

Religion and the Secular State

La religion et l'État laïque

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Foreword and Acknowledgments: Interim Volume 2010

This Interim Volume has been prepared with the intent that it be on hand at the 18th World Congress of the International Academy of Comparative Law held in Washington, D.C., 25-31 July 2010. After review of these materials by Reporters, and input from participants in the Congress and in a concurrent Washington Conference sponsored by the International Center for Law and Religion Studies and Catholic University of America, a final volume will be prepared. We anticipate that this final volume will include author corrections, along with more consistent formatting and other editorial refinements.

We would like to express appreciation for the extraordinary work performed by the many National Reporters who have contributed. We believe that this compilation of national reports will make a substantial contribution to the comparative study of issues of law, religion, and the state. As General Reporters, we are grateful to have had the opportunity to be part of the important process of preparing this comparative study.

Preparation of this interim volume has involved the work of many people. The final version of the text could not have been prepared without the extraordinary around-the-clock efforts of Donlu D. Thayer. The following executive team members at the International Center for Law and Religion Studies at Brigham Young University (ICLRS) have all made valuable contributions: Robert T. Smith, Managing Director; Gary B. Doxey, Associate Director; Deborah A. Wright, Administrative Assistant; and Christine Scott.

Several law students from the J. Reuben Clark Law School at BYU were particularly helpful in identifying and analyzing significant contributions from the national reports. These students are Keith W. Barlow, Bryan Holm, Rebecca S. Nelson, Julie Slater, and Robert Stander. We express gratitude to the 2010 ICLRS Student Research Fellows who have assisted in this project: Heath Becker, M. Preston Gardner, Kristina Hardy, Bryan Holm, George Monsivais, Rebecca Nelson, Lori Olsen, Robert Stratford, Jordan Teuscher, Adam Thompson, and Elizabeth Willian. We also express gratitude to the 2010 ICLRS Law Student Externs who contributed: Ryan Hansen, Megan Hummel, Bobby Marion, Bruce Pinegar, and Jonathan Ways. In addition, virtually all of the members of Professor Durham's 2010 Advanced Comparative Law Seminar helped edit and polish the national reports.

We express profound appreciation for the generous support we receive from members of the ICLRS International Advisory Council. Without their financial and administrative assistance, none of the work of the ICLRS could be accomplished.

We also express appreciation to our families for support during the intense and demanding period of compiling this interim volume.

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Foreword and Acknowledgments: Final Volume 2015

This Final Volume of reports on the topic Religion and the Secular State, which were prepared for the 18th World Congress of the International Academy of Comparative Law and published in the Interim Volume in 2010, was undertaken to coincide with the 19th World Congress, held in Vienna in July 2014. We are grateful to the National Reporters for their patience in seeing this work through. Twelve of the 44 reports retained in this volume appear essentially as they did in 2010. The others have been altered, some extensively. Four have been translated into English. Several authors updated their reports in 2012, and once more in early 2014, only to see further changes they would like to have made but could not due to time constraints.

In some respects, then, this volume will be an artefact of the first decade of the 21st century, witness to the world of religion and governments on the verge of what would be dramatic and in many respects unexpected changes.

If it can be said that religion plays a more significant role in the world than many a century ago predicted it would by now, it is also true that religious belief and practice are being challenged in new ways, as, for example, human rights norms that themselves might have origins in religious impulses now clash with traditional religious beliefs and practices. Challenges have arisen to such religious practices as ritual slaughter, male circumcision, the display of religious symbols or the wearing of religious clothing (especially face coverings) in the public space, and to the religious issues surrounding death penalties, assisted suicide, and offensive speech. Gender issues, expressed in quests for same-sex marriage and family rights, transgender rights, reproductive rights, and new roles for female and openly gay clergy, have clashed with freedom of conscience and expression among religious believers, and with the autonomy of religious organizations. The application of blasphemy and apostasy laws continues to spark conflict. Extremist groups destroy sacred property, and persecute, kidnap, and extinguish others in the name of religion. An “Arab Spring” waxes and wanes, an “Islamic Caliphate” is announced in the chaos of the Middle East, bringing triumph or terror, depending upon point of view.

These are among the matters upon the minds of people who think deeply about the ways in which belief informs practice, the ways in which the rule of law can increase freedom, and freedom can increase security and prosperity. Such issues have deep implications for governments and religions, and for the private and communal lives of people worldwide, not only in churches and synagogues and mosques and shrines but in the workplace, in the way people conduct their businesses or express themselves on the job or in the public space.

For help in bringing this work to its final form, we would like to thank student research assistants at Brigham Young University, including Joseph Stewart and Bennett Briggs, who provided translation assistance, and especially Shelby M. McNeill, who provided invaluable help with checking all reports, formatting footnotes, and updating of the Selected Bibliography, now expanded to 80 pages.

We invite you to enjoy this remarkable collection.

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