

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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*Bishop of Cork*

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

the aims of the meeting:

- i to establish the development of the concordats and of the concordatary contracts between religious groups and States in the EU and in successor States to the former communist States of Eastern Europe;
- ii to analyse States without formal concordats and how dialogue is enabled there; and,
- iii to determine how the Churches in the Member States and the Consortium in particular can contribute to the dialogue started by the European Commission following the adoption of a new European Constitution.

The first morning of the conference, chaired by Professor Francesco Margiotta Broglio of the University of Florence, and introduced with two regional reports (Professor Axel von Campenhausen of the University of Göttingen reporting on Austria and Germany; and Professor Alberto de la Hera of the University of Madrid dealing with Italy, Spain and Portugal), focussed, therefore, on countries with formal agreements.

The afternoon session chaired by Professor David McClean of the Faculty of Law at the University of Sheffield shifted attention to the countries without formal agreements. A regional report by Professor Rik Torfs of the Faculty of Church Law at the University of Louvain energised discussion concerning the situation in Belgium, Cyprus, Denmark, Finland, France, Greece, Ireland, Netherlands, Sweden and the United Kingdom.

In the evening, the Consortium opened its work to wider involvement with a public lecture at the University given by Professor Dr Alexander Hollerbach of the Albert-Ludwigs-Universität Freiburg and a reception given by the Rector of the University of Tübingen.

Saturday 20 November turned attention to the European institutions. In a session (chaired by Professor Charlabos Papastathis of the Law Faculty at the Aristotle University, Thessaloniki) Professor Jean Duffar of the Université Paris Val de Marne delivered a paper on the EU and the Church. The second morning session, introduced by Dr Balázs Schanda of Hungary, concentrated minds on the situations in the new member states, the so-called post-communist countries: the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia.

Emerging from the debate are lingering impressions and challenges. Overall, the existence and potency of dialogue of many types between Churches and States throughout the EU and expressed in a variety of legal forms was highlighted. However, the meaning and nature of the concordat relationship varies among those countries which do have formal agreements and appears to elude consistent definition. In the case of those countries without formal agreements dialogue and relationships were nonetheless identified to such an extent that, based on manifest working

relationships between Church and States, it appeared that a point of confluence had been reached with those States with formal agreements. Such convergence appeared uncomfortable, however, so differentiation as a dynamic gained new energy in the discussion. Leaving aside the question of how the reality of dialogue between religion and law, Church and State in Europe is articulated juridically the challenge of dialogue with the European movement institutionally and ideologically remains for churches — whether in states with or without formal agreements — as the new European Constitution is debated and put to the people of Europe.

This too was an appropriate arena for the work of the European Consortium for Church and State Research which was established in 1989 to facilitate study, to promote contact and to stimulate dialogue among scholars throughout Europe who share a common interest in the relations between States and religious denominations from a historical, political and, particularly, juridical point of view. On this occasion, as in other years, the annual meeting provided an opportunity for the members to meet in assembly without their guests. Until now membership has principally comprised professors, but the mould has now been broken following the election, at the 2004 business session, of Mark Hill (Chancellor of both the Diocese of Chichester and the Diocese in Europe) to membership.

Meanwhile guests were afforded the choice of afternoon tours of Tübingen, Rottenburg or the Castle of the Hohenzollern family, following which the Conference concluded with a reception hosted by the Oberbürgermeister of Rottenburg am Neckar. The proceedings of the 2004 meeting of the Consortium are to be published in due course and Sweden will form the backdrop for the meeting in November 2005.

## THE ECCLESIASTICAL LAW SOCIETY'S RESIDENTIAL CONFERENCE

BATH, 28-30 JANUARY 2005

HILARY MONCKTON-MILNES

*Registrar of the Diocese of Durham*

The Ecclesiastical Law Society Conference 2005 was held on the last weekend of January at Georgian Bath in a comfortable riverside hotel, a stone's throw from the City Centre. Entitled 'Mission Impossible? An Exploration of the Interface of Ecclesiastical Law and Mission', the conference comprised a series of conversations exploring current legal issues from the perspective of parish ministers and Legal Officers, to determine whether church law is something which can enable mission or whether in a law-based church mission is 'impossible'.