



NEWSLETTER

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ICLARS Announces Its 5th Conference (Rio de Janeiro)

International Consortium for Law and Religion Studies (ICLARS) announced that its fifth worldwide conference, this time on the topic **Living Together in Diversity: Strategies from Law and Religion**, takes place from 12th to 14th September 2018 at the Pontifical Catholic University of Rio de Janeiro (Brazil). Deadline for submitting abstracts and opening of registration is 10th December 2017. For further information see an attached invitation.

Previous conference took place in Milano (2009), Santiago de Chile (2011), Richmond, Williamsburg and Charlottesville, Virginia, USA (2013) and in Oxford (2016).

Conference on Religious Education in Innsbruck

University of Innsbruck (Austria) sent out invitations to conference on the topic **Perspectives of Confessional Religious Education in Austria** (Zukunftsperspektiven für den konfessionellen Religionsunterricht in Österreich). The conference takes place on 4th and 5th December 2017 at the School of Catholic Theology of University of Innsbruck. An application is to be submitted on juliane.kapferer@uibk.ac.at until 17th November 2017. Prof. Wilhelm Rees (Innsbruck), Prof. Norbert Mette (Dortmund), Dr. Doris Lindner (Vienna) and Prof. Wolfgang Weirer (Graz) give their lectures at the conference.

16th International Congress of Canon Law

The 16th International Congress of Canon Law organized by *Consociatio Internationalis Studio Iuris Canonici Promovendo* took place from 4th to 7th October 2017 in Rome. This year's topic was **Canon Law and Legal Culture at the Centenary of the 1917 Codex Iuris Canonici**. Lectures took place at the Pontifical Lateran University, Pontifical University of the Holy Cross and Pontifical Gregorian University.

Around 200 participants from around the world, including not only members of the consortium, but also other experts from universities and tribunals, gathered at the conference. From the Czech Republic, members of the consortium as well as the Church Law Society Prof. Damián Němec, Dr. Monika Menke and Dr. Jiří Dvořáček from the Saints Cyril and Methodius School of Theology of Palacký University in Olomouc, and Jiří Zámečník, postgraduate student of the University of the Holy Cross in Rome, attended the conference. Lectures and discussions took place in Italian, Spanish, English, French and German. Thirty-eight extensive lectures, interspersed with questions and discussions, were presented and supplemented by other thirty shorter papers.



Entrance to the Lateran University in Rome

Photo Monika Menke

The view of humanity and new reflection of human rights were the basis for reflection on the topic in different legal cultures. The central idea of the congress was not reflection of history, but rather the ecclesiological and epistemological aspect of legal text development and the linking of canonistic with secular legal systems and the promotion of interdisciplinarity in education of lawyers and canonists.

The most recent contributions included lectures by Cardinal Péter Erdő from Budapest (*Canon Law and Theology*), Mons. Cyril Vasil' from Rome (*Codification of Law of Eastern Churches: Expectations and Realization*), Prof. Carlos José Errázuriz (*Basic Aspects of Canonical Legal Issues of Marriage and Family in Dimension of Justice and Mercy*)

or a contribution on the same subject, viewed by the procedural optics, introduced by Prof. Manuel Arroba Conde from Rome, as well as papers delivered on the second day at a round table on the relationship between canon law and the legal cultures of Protestantism, Judaism, Islam, legal cultures of the East and common law.

The general assembly of the consortium, which elected members of the management (two vice-chairmen, sixteen-member council and two reviewers), took place on afternoon of the second day. The closing speech of the last day was presented by president of the *Consociatio Internationalis Studio Iuris Canonici promoendo* Prof. Luis Navarro. The congress was completed by the solemn mass, chaired by the secretary of the Pontifical Council for Legislative Texts Mons. Juan Ignacio Arrieta. Common dinner in the Gregorian University foyer, where specialized discussions continued, followed.

The message sent by Pope Francis to the congress was presented by Pietro Parolin, Cardinal Secretary of State. It mentions the law principle *nulla est caritas sine iustitia*. The purpose of the congress is not only to celebrate the historic anniversary. It is important to understand the pastoral nature of the law. The Pope recalled the words of his predecessor, Pope Benedict XVI, that the law should be a condition of love in communion and in the Church. A scientific publication, summarizing the results of discussions and contributions of the participants of the congress, will be published.

Monika Menke



Lecture of Mons. Professor Cyril Vasil'

Photo Monika Menke

From New Publications

REES, Wilhelm, ROCA, María, SCHANDA, Balázs (eds.), *Neuere Entwicklungen im Religionsrecht europäischer Staaten*, Duncker & Humblot, Berlin, 2013, 884 pp., ISBN 978-3-428-14161-6,

including:

SCHWARZ, Karl W., *Protestantische Theologenausbildung in mitteleuropäischer Perspektive (SOMEF)*, Religionsrechtliche Überlegungen, pp. 667–686.

Journals

Ecclesiastical Law Journal, Cambridge University Press, Cambridge, ISSN 0956-618X, Vol 19 No 3, September 2017,

including:

PEARCE, Augur, *Marriage Reform and the Constitution of the United Reformed Church*, pp. 307–324,

WITTE, John, *From Gospel to Law: The Lutheran Reformation and Its Impact on Legal Culture*, pp. 271–291.

Oxford Journal of Law and Religion, Oxford University Press, Oxford, ISSN 2047-0770, Volume 6, Number 2, June 2017,

including:

ADENITIRE, John Olusegun, *Conscientious Exemptions: From Toleration to Neutrality; From Neutrality to Respect*, pp. 268–292,

BARAK-CORREN, Netta, *Beyond Dissent and Compliance: Religious Decision Makers and Secular Law*, pp. 293–322,

HAHN, Judith, 'Not in Heaven', What the Talmudic Tale on the Oven of Akhnai May Contribute to the Recent Debates on the Development of Catholic Canon Law, pp. 372–398,

KURNAZ, Serdar, *Who is the Lawgiver?*, The Hermeneutical Grounds of the Methods of Interpreting Qur'an and Sunna (istinbāṭ al-aḥkām), pp. 347–371,

VANCE, Kevin, *The Golden Thread of Religious Liberty: Comparing the Thought of John Locke and James Madison*, pp. 227–252.

Zeitschrift der Savigny-Stiftung für Rechtsgeschichte, Kanonistische Abteilung, Böhlau Verlag, Wien–Köln–Weimar, ISSN 0323-4142,

Band 95, Nummer 1 (2009),

including:

SCHWARZ, Karl W., *Zur Rechtsgeschichte des österreichischen Protestantismus*, pp. 554–575.

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SAVE THE DATE ANNOUNCEMENT

LIVING TOGETHER IN DIVERSITY: STRATEGIES FROM LAW AND RELIGION

FIFTH ICLARS CONFERENCE, RIO DE JANEIRO 12-14 SEPTEMBER 2018

CONCEPT PAPER

Demographic projections indicate that cultural and religious diversity will increase dramatically in the coming decades in many parts of the world. What are the contributions that law and religion studies can give in response to the challenges posed by increasing religious and cultural diversity? What are the political, legal and sociological strategies “from law and religion” that can enable citizens to live together with religious and cultural difference?

Granting freedom of religion or belief to everyone is obvious. But what theological and philosophical conceptions and what political and legal practices of freedom of religion or belief are most helpful in addressing cultural and religious diversification. Historically, differing conceptions and practices have been dominant in various regions of the world. Today freedom of religion or belief is granted in many different ways on a continuum between the two extremities of promoting equality or encouraging diversity. In Western countries, freedom of religion or belief has been primarily granted through equality, discarding the regimes of religiously-based personal laws that were in force until the 18th century and replacing them with a uniform State legal system. In other parts of the world – India or South Africa for example – freedom of religion or belief is promoted through diversity, maintaining systems of personal laws that give citizens different civil (and sometimes even political) rights based on religious confession. Both systems have their weak and strong points and cannot be understood without taking into consideration the history, culture, and social conditions of different parts of the world. What is the impact of increasing religious and cultural diversification on different iterations of freedom of religion or belief and what are the best strategies to make freedom of religion or belief an effective tool for living together in diversity are the questions which lie at the core of this conference.

THE CONFERENCE GENERAL THEME IS SUBDIVIDED INTO THE FOLLOWING TOPICS

1. Majorities and Minorities (including indigenous peoples). Is the distinction between religious majorities and minorities a helpful starting point to approach the issue of freedom of religion or belief as a tool for “living together in diversity”? Is speaking of majorities and minorities harmful to the respect of individual rights, including the right to freedom of religion or belief? What are the best legal strategies to grant freedom of religion or belief to both majorities and minorities? Should



indigenous people be set apart as a specific group that deserves protection or should they be included in the broader category of minority? Is State recognition of the customary law of indigenous populations a helpful tool to safeguard cultural and religious diversity?

2. Private and Public life (education, family). Is the distinction public/private meaningful for strategies of granting freedom of religion or belief and living together in diversity? Is it helpful in areas of human life (education, family and so on) that include a public and private dimension? Is a more inclusive notion of public life required to address the issue of religious and cultural diversification? How far can we go in thinking of a plural family law and a plural education system?

3. Religious freedom (laws that may or may not contribute to living together in diversity). Is “living together in diversity” dependent on a strong notion and practice of freedom of religion or belief? What is the role and place of freedom of conscience? How much does religious and cultural diversification affect the way we conceive and practice freedom of religion or belief? What conceptions of freedom of religion or belief have historically proved to be more conducive to a society where living together in diversity is possible? International law regulates freedom of religion or belief: is it also capable of addressing religious and cultural diversity?

4. Structural and institutional level (citizenship, neutrality). Are forms of “differentiated citizenship” required or helpful in order to live together in difference? What impact could it have on freedom of religion or belief and equal treatment? Is the notion of “neutrality” scientifically sound and, if so, what is its content when applied to State laws? Is the separation of State and religion an effective strategy for maximizing freedom of religion or belief in a highly diverse society? What other strategies could be devised? Are States with a dominant religion inherently hostile to the promotion of religious diversity? Should religious diversity find expression at a political level, through the creation of religiously-based political parties?

CALL FOR PAPERS

Scholars are invited to submit papers for the conference, sending an abstract of no more than 300 words, in English by December 10, 2017, identifying to which of the four specific topics the paper relates.

Submission link:

<https://easychair.org/cfp/5th-ICLARSConferenceRio2018>

A separate session is reserved for young scholars (35 years or younger, studying for a Master’s degree or Doctorate).

Participants will be expected to fund their own travel and accommodation costs, but modest bursaries are available for young scholars or in cases of hardship.



VENUE

The Conference will be held at the Pontifical Catholic University of Rio de Janeiro (Departamento de Direito: <http://www.jur.puc-rio.br/>) at Rua Marquês de São Vicente, 225, Gávea – Rio de Janeiro, RJ – Brasil – 22451-900.

KEY DATES

Dec. 10, 2017: Deadline for submitting abstracts and opening of registration.

Jan. 10, 2018: Notification of acceptance of papers and circulation of list of convenient hotels in Rio de Janeiro with discounted rates.

March 10, 2018: Circulation of provisional program.

August 10, 2018: Deadline for registration and submission of papers for consideration for publication.

August 12, 2018: Circulation of final program.

Sept. 12-14, 2018: Fifth ICLARS Conference, Pontifical Catholic University, Rio do Janeiro.

SUPPORTING THE FIFTH ICLARS CONFERENCE

We kindly ask Academic Centers to collaborate with the next ICLARS Conference. Some possibilities are:

1. Sponsorship for lunch (US\$2.000);
2. Supporter (US\$ 5.000 including their people's expenses);
3. Co-sponsor (US\$10.000);
4. Sponsor (US\$ 50.000).

For those who can collaborate, please contact Ana María Celis to acelisbrunet@gmail.com.