

CONFERENCE REPORTS

COMPARATIVE APPROACHES TO REGULATING
RELIGION AND BELIEF: STATE AUTHORITY AND
THE RULE OF LAW

BEIJING, 17-19 OCTOBER 2004

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The Chinese Academy of Social Sciences (CASS) hosted in October 2004 the first international forum held in China on religion and the rule of law. This conference, which examined in a comparative framework various methods of regulating religious affairs, was hosted by the Academy's Institute for World Religions and co-sponsored by the Law and Religion Program at Emory University Law School; the Whitney R Harris Institute for Global Legal Studies at Washington University in St Louis; the Institute for European Constitutional Law at the University of Trier; and the Beijing Pu Shi Institute for Social Science Research.

Religion and the management of religious groups are naturally topics of some sensitivity in China, and this conference provided for the first time a platform for dialogue among Chinese scholars and officials and their foreign counterparts. Drawing on a diverse group of distinguished participants from ten countries, the event brought together legal experts with scholars of religion to discuss in a comparative context issues of mutual interest such as questions of registration of religious groups, religion in the public space, autonomy, social activities of religious groups, and legal approaches to the management of religion.

Recent research on comparative patterns of religion law by T Jeremy Gunn of Emory Law School (publication forthcoming) provided the general framework for the conference proceedings; Dr Gunn, along with Professors Jin Ze and Liu Peng of CASS, opened the event with comparative perspectives on state approaches to regulating religion and belief, with particular emphasis on the role of laws (cf regulations) in the management of such issues.

The conference included lively discussion on these themes and participants found broad agreement on the benefit of anchoring approaches to religion management in the rule of law, and of duly accounting for the particulars of cultural and legal history in the construction of such laws. Moreover, the conference was favourably received, garnering a positive report in

the government's *People's Daily* and the international press. In addition, the organisers and co-sponsors expressed strong interest in seeing this conference serve as the first of an ongoing international forum series on religion and the rule of law that would regularly bring together academics and policymakers from Asia and the West.

Following the introductory session on the first day, Xu Zhangrun of Tsinghua University presided over a panel on State Institutions Responsible for Regulating Religious Organisations, with presentations by Zhang Xunmou of the State Administration for Religious Affairs; Mark Hill, Fellow of the Centre for Law and Religion, Cardiff University; and Zhang Qianfan of Peking University. Robert Metcalf of the Chinese University of Political Science and Law presided over the next panel, Types of Registration of Religious and Belief Organisations, and presenters included Liu Peifeng of Tsinghua University; Cole Durham of Brigham Young University; and Li Xiangping of Shanghai University. The final session of the first day, Religion in the Public Space, was chaired by Cai Dingjian of the Chinese University of Political Science and Law, and included Qiu Yonghui and Wang Yujie from CASS; James Richardson of the University of Nevada, Reno; and Arundhati Virmani of the University of Aix-Marseille.

The second full day of the conference included four sessions. The first, Sects, Cults, and New Religious Movements, was chaired by Professor Liu Peng of CASS with presentations by Silvio Ferrari of the University of Milan; Wei Hong of the National School of Administration; and Leigh Greenhaw of Washington University. Ban Ban Duo Jie of the Central University for Nationalities presided over the second panel, Autonomy and Self-Determination of Religious Groups, with four presentations: Louis-Léon Christians of the University of Louvain; Yang Junfeng and Gao Quanxi of CASS; and Javier Martínez-Torrón of Complutense University, Madrid.

The third panel, Financing and Social Activities of Religious and Belief Organisations, was presided over by Egil Lothe of the Buddhist Federation of Norway, and included presentations by Rik Torfs of the University of Louvain; De Quanying of Xinjiang University; and Lauren Homer of Washington University. The culminating panel of the conference, Drafting Statutes and Regulations in Accordance with the Rule of Law, was chaired by John Haley of Washington University, with presentations by Carolyn Evans of the University of Melbourne; Zeng Chuanhui of CASS; and Gerhard Robbers of the University of Trier.

Each of the panels concluded with a question period in which the 75 participants discussed the material presented in the papers. There was in particular significant discussion surrounding questions of Church-State relations — including the role of official Churches and the appointment of clergy in those institutions — and of delimiting the proper spheres of autonomy between religious groups and the State. Highlighted for future discussion were questions regarding the establishment of legal frameworks

to enable religious organisations to raise funds and provide a broad array of social services.

The presentations from the conference will be published in forthcoming volumes, both in English and Chinese.

THE EUROPEAN CONSORTIUM FOR CHURCH AND STATE RESEARCH

TÜBINGEN, 18-21 NOVEMBER 2004

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The cities of Tübingen (sometimes referred to as a town on a university campus) and Rottenburg am Neckar (the seat of the Bishop of the Roman Catholic Diocese of Rottenburg-Stuttgart) in the south-western German state of Baden-Württemberg were the pre-Advent setting for the fifteenth annual gathering of the European Consortium for Church and State Research from 18 to 21 November 2004.

This was the first meeting of the Consortium since the enlargement of the European Union in May 2004. Over fifty participants – members, guests and staff – from throughout the European household addressed the theme Religion and Law in Dialogue: The Covenantal and Non-Covenantal Co-operation of State and Religions in the Member States and in the Candidate Members of the European Union.

Although the history of the Eberhard Karls Universität Tübingen is interwoven with the Evangelisches Stift founded in 1536 as a Protestant Seminary (bringing to mind names such as Kepler, Hegel and Schelling), a Faculty of Catholic Theology was added in 1817. It was the Department for Church Law of that faculty – Katholisch-Theologische Fakultät: Lehrstuhl für Kirchenrecht – headed up by Consortium member Professor Dr Richard Puza which organised and hosted the meeting, the hospitable tone being set with an opening reception offered by the Bishop of Rottenburg-Stuttgart.

Eighteen written submissions circulated in advance set the scene for six sessions of plenary discussion (during which the authors from the various countries availed themselves of the opportunity to contribute to the debate) within the carefully planned meeting, which gathered at the Wilhelmstift in Tübingen. The schema adopted over the three days reflected the three tasks set for the writers of the submitted papers which in turn corresponded to