation of the Guyard Report, the Observatory's scale was modest. After the 1997 election, this organisation was restructured into the Interministerial Mission to Combat Cults (*Mission interministérielle de lutte contre les sectes*, or MILS), which significantly intensified its anti-cult nature under the direction of Alain Vivien, author of the 1983 Report and former president of the CCMM.

In its first report, MILS proposes a definition which reveals the fact that the issue concerns now not only young people but also French society and French national values: 'A cult is an association with a totalitarian structure, whether it declares religious objectives or not, whose behaviour infringes Human Rights and the social order' (MILS 2000a, 45). In the text preceding this definition, the annual report claims that there is a radical opposition between democracy, which is embodied in human rights, and the totalitarianism of cults. Compared to the 1980s, this ideological opposition marks a significant shift in the perspective of the anti-cult movement, which now conceives of the fight against cults as a democratic struggle to protect human rights from totalitarian groups. However, even if it is true that democracy demands a fight against extremism, are the freedom of religion and the protection of religious minorities not equally important under democracy? To this fundamental yet abstract question, MILS responded in its annual report of the following year by distinguishing two types of democracy: French republicanism and American democracy.

The fight against cults was now conceived as a fight against another menace for France: American cultural hegemony. The escalation of the French anti-cult policy since the publication of the Guyard Report, and particularly since the establishment of MILS, has drawn criticism not only from sociologists of religion but also from the United States Commission on International Religious Freedom (USCIRF), which was established in 1998. In its annual report monitoring the guarantee of religious freedom in the world, USCIRF condemned France's anti-cult policy as infringing religious freedom. MILS' 2000 report was a response to such criticism, highlighting the perceived differences between French and American concepts of liberty.

According to MILS, in the United States the freedom guaranteed by the Declaration of Independence represents 'the freedom of religion, freedom of a collective nature and which contrasts with the freedom of thought, which pertains only to individual sovereignty' (MILS 2000b, 8). Furthermore, MILS argued that the First Amendment of the American Constitution deprives the legislator 'of all capacity to regulate and, by not defining what is a religion, gives a blank check to all kinds of self-assertions'. However, the report argues, 'France's stance is fundamentally different' (MILS 2000b, 8). While the Declaration of the Rights of Man and Citizen guarantees religious freedom, it also demands respect for public order. Under this 'centenary principle' (*principe séculaire*), the 1901 Association Law and the 1905 Separation Law established the basis of 'republican liberty'. French anti-cult policy, therefore, is rooted in 'the purest republican tradition' and aims at 'protecting human rights from the threats posed by modern forms of obscurantism' (MILS 2000b, 9). Here, the opposition between the laissez-faire 'freedom of conscience' and the rationalist 'freedom of thought' (Baubérot 1999) overlaps with the opposition between the United States and the French Republic. Amid the global expansion of American neoliberalism and multiculturalism, this type of dichotomic argument and the praise for the 'French

exception' were very common in 1990s France (e.g. Debray 1989). In this context, the anti-cult campaign was perceived not only as a fight against cults but also as a broader struggle for French national identity.

The transformation of *laïcité* under 'religious risks'

The 2001 About-Picard Law is a legislative embodiment of the collective fear of the risk posed by cults, which are perceived as a menace to the French Republic. Despite strong opposition from religious leaders and sociologists of religion, this 2001 Law established a new criminal offence (Article 20) related to 'fraudulent abuse of the state of ignorance or weakness' (*abus frauduleux de l'état d'ignorance ou de faiblesse*).[7] While detailed critical analyses have already been published on this matter (e.g. Fortier 2016; Roland 2003), there have been fewer attempts at contextualising the About-Picard Law within the broader contemporary transformation of French *laïcité*.

The About-Picard Law can be regarded as a byproduct of the transformation of 'second modernity'. On the one hand, second modernity is, as Jean-Paul Willaime argues, an 'ultra-modernity' where French *laïcité* may appear as a '*laïcité* of recognition' (Willaime 2007). Institutionalised by the 1905 Separation Law, French *laïcité* of the twentieth century was grounded in the principle of separation between religion and politics. Political power no longer required any religious legitimation because modernity itself functioned as a source of political legitimation, as public schools and hospitals became 'sanctuaries of the Republic' (Baubérot and Liogier 2010). However, Willaime argues that in the contemporary world, the modern effect of disenchantment undermines modernity itself, and the autonomy of politics is no longer self-evident. In this uncertain context of ultra-modernity, religion may assume a public role as a 'symbolic resource' providing stability and certainty for human society. This is why former President Nicolas Sarkozy proposed in his 2007 speech in Lateran, Rome, a 'positive *laïcité*' that recognises Christianity as a cultural or symbolic 'root' of the French Republic. In short, in the era of ultra-modernity, French *laïcité* changed its nature from 'separation' to 'recognition'.

At the same time, the 'second modernity' is also, as Beck argued, characterised by a 'risk society'. As I have shown, in the case of the French cult problem, politics are no longer indifferent to the religious risk that has emerged in the public sphere, supposedly threatening not only the individuals directly involved but also the identity of the French Republic as a whole. This type of *laïcité*, which intervenes in religious issues out of fear of religious risk, is not limited to the cult problem. The trajectory of the first two decades of the twenty-first century – from the well-known 2004 Law banning *signes religieux* (religious signs) in public schools, to the 2022 Law targeting Islamist '*séparatisme*' and the 2024 Law reinforcing the government's anti-cult policy – reveals that this type of state interference in the name of social order is not a temporary phenomenon but a long-lasting trend in French *laïcité*. In other words, French *laïcité* has, since the last decade of the twentieth century, experienced what Philippe Portier calls a 'securitarian turn' (Portier 2021).

Although this 'securitisation' is particularly evident in the context of the exclusionary policies towards Islam and immigration (Wada 2023), it can also be observed in relation to new religious movements. From the perspective of the 'co-making of law and religion', it is crucial to note that this transformation of the 'law' (into the securitarian *laïcité*) has occurred alongside the emergence of a new representation of 'religion' (as risk). If the

reinforcement of authoritarian control over religious risk seems like a French exception, is the new representation of religion as a risk also particular to the Republic? If not, one of the tasks of social science is not merely to criticise (or perhaps, praise) the French anti-cult policy, but rather to draw some lessons about the difficulty of combating the perceived religious risk.

The paradox of risk and the ambivalence of 'surveillance'

The situation in France since the last decades of the twentieth century illustrates the typical challenges that are inherent in controlling 'religious risk'. This is because, as I have argued elsewhere, the religious risk has two contradictory characteristics (Tanaka 2023). On the one hand, there is an *ambiguity of the object*: as is evident in the notions of 'cult' or 'extremism', it is very difficult to define objectively what is dangerous and what is safe, even if the sense of fear is socially shared. When it comes to religious matters, the definition becomes all the more difficult since, theoretically, religious freedom is one of the most important constitutional values in democratic societies, and the appropriateness of judgement cannot be practically proved until the perceived danger manifests as a real catastrophe. On the other hand, there is the *reality of the harm*: even if the statistical likelihood is low, it is undeniable that victims exist, and tragedies happen. After the deadly events caused by some religious groups and repeated acts of terrorism, it is difficult to deny this sense of menace by merely relativising it as a constructed illusion, even if the events may have been exaggerated. Here is the dilemma posed by religious risk. It seems that the French Republic has chosen to control religious risk, giving more weight to the reality of the harm than to the ambiguity of the object. Can this direction provide a solution? It seems it cannot, because the management of religious risk generates another risk: that of the potential discrimination against some religious groups that fully respect public order and that of the potential infringement of religious freedom, a core principle of democracy that France claims to protect. In short, as Luhmann points out, paradoxically, efforts at risk management inevitably produce new risk (Luhmann 1993): like all other risks, religious risk is uncontrollable.

Control the uncontrollable. This is the task that French *laïcité* has chosen in the twenty-first century. It is important to note that this transformation of *laïcité* is a product not only of a top-down imposition by state power but also of a bottom-up demand from society. In the case of the cult issue, a 2000 opinion poll conducted by the originally Catholic weekly magazine *La Vie* reveals that 86% of respondents supported the prohibition of certain cults and 66% perceived cults as a threat to democracy.[8] This perception of danger remained consistent in 2010.[9] Such widely shared negative views indicate that the reinforcement of state control over religious matters is a co-production of political leadership and public sentiment. To better understand this paradoxical shift in French *laïcité* – where democratic demands lead to authoritarian control – it is helpful to recall David Lyon's theory of surveillance: a 'surveillance society' provides at once both 'control' and 'care' (Lyon 2001). Even if it is true that a surveillance system reinforces state control over daily life and diminishes freedom, in a form of modernity where uncertainty generates anxiety, the same system can be considered a form of care that protects people from uncertainties. This ambiguity of surveillance is observable in the case of religious risk management: if, as Philippe Portier demonstrates, the '*laïcité* of surveillance' (Portier 2016,

2021), which reinforces state control over religious matters, is imposed in the conditions of ultra-modernity, it is because it appears to serve as an appropriate form of care for the collective fear of religious risk: when society is haunted by the perception of risk, it calls upon the state to provide security. Is this situation unique to France? In the case of Japan, although there is still no general anti-cult legislation like the About-Picard Law, it seems that the fear of religious risk is widely shared. If so, the question is not about whether France is exceptional, but rather to what extent Japan resembles it.

Secularism faces a global religious risk

A range of studies have demonstrated the heterogeneity of secularism in the modern era. The process of its formation has been shown to vary according to the religious culture or political context of each nation-state (e.g. Baubérot, Milot, and Portier 2014). Is this diversity of secularism maintained in the twenty-first century? In November 2011, in the aftermath of 9/11, Beck argued that the emergence of a 'world risk society', where the assumption of risk is globally shared, constitutes an opportunity to develop a cosmopolitanism that fosters international solidarity in the face of globalised risks such as terrorism, warfare, and environmental degradation – because these major risks, by their very nature, transcend the geographical borders of the modern nation-state (Beck 2002). Nevertheless, his optimism was undermined by the war on the so-called 'Axis of Evil', and the concomitant strengthening of state surveillance of American citizens. The collective anxiety over the risk of terrorism resulted not in cosmopolitan solidarity, but rather in the emergence of an authoritarianism that legitimised state surveillance in the name of social security and national defence. Despite the disagreement between France and the United States regarding the French 'cult' policy, it is noteworthy that, from the perspective of the risk society, in the opening years of the twenty-first century the two nations experienced a similar inclination towards authoritarianism in response to the perception of risk engendered by certain religious actors considered as dangerous – radical Islamism in the United States, cults in France. This simultaneity across the Atlantic gives rise to the hypothesis that the 'world risk society' engenders not cosmopolitan solidarity but, paradoxically, a global 'convergence' of secularism (e.g. Portier 2014) into the authoritarian model. The case of Japan in the aftermath of the assassination of former Prime Minister Abe serves as one of the litmus tests for the pertinence of this hypothesis on the symbiotic affinity between religious risk and authoritarian secularism.

Notes

1. This contribution relies exclusively on published materials and therefore does not require review by the Japanese university with which the author is affiliated.
2. On the theoretical potential of 'risk' and 'resource' perspectives to understand the complexity of religious governance in the contemporary world, see Lundgren (2023).
3. It should be noted that the concept of 'new religious movement', which comes from the Japanese terms *shin-shūkyo* (lit. 'new religion') has been called into question due to its arbitrariness and the fact that this concept has implicitly served to distinguish between authentic religions and inauthentic ones. For a discussion related to this conceptual critique, see, for example, Stausberg, Van Der Haven, and Baffelli (2023) and Thomas (2019).
4. Unless indicated otherwise, all sources were translated from French to English by the author.

5. On this document, see also Bernos (2002).
6. This was the intelligence service of the French National Police until 2008 when it was merged into the newly founded General Directorate for Internal Security.
7. The legal text is available from: https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000000589924.
8. See the results of the opinion poll in Sondage exclusif Institut CSA, *La Vie*, 14–15 February 2000. Available from: https://www.ipsos.com/fr-fr/faut-il-dissoudre-les-sectes. Accessed 22 February 2026.
9. See the results of the opinion poll in Sondage IPSOS/SIG – September 2010. Available from: https://www.miviludes.interieur.gouv.fr/publications-de-la-miviludes/etudes-et-sondages/sondage-ipsossig-septembre-2010. Accessed 22 February 2026.

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