



Law and Religion in Europe: A Comparative Introduction

By Norman Doe

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Each state in Europe has its own national laws which affect religion and these are increasingly the subject of political and academic debate. This book provides a detailed comparative introduction to these laws with particular reference to the states of the European Union. A comparison of national laws on religion reveals profound similarities between them. From these emerge principles of law on religion common to the states of Europe and the book articulates these for the first time. It examines the constitutional postures of states towards religion, religious freedom, and discrimination, and the legal position, autonomy, and ministers of religious organizations. It also examines the protection of doctrine and worship, the property and finances of religion, religion, education, and public institutions, and religion, marriage, and children, as well as the fundamentals of the emergent European Union law on religion.

The existence of these principles challenges the standard view in modern scholarship that there is little commonality in the legal postures of European states towards religion - it reveals that the dominant juridical model in Europe is that of cooperation between State and religion. The book also analyses national laws in the context of international laws on religion, particularly the European Convention on Human Rights. It proposes that national laws go further than these in their treatment and protection of religion, and that the principles of religion law common to the states of Europe may themselves represent a blueprint for the development of international norms in this field. The book provides a wealth of legal materials for scholars and students. The principles articulated in it also enable greater dialogue between law and disciplines beyond law, such as the sociology of religion, about the role of religion in Europe today. The book also identifies areas for further research in this regard, pointing the direction for future study.

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Editorial Review

Review

The author presents a very detailed investigation into different areas of state-religion relations: The Scope, Sources, and Systems of Religion Law; Religious Freedom and the Individual; Religious Discrimination and Hatred; The Legal Position of Religious Organizations; The Autonomy and Ministers of Religious Organizations; The Protection of Doctrine and Worship; The Property and Finances of Religion; Religion, Education and Public Institutions; and Religion and the Family: Marriage and Children. Peter Lodberg, Journal of Church and State Professor Doe's innovative new book is one of those rare texts which changes the way in which a field of study is understood. It has long been thought that European legal systems differ substantially in how they deal with religion, with the French separation of Church and State contrasted, for instance, with the presence of the established Church in England. However, Law and Religion in Europe demonstrates how the laws affecting religion in European States are actually underpinned by common principles. Doe's book delights in questioning long-held assumptions, debunking conventional understandings and proposing bold new research questions. It is destined to become a classic in the field. Dr Russell Sandberg, Lecturer in Law at Cardiff University and Chair of the Law and Religion Scholars Network (LARSN) This seminal book represents an invaluable resource for anyone seeking an understanding not only of what religion has to say about the world in which we live, but also, and more importantly, about what law says, and how it treats, those disparate religious voices. Paul Babie, Director, The University of Adelaide Research Unit for the Study of Society, Law and Religion an invaluable contribution ... and it will be an illuminating tool to commentators with an interest in Public, Property, Family and Comparative Law ... Furthermore, its interdisciplinary and comparative nature also makes it relevant to those with an interest in Sociology, Political Science and History, not only in the United Kingdom, but also across the European continent and elsewhere. Javier Garcia Oliva, Law and Justice

About the Author

Norman Doe is a Professor of Law and Director of the Centre for Law and Religion at the Law School, Cardiff University, and course director of the L.L.M. in Canon Law there. He studied law at Cardiff, for his doctorate at Cambridge, and theology at Oxford, and is a barrister. His publications include The Legal Framework of the Church of England (O.U.P., 1996) and Canon Law in the Anglican Communion (O.U.P., 1998). He has acted as a consultant in canon law to the Anglican Communion, is a founding member of the Colloquium of Anglican and Roman Catholic Canon Lawyers, and served as President of the European Consortium for Church and State Research (2010). He was a visiting fellow at Trinity College Oxford for a term in 2011 and teaches each year as an associate professor at the University of Paris.

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