# 2015 ANNUAL REPORT

**BYULAW** 

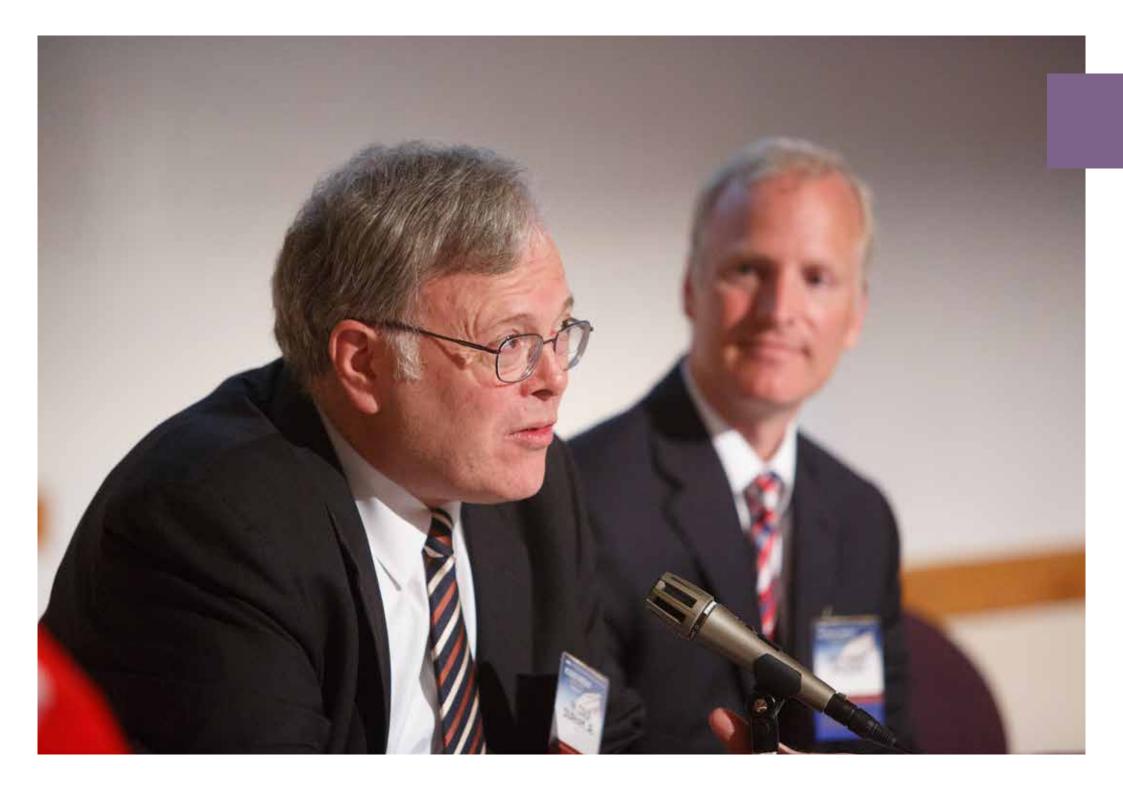
INTERNATIONAL CENTER FOR LAW AND RELIGION STUDIES



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# WELCOME

It is the mission of the International Center for Law and Religion Studies (ICLRS) at Brigham Young University to help secure the blessings of freedom of religion and belief for all people by expanding, deepening, and disseminating knowledge and

expertise regarding the interrelationship of law and religion, facilitating the growth of networks of scholars, experts, and policy makers involved in the field of religion and law and contributing to law-reform processes and broader implementation of principles of religious freedom worldwide.

#### Dear friends,

As 2015 draws to a close, violence throughout the world committed in the name of religion concerns us all. Armed conflict in Syria and Iraq as well as terrorist actions in Paris and elsewhere reverberate through our public consciousness. It is easy for many to pessimistically assume that religion as a whole or individual religions are uniquely inclined to violence and divisiveness and that religion fuels the majority of violent conflicts. Violence in the name of religion is a complex phenomenon—one cannot simply impute the blame solely to religion when other nonreligious factors are clearly at play, nor can one just absolve religious leaders who are promoting violence, claiming that they are merely instruments of other bad actors. As Scott Appleby's wonderful book *The Ambivalence of the Sacred* reminds us, religion can motivate very different types of human conduct. Like romantic love, it is deeply implicated in much that is highest, but also much that is lowest, in the human condition.

It is important to remember, however, that religions are no more inclined to violence than secular ideologies and institutions such as nationalism, Marxism, capitalism, and liberalism. Empirical research has shown that the majority of armed conflicts are not attributable solely to religious factors but rather reflect ideological disagreements, separatists, and identity-based divisions. In 2013, for example, 40 percent of armed conflicts contained no religious elements at all. The violent history of the 20th century, where the deaths of millions were engineered by governments with antireligious ideologies, is a clear illustration that religions are not more absolutist, divisive, or irrational than secular counterparts. Instead, recent research has shown that violence has a consistent relationship with factors such as corruption, political terror, gender and economic inequality, and political instability. Religious freedom, however, is uniquely placed to promote peace and stability and prevent religious violence. Valuable research by Brian Grim has shown that government restrictions on religious freedom are highly correlated with and appear to be a significant factor in causing religious violence. As the philosopher Locke recognized over 300 years ago, attempts by the state to coerce belief only serve to undermine the stability of a country and the loyalty of its citizens. Religious communities are most likely to support democratic regimes and freedom for others when they have the opportunity to freely practice their faith. Religious freedom serves as an important societal filter, protecting legitimate exercise of religion while excluding violent and harmful practices. By permitting a wide range of religious activities and communities to flourish, religious freedom helps to cultivate socially productive virtues, to increase the number of peacemakers and mediators, and to encourage provision of vitally needed social services.

While religious freedom is a significant part of the solution, it is not a static end but an ongoing process for negotiating societal tensions involving religion. It encourages discourse in a society that engages individual believers, religious communities, and the state in a holistic process that cuts across ethnic, cultural, and religious lines. Our work at the International Center for Law and Religion Studies seeks to promote this vitally needed discourse and means of resolving social tensions, and we are grateful for the many who make this work possible.

W. Cole Dusham J

PEOPLE



ACADEMIC ADVISORY COUNCIL



INTERNATIONAL ADVISORY COUNCIL



CENTER LEADERSHIP



### **STUDENTS**





"This is a place where people passionate about law and religion feel at home." Marco Ventura, University of Siena

# CENTER LEADERSHIP

The International Center for Law and Religion Studies is directed by an esteemed group of scholars and legal professionals.

# W. COLE DURHAM, JR. Director

The founding director of the Center, W. Cole Durham, Jr., is the Susa Young Gates University Professor of Law at the J. Reuben Clark Law School and an internationally distinguished scholar and advocate on matters of law and religion. Since the fall of communism in Eastern Europe in the 1990s, he has assisted in drafting constitutions and developing laws to protect freedom of religion in many countries.











### ACADEMIC **ADVISORY** BOARD

The Academic Advisory Board is comprised of a group of esteemed academics in the field of law and religion who provide consultation and strategic advice for the Center. These globally recognized scholars are invaluable in furthering the work of the Center and the cause of religious freedom throughout the world. We thank them for their friendship, support, and courage.





#### **PROFESSOR CAROLYN EVANS** Dean of the Law School, University of Melbourne Melbourne, Australia





**PROFESSOR MOHAMMAD** HASHIM KAMALI



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#### **PROFESSOR SOPHIE VAN** BIJSTERVELD







DR. LIU PENG Pu Shi Institute for Social Science Beijing, China

### INTERNATIONAL ADVISORY COUNCIL

The International Advisory Council (IAC) is indispensable to the work of the Center. This group, comprised of more than 100 men and women, generously gives of its time, resources, and talents. They act as ambassadors for religious freedom not only at our annual symposium but also at our regional conferences. Countless friendships have been created and reinforced through their efforts. As Linda Nearon, a member of the IAC Executive Committee said, "As an IAC member, the experiences that come your way are some of the highlights of your life. To be part of an outreach to build religious freedom through the world is so important and a critical issue in the world today. Just getting to know the delegates is a huge blessing in itself. You can be a part of this."

The IAC members' commitment to religious freedom is evident in their efforts and enthusiasm. "We got involved because, once we caught the vision of the Center—to reach out on a world stage and encourage, befriend, and promote religious freedom in every walk of life, in every country, for every people—we were excited to contribute to that effort," said Milt Shipp. "We couldn't get there fast enough!"

The Center thanks each member for their generosity and hard work. We are proud to work alongside you.

To learn more about how to support the Center or become an IAC member, please contact the Center at getinvolved@iclrs.org or call 801-422-6842.

#### INTERNATIONAL ADVISORY COUNCIL LEADERSHIP









David Christensen

Duane Madsen Erly Immediate Past Chair

Erlyn Gould Madsen Center Historian

Membership Chair

David Colton

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# IAC ACTIVITIES

#### IAC EXECUTIVE BOARD

The IAC Executive Committee is made up of 11 members of the International Advisory Council. These members dedicate additional time to the Center by participating in monthly meetings, discussing upcoming conferences and seminars, reviewing the progress of the Center, and giving recommendations in furthering the Center's work. The Executive Committee also assists in fundraising and often takes on special projects or initiatives on behalf of the Center. We thank them for their hard work and dedication.





#### **2015 IAC SPRING MEETING**

The 2015 Annual Spring Meeting of the International Advisory Council was held in Salt Lake City, Utah, on April 2–3. The theme of the meeting was "New Opportunities for Religious Freedom." Elder Larry Y. Wilson, of the Quorum of the Seventy of The Church of Jesus Christ of Latter-day Saints, was the keynote speaker. Other activities included presentations highlighting religious freedom challenges and opportunities in regions around the world. Also discussed was the progress being made by ICLRS in its pursuit of religious freedom.







#### **IN REMEMBRANCE**

The Center lost a dear friend with public office in 2005, Olene and her world. Myron and Olene served on



During the first week of law school each fall, I introduce all the new BYU law students to the work of the Center and solicit volunteers to be involved in the Annual Law and Religion symposium in October. Approximately 75 students give a few hours or days to the symposium and are invariably fascinated by the opportunity to learn from, help translate for, and interact with prominent judges, scholars, and religious leaders from around the world. I invite the most committed students to join the Symposium Executive Committee and help plan the logistics for following years. Delegates repeatedly express how impressive they find these students, with their broad international experience, organizational abilities, and willingness to help.

Some of these and other students also apply for our Summer Fellows program. I interview them and select 12 to 16 of them to spend the summer after their first year of law school split by working a month as a legal extern for an international office of The Church of Jesus Christ of Latter-day Saints and spending the remainder of the summer working closely with Center faculty on presentations and publications. The students have the chance to attend the Religious Freedom Annual Review and to be immersed in comparative church-state legal projects. The summer experience provides a strong knowledge and experience base for students to help them be articulate and informed on religious freedom issues, wherever their eventual career path takes them.

Students looking for a deeper involvement with the Center apply for the Management Board. The board gives 15 to 20 students the opportunity to work 5 to 10 hours per week during the school year on Center conferences, projects, social media, and publications. When feasible, we engage these students in the work of our foreign conferences and give them the opportunity to travel to and participate in one of them. In 2015, for example, we had students help plan and attend conferences in Armenia; Washington, DC; Oxford; Turkey; and Mexico City. As they assist with the conferences, theyare wonderful ambassadors of BYU and the Center. We are so grateful for the dedicated and talented students who work with the Center! They bring energy, enthusiasm, and a great ability to everything they do.

Chizhetha Carl

# STUDENT IN

"Your young students are a great credit..., well behaved, discipline Ahmed M. Ebrahim, Justice (Ret.), Supreme Court



"At BYU I feel like I belong because of the Centerandtheopportunitiesthatitprovides studentslikemetoengagewithandpursue. From chairing the symposium executive committee to working as a research fellow and traveling to Turkey, the Center has exposed me to aspects of law and religious freedomthatcouldnotbeaccessedthrough books or classroom instruction. Not only havelhadtheprivilegetobenefitintermsof mylegaleducationfromtheworktheCenter does, but I have also grown to understand and appreciate the necessity for the work that the Center does and its great influence throughout the world. Working for and learningfromtheCenterhasbeenoneofthe highlights of my time at BYU Law School, andthoseexperienceshavehelpedtoshape my future academic and personal goals."

Aline Longstaff BYU JD Candidate 2016 "Working for the International Center for Law and Religion Studies and serving as a summer fellow has given me the opportunity to meet many accomplished individuals who have been influential and inspiring figures in my life through their valuable contributions to protecting religious freedoms. By their examples I have gained a greater understanding of how I can make a difference in my own community to further religious freedoms. The knowledge that I have gained through my interaction with the Center and those connected to the Center has been instrumental in my legal education."

McKenna Mills BYU JD Candidate 2016

# VOLVEMENT

ed, not loud, immensely helpful yet full of life and always smiling." of Swaziland and the Supreme Court of Zimbabwe



"Working with the ICLRS has been an expansiveexperience.ThroughtheCenter I traveled to São Paulo, where I spent an entiremonthexpandingmyunderstanding oftheinteractionsbetweenthelawofthe US and Brazil. I worked closely aiding seniorattorneysinimportantlegalmatters. When I returned from Brazil, I delved into research about religion and the law. Ibecame the resident expert concerning **TajikistanandSenegalandhowtheirlegal** systems and religious cultures interact. I gainedvaluablelegalresearchandwriting skills that have propelled me into newer positions. The Center has given meaview of the law through the eyes of those with rich and deeply held values, which I value and respect. The Center equipped metobe a force for good in the legal world."

**Tanner Bean** BYU JD Candidate 2016 "Alargereason that I chose BYULaw School was because I wanted to work with the Center, and I have not been disappointed. I havehadtheopportunitytomeetamazing leaders in the field of religious freedom from all around the world. I have had the opportunity to meet new friends both in Utah and abroad. Working at the Center, I have been blessed to be surrounded by wonderfulmentorswhoarealwayswilling to help me not only with the work I do for them but also in my endeavors to network and to pursue a career. I have learned skills and information that will be beneficial to me as I graduate and go forth to serve and hopefully become a defender of religious freedom myself. Working with the Center hastrulybeenalife-changingexperiencefor which I will be forever grateful."

**Eva Marie Brady** BYU JD Candidate 2016

### STUDENT RESEARCH FELLOWS



### STUDENT MANAGEMENT BOARD

#### Third-Year Students

Heather Binks Christina Champenoi James Heilpern Bryant Hinckley Lynn Nouri Alex Storms

#### Second-Year Students

Ryan Andersen Eva Brady Bennett Briggs Tara Fitzgerald Roman Harper Travis Hyer Jedidiah Knight Aline Longstaff Annalee Moser Lauren Robins Jarvis Yau

# EVENTS

CERTIFICATE TRAINING PROGRAMS

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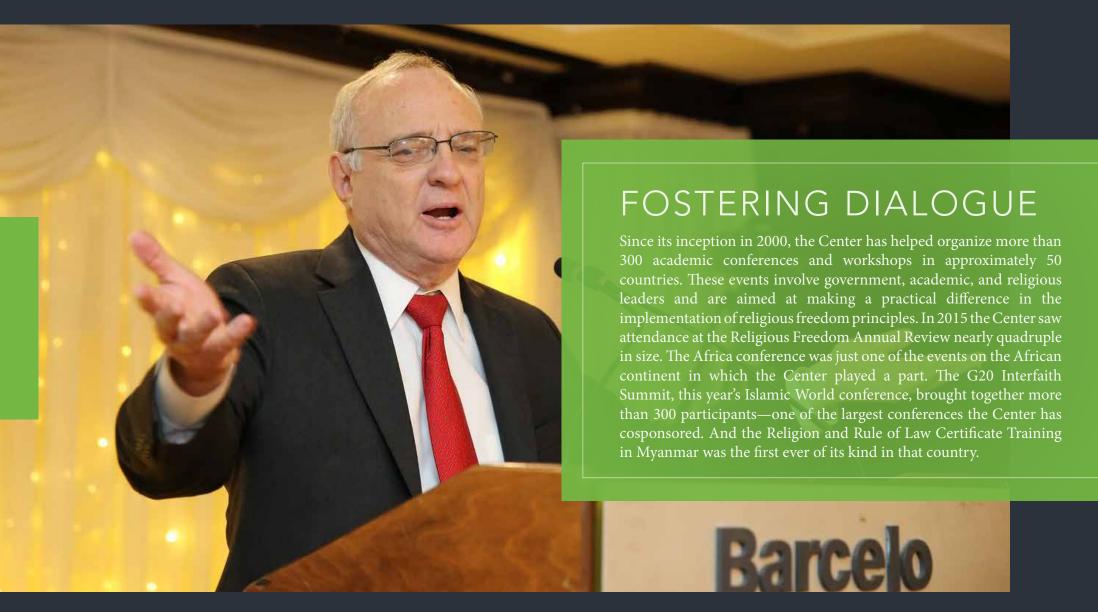


SYMPOSIUM

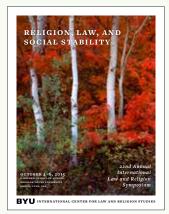
REGIONAL CONFERENCES

ANNUAL REVIEW





# 22ND ANNUAL INTERNATIONAL LAW AND RELIGIC



"I see participation in this Symposium as an important step in the interfaith dialogue of life. . . . Both sides recognize there are major theological and ecclesiastical questions, . . . but there are many opportunities for collaboration for the good of persons and society. . . . In all circumstances, friendship is never a lost cause."

Sister Catherine Jones, Chair, New Zealand Catholic Bishops Committee for Interfaith Relations The 22nd Annual International Law and Religion Symposium was held October 4–6, 2015, on the campus of Brigham Young University in Provo, Utah. This year's delegates approximately 90 leading scholars, jurists, and political and civil society leaders from 38 countries—joined in exploring issues surrounding the theme Religion, Law, and Social Stability.

The opening session began with the presentation of this year's Distinguished Service Award, given to outstanding proponents for the cause of freedom of religion or belief worldwide. There were two award recipients this year: Dr. Gunnar Stålsett, moderator of the European Council of Religious Leaders and international president of the World Council of Religions for Peace, and Professor David Little, emeritus professor at Harvard Divinity School and current fellow at the Berkley Center for Religion, Peace, and World Affairs. Following the award presentation, both Dr. Stålsett and Professor Little gave excellent and thought-provoking keynote addresses.

Religion continues to be a major factor in conflict, peacemaking, and the establishment of or disruption to the rule of law throughout the world. This year's symposium delegates were invited to explore the relationships and tensions among religion, law, and social stability as they considered questions such as these:

- To what extent can religion and religious freedom play a helpful role in resolving social and political conflict?
- How is religion and religious extremism related to violence?
- What role can or should religious organizations play in society?
- Can religious organizations contribute to building more just, peaceful, and stable communities?
- How should the law address religious freedom claims?

The depth and breadth of the presentations, concerning complex and difficult issues and conducted in an atmosphere of collegiality, respect, and hope, were truly remarkable.

We are profoundly grateful as well to members of the International Advisory Council for their help in hosting the delegates and to our outstanding Student Executive Committee from the BYU Law School for their volunteer service in planning and organizing throughout fall semester and their sacrifice of time and energy during a mid-semester break—along with some 100 students they recruited from across the BYU campus—to make such a complex event possible.

# N SYMPOSIUM







Barrows

ROBIN F.

# RELIGIOUS FREEDOM ANNUAL REVIEW

"The conference was excellent, in part because 1) the presentations were of high quality and practical, 2) there was always time for questions in each session and 3) the emphasis, after principles were taught, was on what we can do."

"I was impressed to learn about a topic of interest to me in a way that I could understand— I now have clarity on a complex issue and I can explain and defend religious freedom when I return home."

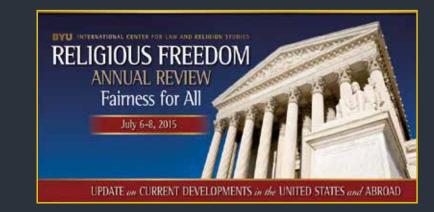
Attendee

This year marked the second year that the BYU International Center for Law and Religion Studies hosted the Religious Freedom Annual Review, held at the BYU Conference Center on July 6–8, 2015, to discuss contemporary religious freedom issues. In 2014 the review was billed as a CLE event for lawyers, with 110 participating. This year the general public was invited. More than 400 people attended, and over two-thirds of those in attendance were not lawyers.

The purpose of the event was to provide an update on religious freedom challenges in the United States and throughout the world. Presentations addressed current topics of interest such as Utah's compromise legislation (S.B. 296 & 297) and the Supreme Court's same-sex marriage decision, Obergefell v. Hodges, delivered just days before. The review opened with a plenary presentation on why religious freedom matters and concluded with a presentation on how each person can help promote religious freedom. Workshops were held on practical topics such as how to support religious freedom using social media and effective interfaith cooperation. The tone of the conference included numerous calls for civility and respect while remaining vigilant, informed, and engaged so that religious freedom voices are heard.

Notable speakers at the review included Utah Governor Gary Herbert, Utah Senator J. Stuart Adams, Professor Robin Fretwell Wilson of the University of Illinois College of Law, and Deano Ware, who provided an account of his pro bono efforts that resulted in the Supreme Court's favorable 9–0 decision in Hosanna-Tabor Evangelical Lutheran Church and School v. EEOC.

Photo credit for some photos: Deseret News photographer Tom Smart



### **RELIGIOUS FREEDOM AND RELIGIOUS PLURALISM IN AFRICA: PROSPECTS AND LIMITATIONS**

Windhoek, Namibia | May 18–19, 2015

AFRICA

"Our relationship with the Center goes back to 2007. We began sending people to the annual symposium, but we wanted to send more. We realized that there was a need for a symposium in Africa. Now we have had three and they've been tremendously successful. People attend leave as different people. They are more aggressive in taking positions that are more aligned with religious freedom. They see the benefits of social freedom, iudicial freedom, and economic freedom and that they all tie together. They learn from those they meet and from each other."

Eric and Kaye Jackson Members, Intl. Advisory Board The third Conference on Law and Religion in Africa took place in Windhoek, Namibia. The conference built on the success of the previous African conferences with over 60 participants from 17 countries. These scholars, religious leaders, and government officials discussed important themes affecting religious freedom in Africa. Topics included religious pluralism and the role of the state; public education and religious instruction; the role of religion in resolving inter- and intra-state conflicts; the role of traditional African religion in customary law, religion, and development; and emerging challenges in preserving religious



freedom. Keynote addresses were delivered by Bishop Zephania Kameeta, Namibian government minister of Poverty Eradication and Social Welfare; John Walters, Namibian Ombudsman; and Joseph Diescho, a professor and former speechwriter to the president of Namibia. The conference also included a report on the religious freedom training presented by Professor Durham at the University of Lagos Faculty of Law, Nigeria, in February. Over 400 students attended these daily trainings.

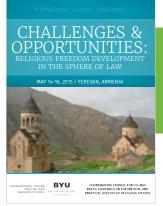
In addition to the presentations, the conference provided a forum for discussion and networking. Relationships were formed or deepened, and many expressed their intent to pursue active research in the field of law and religion.

The conference concluded with a business meeting of the African Consortium of Law and Religion Studies (ACLARS), which resulted in the addition of 75 new members.

Next year's conference will be held in May in Addis Ababa, Ethiopia.







# EASTERN EUROPE



### CHALLENGES AND OPPORTUNITIES: RELIGIOUS FREEDOM DEVELOPMENT IN THE SPHERE OF LAW

Yerevan, Armenia | May 14–16, 2015

Scholars and attorneys from the United States, Europe, and Central Asia met in Yerevan, Armenia, to participate in our Eastern European conference. Co-hosted by the Coordinating Counsel for CIS and Baltic Countries on Theoretical and Practical Aspects of Religious Studies, the conference focused on the development of law and religion in Eastern Europe and the former Soviet Union. Holding the conference in Armenia this year was especially meaningful because of the centennial of the Armenian genocide.

The conference included a retrospective on religious freedom in Eastern Europe over the last 25 years delivered by Professor Cole Durham. Fifteen panel discussions covered such topics as religion and the environment, the religious aspect of the conflict in Eastern Ukraine and its effects on religious life in Ukraine, religious divides between eastern and western Europe, and the role of new religious movements in society. More than 50 presentations were shared during the discussions by presenters from Armenia, Belarus, Croatia, Estonia, Georgia, Kazakhstan, Latvia, Poland, Russia, Spain, Ukraine, the UK, and the United States.

The conference also provided a forum for the participants to interact and build working relationships. Anatoly Ptchelintsev of the Center for Law and Religion, who litigates religious freedom cases, said, "I'm grateful for support for what we do and an opportunity to meet with others with similar concerns." An attendee at the conference, commented, "What you are doing here is so amazing. It is making such a significant difference in bringing people together and raising the level of what we do."

Next year's conference will be held in June in Tallinn, Estonia.



"This is the largest conference of this kind held in Armenia. You have no idea how important this was. This is so important for the community here and students and those working in the field. I've been hoping for an opportunity to do something like this for some time. Thank you."

Conference Co-Organizer American University of Armenia and Yerevan State University



### **RELIGION AND EQUALITY: CONTEMPORARY CHALLENGES IN ACCOMODATING DIVERSITY**

Central European University | Budapest, Hungary | June 5-6, 2015

"CEU has proved to be an ideal venue for bringing people together from Central and Eastern Europe and beyond to discuss the everchanging issues at the core of freedom of religion or belief. The 2015 conference offered an excellent opportunity to explore important developing issues as the assembled experts addressed emerging tensions between freedom and equality rights from a variety of perspectives."

W. Cole Duham, Jr. Director, International Center for Law and Religion Studies For more than 20 years, Cole Durham has been a visiting faculty member at Central European University (CEU) in Budapest, in a program where distinguished professors from 30 countries teach students from 100 countries. Professor Durham was joined nine years ago in this endeavor by Professor Brett Scharffs, and they have together built coursework from their casebook, Law and Religion: National, International, and Comparative Perspectives.

An outgrowth of this longstanding partnership with CEU has been a series of panels and discussions culminating in an important series of annual conferences. The 2015 CEU Conference focused on challenges in accommodating diversity and brought together distinguished international scholars, parliamentarians, human rights council members, and practicing attorneys, representing United States, Europe, Eastern Europe, and Russia. The first conference session, chaired by Professor Durham, examined religion and constitutional identity, comparative approaches to the liberty-equality tension, and the effects of culture wars on religious freedom. Speakers were Professor Michel Rosenfeld, Cardozo School of Law; Professor Zachary Calo, of Hamad Bin Khalifa University Law School and Valparaiso University; and Professor Renata Uitz, Chair of the Comparative Constitutional Law Program at CEU.

In Session II, chaired by Professor Robin Fretwell Wilson of the University of Illinois College of Law, speakers Professor Marco Ventura, University of Sienna, and Professor Emeritus Derek Davis, Director, Church-State Center at Baylor University, discussed religious tensions and reasonable accommodation in the workplace. Professor Uitz chaired Session III, with Susanna Mancini, Professor of Comparative Public Law, University of Bologna, and Hannah Clayson Smith, Senior Counsel at the Becket Fund for Religious Liberty, speaking on "Conscientious Objection, Culture Wars and Transatlantic Conversations" and "Contested Conscience Claims in the American Scene: Hobby Lobby and Beyond."



# ISLAMIC WORLD





### G20 INTERFAITH SUMMIT: RELIGION, HARMONY, AND SUSTAINABLE DEVELOPMENT

Istanbul, Turkey | November 16–18, 2015

The second annual G20 Interfaith Summit brought together scholars, lawyers, political leaders, faith and interfaith leaders from around the world for three days of discussion and dialogue as a substantial parallel contribution to the gathering of political leaders at the G20 Summit in Antalya, Turkey. The 2015 G20 Interfaith Summit explored ways that religious actors and communities could work together to enhance harmony and contribute to the achievement of sustainable development goals. Plenary and breakout sessions were organized around themes inspired by the United Nations' new Sustainable Development Goals.



Approximately 300 registered participants attended the summit, including nearly 140 speakers and session chairs. These represented all inhabited continents of the world and more than 40 individual countries. The highest representation was from Turkey itself, followed by strong delegations from North America, Europe, Central Asia, China, India, the Pacific, South America, and Africa.

The G20 Interfaith Summit is the product of collaboration between the International Center for Law and Religion Studies at BYU and the Centre for Interfaith and Cultural Dialogue at Griffith University in Brisbane, Australia. The two organizations partnered with the Alliance of Civilizations Institute at the Fatih Sultan Mehmet Waqf University in Istanbul to organize this year's conference.

The summit was successful on several levels. It strengthened the network of religious freedom and interfaith experts and advocates. It brought together leaders of NGOs, government officials, and experts in a variety of fields—each looking at the economy, democracy and rights, poverty alleviation, refugee relief, the environment, and other important development topics through the lens of religion. It highlighted, by dint of their numeric representation at the conference, the efforts of religiously motivated Muslims who are engaging in welfare efforts, economic development, and legal reform. Finally, it set a tone and created a basis on which to continue the G20 Interfaith Summit experience. Future collaborations will undoubtedly grow out of this year's successes.

Next year's G20 Interfaith Summit will be held in China in September.

"One of the objectives we hope out of the conference is that people realize that they can work across their differences, that in fact we need to bring our different perspectives, our histories, and our traditions together to address these issues that we're focusing on."

> Brian Adams Director, Centre for Interfaith & Cultural Dialogue, Griffith University



### ADVANCES AND SETBACKS IN THE LEGAL PROTECTION OF RELIGIOUS FREEDOM

Mexico City, Mexico | May 21-23, 2015

"I'm really impressed with the arowina interest in and increasing quality of religious freedom scholarship across Latin America. The meeting in Mexico City was packed with substance. I expect to see more and more of our Latin American colleagues join with us in international events to help establish religious freedom around the world."

Gary Doxey Associate Director, International Center for Law and Religion Studies The 15th Annual Colloquium of the Latin American Consortium for Religious Liberty was held May 21–23, 2015, at the Universidad Iberoamericana in Mexico City, Mexico. Sponsored by the Latin American Consortium for Religious Liberty, the Universidad Iberoamericana, and the International Center for Law and Religion Studies at BYU, the conference focused on the theme "Advances and Setbacks in the Legal Protection of Religious Freedom."

The inaugural session was chaired by the principal host and organizer of the colloquium, Professor Dr. Alberto Patiño Reyes of Universidad Iberoamericana. Other participants included Professor Dra. Maria Concepción Medina González, acting as the "Relatora General" of the colloquium; Professor Dr. Raul Gonzalez Schmal, who delivered the inaugural address; and Professor Dra. Carmen Asiaín Pereira, president of the Latin American Consortium for Religious Liberty. Some 40 experts presented at the conference representing Latin American, the United States, and Europe. Presentations included national reports addressing religious freedom developments in each country of those who participated as well as presentations on the general topic of religion and the law.

Scott Isaacson and Patrick Thurston of Kirton McConkie were presenters. Mr. Isaacson presented examples of cases where religion law in some Latin American countries has failed to deal equitably with minority religious organizations. Mr. Thurston reported on the religion law reform proposed in the Dominican Republic. Professor Gary Doxey of the Center outlined recent development in the United States, in particular the potential religious freedom challenges related to the same-sex marriage decision in Obergefell v. Hodges. James Heilpern, a recent BYU Law graduate and a member of the Center's 2014–2015 Student Management Board, presented a synopsis of his research on the changing meaning of religious freedom in the American lexicon.

The next conference will take place in Paraguay in July 2016.





OXFORD



### OXFORD CONFERENCE: MAGNA CARTA AND FREEDOM OF RELIGION OR BELIEF

Oxford, United Kingdom I June 21–24, 2015

The 2015 Oxford Conference, held at St Hugh's College, Oxford, commemorated the 800th anniversary of the sealing of Magna Carta. The conference addressed a blend of historical and current issues through presentations and visits to historic sites.

The event began with a devotional Sunday evening at the Oxford LDS meetinghouse, featuring an address, "Religious Freedom and the Habits of the Heart," by Elder Bruce C. Hafen, emeritus General Authority and member of the First Quorum of Seventy of The Church of Jesus Christ of Latter-day Saints, and a violin performance of Ave Maria (Bach / Gounod) by Mark Oshia of Academy of St. Martin in the Fields, accompanied by Elder Hafen.

Monday featured presentations at St Hugh's College addressing the conference theme, "Magna Carta and Freedom of Religion or Belief." These included keynotes by two leading experts on Magna Carta: Professor Richard Helmholz of the University of Chicago Law School and Professor Nicholas Vincent of the University of East Anglia and historical researcher of The Magna Carta Project.

On Tuesday participants visited Runnymede (the site of the sealing of Magna Carta), Windsor Castle, the Magna Carta Exhibit at the British Library, and Temple Church, where they were hosted by Master of the Temple, The Revd Robin Griffith-Jones, and by Professor Mark Hill QC, Chancellor of the Diocese of Chicester and the Diocese in Europe, and member of the Legal Advisory Commission of the General Synod of the Church of England, who addressed the group. The day concluded with a reception and dinner at Inner Temple, featuring keynote speaker The Right Honourable The Lord Judge PC QC, Lord Chief Justice of England and Wales (2008–2013).

On Wednesday participants joined, once again at St Hugh's College, in the day-long Oxford Journal of Law and Religion Academy.

Conference speakers included academics from throughout the world.

Next year's Oxford conference will be held in September.





"In spite of these ragged beginnings, Magna Čarta had planted the seedsthe powerful ideas—of what would become the verv foundation of the rule of law: being governed by laws, not by men. ... historical evidence affirms that 800 years ago, Archbishop Stephen Langton indeed placed the spark of civilized religion into Magna Carta, even though it took several centuries for that spark to ignite fully and then to burn as brightly as it does today. . . . So here we are, having clearly established in the 800 years since Magna Carta, that civilized religion has played an indispensable role in creating and sustaining the freest democratic societies ever known."

Elder Bruce C. Hafen, Emeritus General Authority and Member of the First Quorum of Seventy of The Church of Jesus Christ of Latter-day Saints

### CERTIFICATE TRAINING PROGRAMS RELIGION AND RULE OF LAW

### **CHINA**

The sixth China Certificate Training Program on Religion and Rule of Law took place in Beijing July 20–24, 2015. The Center, working in cooperation with the Institute for Global Engagement (Washington, DC), Pepperdine University Law School, and the Pu Shi Institute (Beijing) trained approximately 60 young scholars, government officials, and other experts. The five-day training covered topics such as the comparison of religion-state relationships, the current status of religious freedom, religion and rule of law in the public sphere, religious education, property, lawmaking, and religions in public life and politics.

"The Certificate Training Programs are designed to train and develop a network of scholars, government officials and religious leaders who will have the conceptual tools to promote the lawful regulation of religion and the promotion of religious freedom for all people. Our work is a little like helping erect scaffolding; it will be up to our students to design and build the edifice."

—Professor Brett Scharffs

Following the training, a one-day expert conference on selected issues relevant to the relationship of religion and the state was held. Attendees included scholars, religious leaders, and government officials from provinces around China as well as professionals from various religious groups. Presentations were given by 20 senior experts from China. The conference provided an opportunity to bring significant thinkers of religion-state issues together with focus on special issues needing resolution by legislation, including the relationship between religious freedom and religious activity, the boundary between legal and illegal religious activity, the subject of religious activity and the autonomy of religious entities, and the relationship between religious activity and venues of religious activity.

### **MYANMAR**

From November 30 to December 9, 2015, Professors W. Cole Durham and Brett G. Scharffs, director and associate director of the International Center for Law and Religion Studies, participated in a Religion and Rule of Law Certificate Training Program in Myanmar. The 10-day event was the first ever of its kind to be held in Myanmar. The training was sponsored by the International Center for Law and Religion Studies, the Institute for Global Engagement, the Venerable Sitagu Sayadaw, the Catholic Bishops Conference of Myanmar, and the Myanmar Council of Churches. Participants included leaders from each of the country's major religious communities and senior-level government officials from the Ministry of Religious Affairs.

The theme of the conference was Religion, Rule of Law, and Security. Participants examined the connection between religion and the rule of law and international human rights in relation to religion. There was also opportunity for interfaith dialogue. Professors and scholars from Australia, China, Indonesia, Myanmar, Singapore, Thailand, the United States, and Vietnam presented. On the heels of the recent elections removing the militarily-backed party from power, there was much discussion on what is to come. During the conference, Professor Durham met with U Nyan Win, National League for Democracy legal advisor and spokesman, to discuss Myanmar's future.



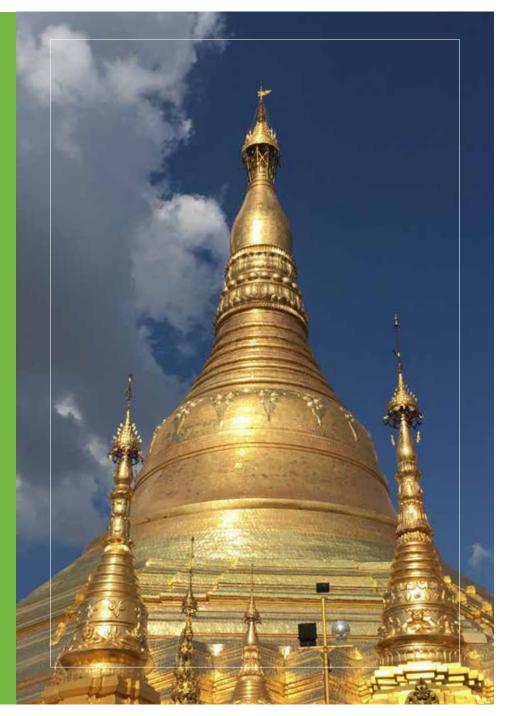
### WASHINGTON, DC, AND VIETNAM

The Center took part in two Religion and Rule of Law in Vietnam trainings this year. The first was held May 11–12 in Washington, DC. In partnership with the Institute for Global Engagement and Vietnam National University's University of Social Sciences and Humanities, the training, "Religion and the Rule of Law Comparative Studies: Vietnam and the United States," examined religious freedom, good governance, and policy making in the United States and Vietnam. The conference provided a unique space for the exchange of viewpoints and presentation of scholarship on religion and rule of law in Vietnam.

Vietnamese participants included representatives from the National Assembly, the Ministry of Home Affairs' Committee on Religious Affairs, the Ministry of Public Security, USSH, and a Buddhist leader. After the conference, the Vietnamese delegation had the opportunity to observe firsthand how religious freedom is implemented in the United States through meetings and visits to government agencies, NGOs, and faith-based community-service organizations.

The second training took place September 14–23 in Hanoi. Again partnering with the Institute of Global Engagement as well as the University of Social Sciences and Humanities Hanoi, the Center brought together almost 70 experts to strengthen a growing network of experts on law and religion in Vietnam and Southeast Asia. Course materials were based on the Vietnamese translation of Professor Brett Scharffs and Professor W. Cole Durham's casebook, *Law and Religion: National, International, and Comparative Perspectives.* 

In addition to conducting the training, Professors Scharffs and Durham and IGE personnel were invited by the Vietnamese National Assembly to provide feedback and recommendations on the country's current draft law on religion.



Little

# PUBLICATIONS



BOOKS

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-SR LAW AND RELIGION SOCIAL MEDIA **HEADLINES** 7. THE PRESS 30

# LEADING SCHOLARSHIP

As part of the Center's efforts to expand and disseminate knowledge and expertise regarding the interrelationship of law and religion, Center staff regularly produce leading scholarship in the field of law and religion studies, both in the United States and internationally. In addition, the Center curates law and religion headlines, supports various social media sites, and regularly participates in interviews and other methods of sharing knowledge.



### PUBLICATIONS

- Javier Martínez-Torrón and W. Cole Durham, Jr., General Reporters, Donlu Thayer, ed., Religion and the Secular State: National Reports, Facultad de Derecho Universidad Complutense de Madrid 2015.
- Elizabeth A. Clark and W. Cole Durham, Jr., "The Emergence of Corporate Religious Freedom," Chapter 14 in The Changing Nature of Religious Rights under International Law, Malcolm Evans, Peter Petkoff, and Julian Rivers, eds., Oxford University Press 2015.
- Elizabeth A. Clark and W. Cole Durham, Jr., "The Place of Religious Freedom in the Structure of Peacebuilding," in The Oxford Handbook of Religion, Conflict, and Peacemaking, Atalia Omer, Scott Appleby, and David Little, eds., Oxford University Press 2015.

#### Translations

• Chinese and Vietnamese translations of W. Cole Durham, Jr. and Brett G. Scharffs, Law and Religion: National, International, and Comparative Perspectives.

### FORTHCOMING PUBLICATIONS

- W. Cole Durham, Jr. and Donlu Thayer, eds., Religion and Equality: Law in Conflict, ICLARS Series in Law and Religion, Routledge forthcoming 2016.
- W. Cole Durham, Jr. and Donlu Thayer, eds., Religion, Pluralism, and Reconciling Difference, ICLARS Series in Law and Religion, Routledge forthcoming 2016.
- Brett G. Scharffs and Elizabeth A. Clark, Religion and Law and the United States, International Encyclopaedia for Religion, Rik Torfs, ed., Kluwer Law forthcoming 2016.
- Gerhard Robbers and W. Cole Durham, Jr., Encyclopedia of Law and Religion, Brill forthcoming 2016.
- W. Cole Durham, Jr., Robert T. Smith, and William W. Basset, Religious Organizations and the Law, 2nd ed., Thomson West forthcoming 2016.

#### Translations

• Burmese, Turkish, and Arabic translations of W. Cole Durham, Jr. and Brett G. Scharffs, Law and Religion: National, International, and Comparative Perspectives.

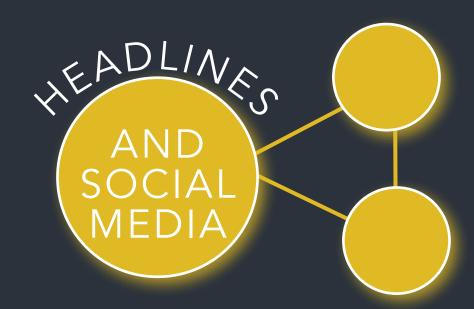
# THE PRESS

#### Trib Talk: Religious freedom in wake of Supreme Court's same-sex marriage ruling

WRITTEN BY SALT LANE TRIBUNE POSTED: 07/07/2015, 07:00AM



#### Does the U.S. Supreme Court's ruling on same-sex marriage threaten religious freedom? On Tuesday at 12:15 p.m., University of Illinois Iaw professor Robin Fretwell Wilson and Brigham Young University Iaw professor Cole Durham Join host Kristen Moulton to discuss failth, liberty, marriage and striking a balance.



### RADIO

Elizabeth Clark was interviewed on BYU Radio's *Top of Mind* with Julie Rose. In April she discussed why Religious Freedom Restoration Acts have moved from bipartisan support to intense controversy. In September she addressed Kim Davis's refusal to issue marriage licenses to same-sex couples as a violation of her religious beliefs.

### NEWS SPOTS

Professor Durham and University of Illinois law professor Robin Fretwell Wilson participated in Trib Talk, a video interview conducted by the *Salt Lake Tribune*, discussing faith, liberty, marriage, and striking a balance.

### LAW AND RELIGION HEADLINES

The Center searches headlines for the latest law and religion news. Headlines are subdivided by geographical location and available on ICLRS.org. Readers may subscribe to receive US, European, or international headlines via email. In 2015, 14,971 unique headlines were posted and shared with subscribers.

SUBSCRIPTIONS	2014	2015
US Law and Religion Headlines	1646	2247
Europe Law and Religion Headlines	1696	2314
International Law and Religion Headlines	1573	2157

### SOCIAL MEDIA

The Center also maintains four Facebook pages, a YouTube Channel, and a Twitter account.

# ENGAGEMENT ACTIVITIES

AMICUS BRIEFS





LAW REFORM ACTIVITIES



EXPERT OPINION

SIDE EVENTS



# ACTIVELY ENGAGED

The Center is actively engaged in constitutional and legislative reform efforts throughout the world. This may include testifying before various parliaments or legislative bodies, acting as advisors on various projects, preparing amicus curiae briefs, acting as outside experts, or providing commentary on religion bills to various legislatures. In addition, the Center participates in numerous activities throughout the world beyond our own sponsored or cosponsored events.



#### **Protecting Religious Freedom** An Interfaith Invitation

W. Cole Durham, Jr. joined a panel of local faith leaders and international experts on November 10, 2015, at the First Baptist Orlando Faith Hall in Orlando, Florida, to discuss religious freedom threats and what people can do to make a difference.



#### "Advancing Freedom of Religion or Belief for All" Conference at Theological School Halki

Professor Durham was among the experts gathered at the Theological School Halki in Istanbul/Heybeliada, Turkey on September 7–9, 2015. The conference convened under the auspices of The Ecumenical Patriarchate and the Conference of European Churches (CEC), as Churches Together for Human Rights.



#### "Religion, Security and Human Rights" Conference at European Parliament

Professor Cole Durham participated in a conference organized by the European Platform against Religious Intolerance and Discrimination (EPRID) on Human Rights Day, December 10, 2015, at the European Parliament in Brussels. In addition to Professor Durham, speakers included Dr. Heiner Bielefeldt, UN special rapporteur on freedom of religion or belief, and experts from the UK, Spain, and Pakistan.

#### Annual Report Special Rapporteur on Freedom of Religion or Belief

The Center cosponsored a series of events under the theme "Comparative and International Perspectives against the Background of the Annual Report of the UN Special Rapporteur on Freedom of Religion or Belief" in New York City on October 22–23. The events were organized in connection with the delivery of the annual report at the United Nations by special rapporteur Heiner Bielefeldt.





### Law Reforms

In 2015 the Center's law reform activities included Professor Durham's and Professor Clark's involvement with three other experts in the field in a submission to the Australian Human Rights Commission on Ensuring Equity, Fairness, and Inclusion for All. Professors Durham and Clark also wrote a review of the proposed draft, "Law on Religions and Beliefs," for the Socialist Republic of Vietnam. In addition, they were asked to submit comments in regard to the 2015 amendments to the Village Fono Act 1990 in Samoa. Professor Gary Doxey consulted with Costa Rican members of Congress on religion legislation in Costa Rica.



#### **Delegation Visits**

The Center meets with various foreign delegations, often sponsored by the US Department of State's International Visitor Leadership Program. These delegation visits are an opportunity to share the work of the Center and to discuss religious freedom issues. This photo is from a Sudanese delegation visit in December 2015.



In June 2015 Professor Brett Scharffs participated in two teaching programs designed to create bridges between Islamic Law and Human Rights. One program was held at a leading secular university in Yogyakarta, Gadja Mada University, and the other was at an Islamic University in Malang, Muhammadiyah University. The papers from the courses are being compiled into a textbook that will be published in both English and Bahasa in Indonesia next year.





#### Symposium in Beijing on Marxist Theories of Religion

Professor Brett Scharffs participated in the Symposium on Marxist Theories of Religion sponsored by the Institute of World Religions, Chinese Academy of Social Sciences, on May 30–31, 2015, in Beijing. Professor Scharffs's presentation was titled "The Relationship of Religion and the State: The Surprising Similarities and Important Differences in the Political Philosophy of Marx and Locke." The paper will be published in the Chinese Academy of Social Sciences Journal of the Institute of World Religions.



# Parliament of the World's Religions

The Center organized three sessions of the 2015 Parliament of the World's Religions in Salt Lake City, Utah, October 15–19. Global and national experts were brought together to discuss topics on religious freedom and development, freedom of religious expression and hate speech, and the contraceptive mandate debate.





#### **IRLA Meeting of Experts**

Professor Durham participated at the 17th annual "Meeting of Experts," organized by the International Religions Liberty Association (IRLA) on August 10–14, 2015.



## AWARDS



### 2015 International Religious Liberty Award

The J. Reuben Clark Law Society and the International Center for Law and Religion Studies were honored to present the Most Reverend William Edward Lori with the International Religious Liberty Award for 2015. Archbishop Lori is archbishop of the Baltimore Archdiocese and head of the Ad Hoc Committee for Religious Liberty of the United States Conference of Catholic Bishops. He has played a leading role in gathering an interfaith coalition to promote the freedom to exercise one's faith in both private and public life.

The award to Archbishop Lori was presented at the International Religious Liberty Awards Dinner in Washington, DC, on Thursday, October 8, 2015, an event cosponsored by the J. Reuben Clark Law Society; the International Center for Law and Religion Studies at Brigham Young University; the Center for Civil and Human Rights of the University of Notre Dame; the Religious Freedom Project of Georgetown University's Berkley Center for Religion, Peace, and World Affairs; and the Interdisciplinary Program in Law and Religion of the Columbus School of Law at the Catholic University of America.

#### 2015 Distinguished Service Awards

The International Center for Law and Religion Studies was honored to present Professor David Little, emeritus professor at Harvard Divinity School and current fellow at the Berkley Center for Religion, Peace, and World Affairs, and Dr. Gunnar Stålsett, moderator of the European Council of Religious Leaders and international president of the World Council of Religions for Peace, with the Center's Distinguished Service Awards for 2015 at the opening session of the 22nd annual International Law and Religion Symposium. The award is given to outstanding proponents of the cause of freedom of religion or belief worldwide, and the Center is pleased to be able to honor David Little for his role in the fields of religious ethics, peace, justice, and human rights studies and Dr. Stålsett for his role in upholding the position of religion in all aspects of life and for safeguarding religious institutions as a unique part of civil society.

### Fellows



Tanner Bean 2015 Jack P. Peterson Research Fellow McKenna Mills

2015 Maud Birkin Peterson Research Fellow

Leilani Maldonado 2015 W.G. and Helen

2015 W.G. and Helen Johnson Summer Research Fellow



#### The Sixth Annual Founding Fathers Religious Liberty Writing Contest

The Mid-Atlantic Chapter of the J. Reuben Clark Law Society and the International Center for Law and Religion Studies of Brigham Young University honored the winners of the sixth annual Founding Fathers Religious Liberty Writing Contest at an awards dinner held at the Mayflower Hotel in Washington, DC, on October 8, 2015. The purpose of this annual contest is to promote legal and academic studies in the field of religious liberty by law students and students pursuing related graduate studies.

*First place: cash award of \$4,000* Nicholas Reaves (University of Virginia School of Law)

*Second place: cash award of \$2,000* Ben Adams and Cynthia Barmore (Stanford Law School)

*Third place: cash award of \$1,000* Lauren Rennert (Wayne State University Law School)

#### *Honorable mentions:*

John Boersma (St. John's University Law School) Krista Pikus (University of Notre Dame Law School) Zachary Phillipps (University of Connecticut School of Law)

# Ways YOU can Support the Center



### **Contribute Financially**

Make a one-time or re-occurring gift to the Center. To donate of your time or resources to the Center, contact us by email at getinvolved@iclrs.org or call us at 801-422-6842.



# Join the IAC

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## Affiliation

Brigham Young University is sponsored by The Church ofJesus Christ of Latter-day Saints.



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