

# Countering obstacles to artistic *freedom of creation* and dissemination

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Interrupting a performance or exerting pressure to prevent it from taking place, stealing books from a library and burning them, daubing graffiti on a bookshop window, or vandalising a visual artist's exhibition because one takes issue with its feminist content... Restrictions on the freedoms of creation and dissemination are now evident across all artistic disciplines. This is an alarming situation about which the Senate had already sounded the alarm in a recent report evaluating the Law on Freedom of Creation, Architecture and Heritage (LCAP).

In recent years, the forms of obstruction have multiplied and have increasingly turned to physical and digital violence. Protest no longer takes place in a calm and respectful manner towards works and artists; it seeks to terrorise and obstruct. Venues are facing extreme acts of vandalism, such as the feminist exhibition 'Benzine Cyprine' in Nîmes, which was savagely ransacked, with 90% of the photographs destroyed and trampled underfoot. In Paris, the Violette and Co bookshop has been subjected to a violent intimidation campaign, coupled with homophobic and Islamophobic graffiti on its shopfront. Online, massive cyberbullying campaigns are being orchestrated to destroy works and threaten artists.

This phenomenon is all the more worrying given the diversification of the perpetrators' profiles. Whilst until recently, those carrying out acts of obstruction mainly claimed affiliation with far-right movements, today their profiles have diversified: activist groups (feminist, anti-racist, LGBTQ+), parents' groups, as well as elected representatives of all political persuasions and prefects no longer hesitate to interfere in programming or to use public funds as a means of financial blackmail.

This constant hostility has major and destructive consequences for culture. Out of fear, many artists practise self-censorship, and cultural programming becomes sanitised, leading to a dramatic loss of artistic diversity. Beyond the works themselves, it is lives that are being undermined: victims face death threats even in their private lives, which can lead to people abandoning their careers and suffering deep trauma. Yet, there is currently no dedicated public space to give a voice to these victims and provide them with support.

Whilst there are as yet no official national statistics to quantify the exact scale of the phenomenon, the warning issued by the entire cultural sector is unequivocal. Inaction is no longer an option, for it is democracy itself that is directly under threat.

**10%**

**of local authorities report physical damage to cultural property in 2024 and 2025**

(2024 Barometer from the Observatory of Cultural Policies)

**50%**

**of local authorities reduced their cultural budgets between 2024 and 2025**

(Cultural Policy Observatory Barometer)

## Four key areas for safeguarding *artistic freedom of creation and expression*

### 1 TO ENSURE THE EFFECTIVE AND LASTING PROTECTION OF THESE TWO FUNDAMENTAL FREEDOMS

#### → How?

By establishing an Independent Administrative Authority (IAA) for regulation and mediation, tasked with ensuring compliance with the law and comprehensively documenting any obstacles.

#### → Why?

To shield cultural actors from local political considerations and provide them with a specialist avenue of recourse against obstacles, wherever they may arise.

### 2 ENSURING THE DISSEMINATION OF ART

#### → How?

By sending a circular to prefects reminding them that cancelling an event must remain an exceptional measure and that the State must prioritise ensuring the safe presentation of artistic works.

#### → Why?

To prevent the mere threat of a breach of public order from becoming an effective tool of censorship, and to safeguard the diversity of cultural life.

### 3 TO BRING TO JUSTICE THOSE WHO OBSTRUCT ARTISTIC FREEDOM OF CREATION AND EXPRESSION

#### → How?

Amend the provisions of the Criminal Code relating to the offence of obstruction.

#### → Why?

By removing the two conditions – collusion and the threat – currently required to establish the offence of obstruction, victims of this offence will find it easier to take legal action and secure a conviction against their attackers.

### 4 DEVELOPING A SUPPORT PATHWAY FOR VICTIMS OF DISCRIMINATION

#### → How?

By coordinating a multidisciplinary support programme offering legal assistance, psychological support and guidance on returning to work.

#### → Why?

To address the trauma and the material, emotional and financial harm suffered by artists, thereby preventing self-censorship or the abandonment of their careers.

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