



THE INTERNATIONAL CENTER FOR LAW AND RELIGION STUDIES

# ANNUAL REPORT





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*It is the mission of the International Center for Law and Religion Studies 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.*

## WELCOME

Dear Friends,

There has been a whirlwind of activity since I became director ten months ago. My overwhelming emotion has been one of gratitude—for Cole Durham and the solid foundation he has built over the past 25 years and for all of my colleagues at the Center and their commitment to the Center and its mission, as well as their patience with and support of me as I adapt to these new responsibilities.

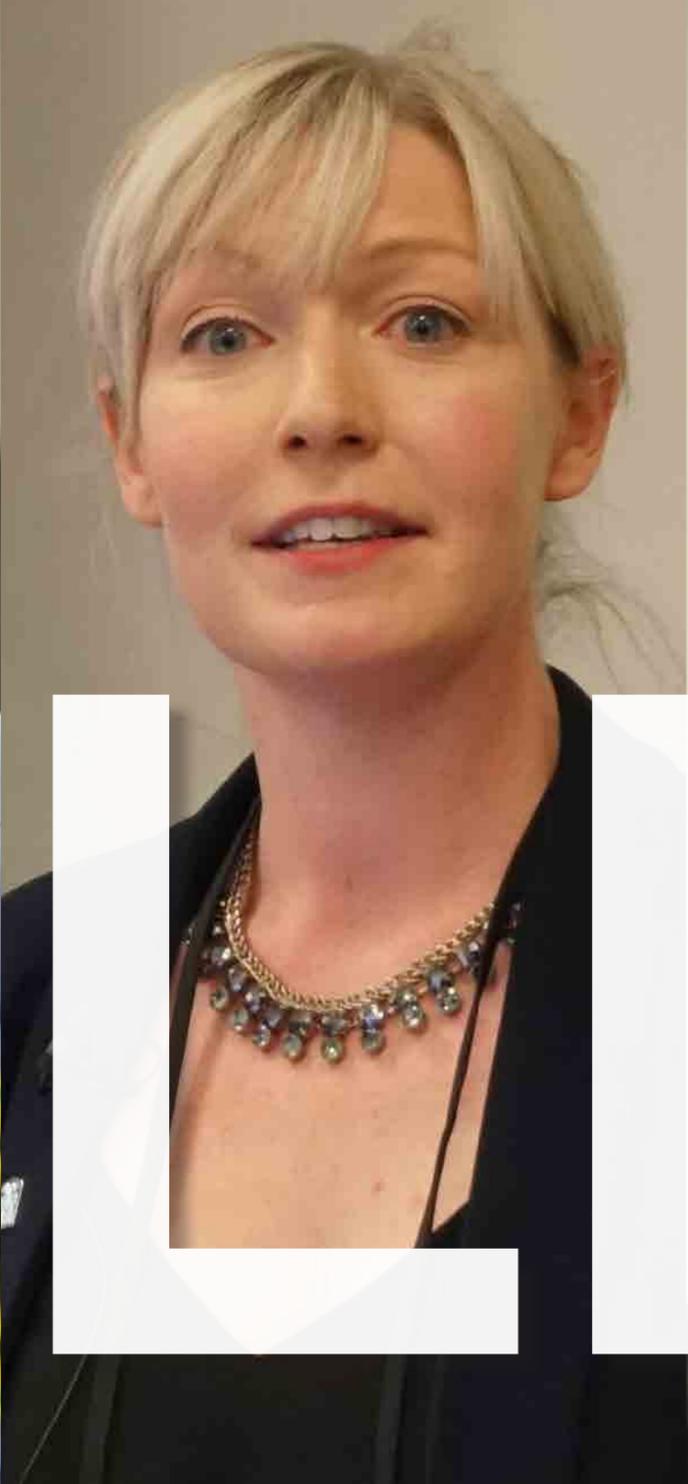
The good news is that Cole Durham remains fully engaged and committed to the work of the Center in his new role as founding director. He even moved offices after 30 years, and he and I now have adjacent spots on the fifth floor looking out at the magnificent Y Mountain, which reminds us daily of the many mountains yet for us to ascend. My hope is to free him from as much of the administrative work of the Center as possible so that he can focus on what he does best: acting as an ambassador for religious freedom for all people in all places and as a senior statesman for the Center and our many projects and undertakings around the world. We hope he will have a little more time to spend with Louise and their family, who have together given so much for the work of the Center.

As you review the activities of 2016, I hope you will share in our gratitude for the opportunities we have at the Center to be engaged in meaningful work on a topic of timeless and eternal significance. I am mindful of the quality of partnerships that we enjoy in our work around the world and the quality of opportunities that we have to engage in the work of law and religion at high levels and in significant venues. Of course many of the opportunities we have today are the results of decades of building relationships and delivering quality work, and the opportunities we will have tomorrow will depend upon the quality of our work in the coming months and years. I also hope you will sense our deep commitment to our students and to providing meaningful educational and professional-development opportunities for them. They make significant contributions to nearly every facet of our work, and their energy, optimism, and eagerness are quite literally what make our students the “special sauce” that is the key to our recipe.

On behalf of our entire little team, we express heartfelt gratitude to those with whom we collaborate and to those who support our work materially and in so many other ways.

With warm regards,

Brett G. Scharffs  
Director



PEOPLE

# STAFF



Photo by Ellen Huish.

Back row, left to right: Deborah A. Wright, Coordinator and Administrative Assistant; Donlu D. Thayer, Senior Editor; W. Cole Durham, Jr., Founding Director; Gary B. Doxey, Associate Director; Elizabeth A. Clark, Associate Director. Front row, left to right: Blythe M. Shupe, Communications Specialist; Brett G. Scharffs, Director; Sandy L. Stephenson, IAC and Conference Liaison.

## CENTER LEADERSHIP

United to help secure the blessings of freedom of religion and belief for all people, Center staff work ceaselessly to further the efforts of the Center.

## A CHANGE IN LEADERSHIP

Effective May 1, 2016, Brett G. Scharffs became director of the International Center for Law and Religion Studies; W. Cole Durham, Jr., who has served as director of the Center since its beginning, assumed the role of founding director.



W. Cole Durham, Jr. and Brett G. Scharffs

Outgoing BYU Law School dean James R. Rasband praised Professor Durham for his “visionary leadership of the Center since its founding” and noted that Professor Durham “will continue to play an important role in the Center he has sacrificed so much to build. As a leading figure in the world of law and religion, he will also serve as an ambassador for the Center and its work and for the Law School.”

Of Professor Scharffs, Dean Rasband said, “I am confident the Center will continue to flourish under his leadership. I know him to be a tireless worker with sound judgment and a deep commitment to both the Law School and the Center. His extensive university and law school leadership experience, as well as his distinguished record of scholarship and teaching, have prepared him well for this new role.”

Incoming Law School dean D. Gordon Smith, who began his term on May 1, 2016, said, “Under Professor Durham’s energetic leadership, the Center has become a leader in advancing the understanding of connections between law and religion among academics and policymakers throughout the world. We are confident that Professor Scharffs will continue the Center’s ambitious agenda of promoting religious liberty for all people.”

Professor Scharffs was an associate director at the Center since 2009 and associate dean of the BYU Law School since 2013. He and Professor Durham will continue to work side by side to promote the mission of the Center.

## BOB SMITH IS CALLED TO ARGENTINA

After 10 years as managing director of the Center, Robert T. Smith left for a three-year term of service beginning June 22, 2016, as president of the Argentina Buenos Aires North Mission of The Church of Jesus Christ of Latter-day Saints.

“For the past decade Bob has served the Center with grace and patience,” said Professor Scharffs. “He has always had a focus on students and on helping prepare them for lives of service. We are confident that these are among the characteristics that have led to his call as a mission president and . . . that will help him succeed in this exciting next chapter.”

Professor Durham expressed his gratitude for Smith: “Through his tenure I have been immensely grateful for his unstinting support. He is truly a person without guile, willing to put his own self-interests behind the concerns of the Center at every turn.”

At the Center, Smith played an extensive role in the treatise *Religious Organizations and the Law* and was actively involved in fundraising, the receipt and management of major grants, and the growth of the Center’s annual regional conferences, particularly in Africa.

Smith said it has been interesting to watch religious freedom go from a peripheral issue in the United States to a main cultural issue. “It has been exciting to be a part of such an impactful and challenging work,” he said.

All of us at the center wish Bob, his wife, Kristine, and their family the best in their new adventure.



Bob Smith Family

# AAB

## THE ACADEMIC ADVISORY BOARD

A group of internationally recognized law and religion scholars, the Academic Advisory Board provides invaluable consultation and strategic advice that helps the Center fulfill its mission. We are grateful for the board's friendship, support, and hard work on behalf of religious freedom throughout the world.



**Professor Sophie van Bijsterveld**  
Universiteit Radboud, Netherlands  
Member, Dutch Upper House of Parliament  
NIJMEGEN, THE NETHERLANDS



**Reverend Doctor Kim-Kwong Chan**  
Executive Secretary, Hong Kong Christian Council  
HONG KONG, CHINA



**Professor Carolyn Evans**  
Dean of the Law School, University of Melbourne  
MELBOURNE, VICTORIA, AUSTRALIA



**Professor Silvio Ferrari**  
Dipartimento di Scienze giuridiche 'Cesare Beccaria'  
Università degli Studi di Milano  
MILAN, ITALY



**Professor Mohammad Hashim Kamali**  
International Institute of Advanced Islamic Studies  
KUALA LUMPUR, MALAYSIA



**Professor Tore Lindholm**  
Professor Emeritus, Norwegian Centre for Human Rights  
OSLO, NORWAY



**Professor Tahir Mahmood**  
Founder and Chair, Amity Institute of Advanced Legal Studies  
NEW DELHI, INDIA



**Professor Javier Martínez-Torrón**  
Universidad Complutense  
MADRID, SPAIN



**Professor Juan G. Navarro Floria**  
Pontificia Universidad Católica  
BUENOS AIRES, ARGENTINA



**Dr. Liu Peng**  
Pu Shi Institute for Social Sciences  
BEIJING, CHINA



**Professor Gerhard Robbers**  
Professor Emeritus, Universität Trier  
TRIER, GERMANY



**Professor Rik Torfs**  
Rector, Katholieke Universiteit Leuven  
LEUVEN, BELGIUM



**Professor Juan Carlos A. Valderrama**  
Universidad Católica  
LIMA, PERU

# IAC

## THE INTERNATIONAL ADVISORY COUNCIL

The efforts of the Center require the support and participation of many good people. We are honored and grateful to the International Advisory Council—a membership of more than 140 men and women who are dedicated to the cause of freedom of religion and belief—for helping the Center fulfill its mission.

IAC members act as ambassadors at our annual symposium and our regional conferences, assist at national and international events, and give generously of their time, talents, and other resources.

To learn more about how to support the Center or become an IAC member, please email [getinvolved@iclrs.org](mailto:getinvolved@iclrs.org) or call 801-422-6842.



## INTERNATIONAL ADVISORY COUNCIL EXECUTIVE COMMITTEE

The IAC Executive Committee is made up of 12 International Advisory Council members who participate in regular meetings and assist in fundraising and special projects or initiatives of the Center. We appreciate their dedication and hard work.

Lynn Anderson  
David Christensen  
David Colton

Mark Cressler  
Blair Garff  
Duane Madsen

David Nearon  
Linda Nearon  
Milt Shipp

David Stirling  
Laurea Stirling  
Bryce Wade

## TRAVEL STUDY IN SOUTHEAST ASIA

From February 13 to 25, 2016, members of the IAC participated in a travel study tour of Southeast Asia. One goal of the travel was to provide occasions to reflect on the themes of religion and the rule of law as well as the Center's mission to promote religious freedom for all people in all countries of the world. The group visited sites in Vietnam, Thailand, and Cambodia, and highlights included a trip to Ha Long Bay and dinner in one of the caves, a visit to the ancient temples of Angkor Wat, and a stay at the edge of the Krabi Marine National Park.

Professor Scharffs said of the trip: "Our deepened appreciation for the history and culture of these ancient civilizations will help us place into context the challenges and opportunities that exist in this part of the world today." The trip began with a meeting between the Center and Vietnam National University, during which a historic blueprint for cooperation between the two organizations was signed.



*Elder Craig A. Cardon and Sister Deborah Cardon*

## IAC SPRING MEETING

The 2016 annual spring meeting of the IAC was held March 31–April 1, 2016, in Salt Lake City. Thursday evening's keynote speaker was Elder Craig A. Cardon, a General Authority Seventy of The Church of Jesus Christ of Latter-day Saints and previous president of the Africa West Area of the Church. He focused his remarks on the history of the Church in Africa.

Friday's events included briefings and discussions by Center directors. Professor Durham explained the emerging challenges for religious freedom. David Christensen, chair of the IAC Executive Committee, spoke on current IAC membership, IAC activities, and the Center's strategic needs. Center faculty members formed a panel to discuss the status of religious liberty by region and strategy. William F. Atkin, Associate General Counsel for the Church, gave the closing address, "Religious Freedom Challenges Facing the Church."

## HELEN LEON RECEIVES AWARD

IAC member Helen Leon was presented the 2016 BYU President's Award for "her generous contributions and for her ongoing efforts to continue her and her late husband's legacy of charity." In addition to her work with the Center, Helen sits on the boards of the Arnold Palmer Hospital for Children and the Orlando Health Foundation and regularly attends meetings for the BYU President's Leadership Council and the BYU Jesse and Amanda Knight Society. Helen is committed to the importance of religious freedom for all. Her involvement with the Center is also a way to honor her late husband, Edward, whose worldwide friendships crossed religious and cultural boundaries. "When I went to talk to Cole Durham, I knew immediately that that's where money should go," said Helen. "We have to work to get freedom of religion wherever we can." We congratulate Helen and thank her for her patronage.



# IAC



## INTERNATIONAL ADVISORY COUNCIL

Allen and Denise Alexander  
 Gary and Lynn Anderson  
 Scott and Jesselie Anderson  
 Brent and Cheri Andrus  
 William F. and Ann Atkin  
 Frank and Jacklyn Bakker  
 Brent and Bonnie Beesley  
 Angus and Christi Belliston  
 Brian and Rachel Bertha  
 Brad and Ann Botteron  
 Douglas and Ann Bush  
 David and Stacey Campbell  
 Craig and Deborah Cardon  
 Sheldon and Joan Child  
 William and Patricia Child  
 Craig and Shawna Christensen  
 David and Mary Christensen  
 Jordan and Julie Clements  
 David and Julie Colton  
 Phil and Barbara Colton  
 Sterling and Eleanor Colton  
 Greg and Julie Cook  
 Jim and Sandy Cook  
 Lew and Barbara Cramer  
 Mark and Janette Cressler  
 Gary and Ann Crocker  
 Ralph and Mary Dewsnup  
 W. Cole and Louise Durham  
 Richard and Christena Durham  
 Blair and Suzanne Garff  
 Scott and Cheri Gubler  
 Wayne and Connie Hancock  
 Ralph and Carole Hardy  
 Richard and Nan Hunter  
 King and Diane Husein  
 Blair and Katrina Jackson  
 Eric and Kaye Jackson  
 Heber Jacobsen and Christine Lake

Ray and Jill Johnson  
 Jim and Allyson Larkins  
 Helen Leon  
 David and Nancy LeSueur  
 David and Bianca Lisonbee  
 Kent and Karen Lundquist  
 Larry and Susan Lunt  
 Duane and Erlyn Madsen  
 Stan and Susan Martineau  
 Carlos and Vania Martins  
 Ollie Michel  
 Reid and Melanie Moon  
 David and Linda Nearon  
 David and Tiffany Nearon  
 Jeff and Janet Nelson  
 William and Christine Nelson  
 David and Kathryn Paxman  
 Robert and Catherine Pedersen  
 Wayne and Robyn Petty  
 Jim and Bonnie Pollock  
 Margaret Pope  
 Bruce and Sara Robinson  
 Jeff and Michelle Robinson  
 Duane and Marci Shaw  
 Milt and Heidi Shipp  
 Greg and Sharon Slater  
 David and Laura Stirling  
 Wayne and Patrice Tew  
 Noel and Carrie Vallejo  
 Bryce and Peggy Wade  
 Stephen and Marcia Wade  
 Blake and Leslie Walker  
 Lance and Patricia Wickman  
 Mark and Laura Willes  
 Kim Wilson and Gail Miller  
 Mark and Carol Wolfert  
 Ken and Athelia Woolley

*Special thanks to Sandy Stephenson for her hard work in support of the IAC.*

# STUDENTS



One of the Center's greatest resources is the dedicated students who give of their time and talents to further the work. Some are volunteers, and others are selected to serve on the Student Management Board, on the Symposium Executive Committee, or as student fellows. At the 2016 symposium, Professor Scharffs spoke of these students as the Center's "crown jewels" and "hope for the future." The Center would like to thank them for their invaluable service.

## 2016 OUTSTANDING SERVICE AWARDS

Each year at the Barrister's Ball, an annual tradition of the BYU Law School, the Center honors students who have dedicated service to both the Center and the cause of international religious freedom. The following students received awards in 2016:

Ryan Andersen • Eva Marie Brady • Bennett Briggs • Tara Fitzgerald • Roman Harper • Travis Hyer • Jedediah Knight • Laura Monique Mullenau Laing • Aline Marie Longstaff • Annalee Hickman Moser • Lauren Ravsten Robins • Zachary Smith

*The 2016 Law and Religion Moot Court Competition in Venice. Students Ryan Andersen, McKenna Mills, Aline Longstaff, and Eva Brady with two of the competition judges, Professor Brett Scharffs and Judge Kent A. Jordan, US Court of Appeals for the Third Circuit.*

## 2016 FELLOWSHIPS

Jack P. Peterson Research Fellow:  
**Thomas Palmer**

Maud Birkin Peterson Research Fellow: **Alex Alton**

W. G. and Helen Johnson Summer Research Fellow: **Kaleb Brimhall**

# STUDENTS

## A GLOBAL RESEARCH OPPORTUNITY

ICLRS student research fellows spend approximately a month during the summer following their first year of law school working as legal externs for an international office of The Church of Jesus Christ of Latter-day Saints. This valuable experience teaches them about the complexities of various countries' legal systems and the ways in which religious freedom impacts people and organizations in various regions. The fellows spend the remainder of the summer working with Center faculty on publications and projects, including the Religious Freedom Annual Review conference. This summer experience leads many to additional involvement with the Center in other capacities.

## 2016 STUDENT RESEARCH FELLOWS

Reed Adlish.....	SANTO DOMINGO, DOMINICAN REPUBLIC
Alexander Alton.....	SÃO PAULO, BRAZIL
Jarom Blackhurst.....	MOSCOW, RUSSIA
Kaleb Brimhall.....	SALT LAKE CITY, UTAH
Sarah Clifford.....	AUCKLAND, NEW ZEALAND
Jacob Crump.....	SALT LAKE CITY, UTAH
Jessica Farnsworth.....	HONG KONG
Jedidiah Gibson.....	AUCKLAND, NEW ZEALAND
Ryan Hughes.....	FRANKFURT, GERMANY
Nathan Kinghorn.....	LIMA, PERU
Shad Larson.....	JOHANNESBURG, SOUTH AFRICA
Brittani Nelson.....	FRANKFURT, GERMANY
Thomas Palmer.....	BUENOS AIRES, ARGENTINA
Joshua Prince.....	MOSCOW, RUSSIA
Brenden Stuart.....	HONG KONG
Benjamin Thornell.....	ACCRA, GHANA



**“I worked daily with incredibly skilled attorneys who offered me constructive feedback and really made me feel as though my contribution mattered. I knew I was making a meaningful difference in the lives of real people.”**

JOSHUA PRINCE  
MOSCOW, RUSSIA



**“There are very few law students who are able to say they traveled to an international location in order to assist in the legal affairs of a religious organization.”**

BRENDEN STUART  
HONG KONG



**“Almost all students learn how to give general legal support over the summer, but I learned how to give it across seven unique developing countries.”**

BENJAMIN THORNELL  
ACCRA, GHANA

# STUDENTS



## 2016 SYMPOSIUM EXECUTIVE COMMITTEE

Under the direction of Center associate director Elizabeth Clark, the law students of the Symposium Executive Committee spend the weeks leading up to the Symposium planning logistics. Then, during fall break, the BYU Law School turns into symposium command central, with the Executive Committee and many volunteer students manning the ship. For anywhere from a few hours to several days, these students host almost 100 international delegates, providing informal translation, coordinating the delegates' schedules, tracking and coordinating translation of delegate presentations, and providing transportation. The Symposium would not be successful without these students.

Second-year law student Kaleb Brimhall said, "I became involved with the International Law and Religion Symposium at Brigham Young University because of my desire to help promote religious freedom. . . . [It] gives me an opportunity to advance this noble cause and learn from [a] diverse group as they champion the cause of religious freedom throughout the world."

Delegates speak highly of the students. Papua New Guinea Deputy Chief Justice Salika Gibbs personally complimented a student who waited for him at the airport when he missed his flight: "That is the dedication and commitment of your students, and they are a credit to the institution and to the Center."

*Master Schedule:* Cara Duchene and Laura Shrum, co-chairs, with Jessica Farnsworth

*Recruitment:* McKenna Mills, chair, with Tye Christensen, Jacob Crump, and Reed Adlish

*Transportation:* Michael Goodrich and Bradley Rebeiro, co-chairs, with Joshua Prince and Thomas Palmer

*Concierge/Hosting:* Scott Ludlow and Cami Schiel, co-chairs, with Elizabeth MacLachlan and David Headley

*Documents:* John Sellers and Andee Devore, co-chairs, with Kaleb Brimhall and Nathan Kinghorn

## 2015-2016 STUDENT MANAGEMENT BOARD

The Student Management Board consists of second- and third-year law students with expertise in writing, research, editing, foreign languages, and an interest in law and religion. Some have previously worked as student fellows, as volunteers, or as members of the symposium's student executive committee. These students work 5 to 10 hours a week for the Center on various projects, including research and publications. Some assist in planning and attend foreign conferences. The 2015-2016 board included students fluent in French, Spanish, Italian, Russian, Mandarin Chinese, Arabic, Turkish, and Hindi.

"I joined the Student Management Board because it gives me the opportunity to do meaningful research on issues that are really important to me," said student Michael Goodrich. "I believe that the ability to form opinions about religious questions and to act on those beliefs, individually and together with others who share our world view, is a vital part of what it means to be human."

*Third-Year Law Students:* Ryan Andersen • Alex Biggs • Eva Brady • Bennett Briggs • Tara Fitzgerald • Travis Hyer • Jedediah Knight • Monique Mullenaux Laing • Aline Longstaff • Annalee Moser • Lauren Robins • Jarvis Yau

*Second-Year Law Students:* Tanner Bean • Lauren Flores • Raquel Flores-Vera • Michael Goodrich • Ryan Jolley • Leilani Maldonado • Abby McKeon • McKenna Mills

*"I believe that the ability to form opinions about religious questions and to act on those beliefs . . . is a vital part of what it means to be human."*

—Michael Goodrich

# VISITORS

As part of its mission to expand, deepen, and disseminate knowledge and expertise regarding the interrelationship of law and religion, the Center often hosts visitors—from international delegations through the US Department of State to professors and scholars.



## DISCUSSING THE ROLE OF RELIGION OR BELIEF

In 2016 the Center was visited by three US Department of State International Visitor Leadership Program delegations. An interfaith group from France—including a Jewish rabbi, a Muslim imam, and a museum director—met to discuss the work of the Center and interfaith dialogue in the United States. A group of academics and judges from Saudi Arabia visited the Center in March to discuss the American experience of religious diversity, explore challenges to and successes in interfaith relations, and examine the civic and social contributions of faith groups to American society. A delegation from Afghanistan and Pakistan, including academics and government officials, visited in September to discuss religious dialogue and its influence on foreign policy.

## TEACHING ON CHURCH AND STATE

Alan E. Brownstein was a Visiting Professor at BYU Law School during fall semester 2016, taught Constitutional Law (Fourteenth Amendment) and participated with Professors Durham and Scharffs in teaching the law and religion seminars. He attended and acted as a moderator at the International Consortium for Law and Religion Studies conference in Oxford, England, in September.

Professor Brownstein is Professor of Law, Boochever and Bird Chair for the Study and Teaching of Freedom and Equality at UC Davis School of Law. He was an attorney in general litigation and corporate practice with Tuttle & Taylor in Los Angeles. From 1977 to 1978 he clerked for the Honorable Frank M. Coffin, chief judge of the United States Court of Appeals for the First Circuit, in Portland, Maine. Professor Brownstein completed a JD at Harvard Law School and undergraduate degrees in political science and psychology at Antioch College.

## TAKING A STAND FOR RELIGIOUS FREEDOM

On November 17, 2016, David Saperstein, US Ambassador-at-Large for International Freedom, addressed the BYU campus in a distinguished lecture titled “US Efforts to Promote International Religious Freedom.” Co-sponsored by ICLRS and the Wheatley Institution, Ambassador Saperstein spoke on the current climate of religious freedom around the world, saying that three-fourths of the world’s population live in countries that have serious restrictions regarding religious freedom. “I travel around to countries and meet with oppressed religious minorities, and they say ‘You hold our story up to the world. You give us a voice,’” he said.

Ambassador Saperstein publicly thanked the Center for its work on behalf of freedom of religion or belief and urged audience members to support and demand religious freedom for all. When religious persecution occurs, he said, many communities “come together to clean up and stand in solidarity. It’s one of the more remarkable facts of our time. We should remember the heroic efforts of those who are willing to stand up for those under persecution.”

## LEARNING IN PROVO ABOUT RELIGIOUS ISSUES

The Center welcomed four visiting scholars from Vietnam during fall semester 2016: Duong Nguyen, Phung thi Phuong Thao, Thanh Huyen Tran, and Khac Duc Nguyen. These scholars conducted individual mentored research in law and religion and participated in two law classes. They presented at the International Law and Religion Symposium, a highlight of their visit. Duong Nguyen said that her participation “provided [her] with a different, diverse point of view about religious freedom as well as religious freedom guarantees throughout the world.”

The scholars returned to Vietnam with a deeper understanding of the importance of religious freedom and the rule of law and look forward to sharing their experiences. “The acquisition of knowledge and learning experiences from America will help Vietnam with broader insight about religious issues,” said scholar Phung Thi Phuong Thao. “We will work together to continue studies in order to propose to the authorities in Vietnam the best policies on religious issues.”

## VISITING FROM NIGERIA

The Center was honored to welcome Akinola Ibidapo-Obe as a visiting scholar in 2016. Professor Ibidapo-Obe (“Professor Akin”) is former dean of the Faculty of Law and former director of the Faculty’s Centre for Human Rights at the University of Lagos, Akoka, in Nigeria. Professor Akin has been a key figure in several successful events held by the Center in Nigeria during the past two years.

As dean, Professor Akin pioneered Introduction of Law and Religion Studies as an approved course at the University of Lagos. He credits his involvement with the law and religion movement to his attendance at the 21st International Symposium on Law and Religion Studies at BYU Law School in October 2014. His faculty subsequently hosted an international conference, “Towards Law and Religious Freedom in Africa,” with support from the Center. Professor Akin and colleagues throughout Nigeria have formed the Nigeria Association for Law and Religion Studies and the West African Regional Centre for Law and Religion Studies to promote teaching and research on law and religion in Nigeria and the West Africa subregion.





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# ASIA



## G20 INTERFAITH SUMMIT 2016 IN CHINA

Hosted by the Institute of World Religions of the Chinese Academy of Social Sciences and jointly sponsored by ICLRS, a unique event took place in Beijing, China, on August 30–September 1, 2016, simultaneously with the G20 meeting of world leaders. The interfaith summit invited Chinese scholars and international experts to discuss the topic “Dialogue Among Civilizations and Community of Common Destiny for All Mankind.”

Presenter Katherine Marshall of the Berkley Center for Religion, Peace, and World Affairs at Georgetown University said, “Echoing the title, the overall line of argument was that common values trump real divides linked to culture or religion. There were many papers exploring scholarship about religious traditions that have shaped China, touching more on ‘harmony’ than

on tensions. How, some asked, is the Internet really changing transmission and practice of religious beliefs and adherence, and how can and should the negative features of the Internet . . . be governed?”

Professor Durham also participated, along with international experts Paul Babie and Carolyn Evans (Australia); Elizabeta Kitanovic (working in Belgium); Rodrigo Vitorino Souza Alves (Brazil); James Christie and Karen Hamilton (Canada); Katayoun Alidadi (legal scholar based in Germany and the United States); Tahir Mahmood and Faizan Mustafa (India); Asher Maoz (Israel); Marco Ventura (Italy); Rt. Rev. Yoshinobu Miyake (Japan); Liviu Olteanu (Switzerland); Recep Sentürk (Turkey); and Frederick Axelgard, Ram Cnaan, Ganoune Diop, and Sherrie Steiner (United States).



## RELIGION AND THE RULE OF LAW CERTIFICATE TRAINING

A unique regional certificate training program on religion and the rule of law was held on September 19–24, 2016, in Lào Cai in the Northwest Highlands of Vietnam. Although Lào Cai Province has a population of only a little more than 600,000, it includes 24 of the 54 ethnic groups in Vietnam and an array of religious and linguistic communities.

The certificate training program was modeled on successful programs held over the past five years—twice in Hanoi, once in Ho Chi Minh City, and once in Danang. This was the first time the program was designed for a primarily regional rather than national audience. More than 70 students participated in the program, including religious leaders, educators, and government and party officials, with responsibilities regarding the regulation and oversight of religion and religious groups. Participants came from 10 different provinces in northwest Vietnam. Professor Scharffs and Eugene Tan, Professor of Law at the Singapore Management University, presented along with Vietnamese professors, officials, and other experts.

ICLRS also helped organize the seventh Certificate Training Program on Religion and the Rule of Law in Beijing, held July 25–August 4, 2016, in Beijing. In partnership with the Center for Administrative and Constitutional Law at Peking University and the Pu Shi Institute, the program brought together 60 students from all over China and more than a dozen international experts, including young professors, graduate students, religious leaders, judges, and government officials. Professors Durham and Scharffs also attended.

## THE IMPLEMENTATION OF LAW AND RELIGION IN VIETNAM

Professor Scharffs participated in an international conference in Hanoi, Vietnam, on September 15–16, 2016, that focused on issues relating to law and religion in the Association of Southeast Asian Nations (ASEAN) region. The conference included two dozen experts from most of the 10 ASEAN countries and the United States. Professor Scharffs presented on “The UN Declaration of Human Rights: Foundations of International Standards for Religious Freedom and the Rule of Law” and “Regulating Religion: Before Registration, at Registration, and after Registration—Advantages and Disadvantages.” The conference was co-organized and co-sponsored by the University of Social Sciences and Humanities of Vietnam National University, ICLRS, and the Institute for Global Engagement.



## LAW REFORM

Professors Durham, Scharffs, and Clark of ICLRS provided input at several stages in the formulation of the religion law ultimately adopted in Vietnam in late 2016.



## FIRST-OF-ITS-KIND MASTER'S DEGREE IN SHARIA AND HUMAN RIGHTS

On May 30, 2016, the University of Muhammadiyah in Malang, Indonesia; the Oslo Coalition of Freedom of Religion or Belief in Norway; and ICLRS announced the creation of a master's degree program on Sharia and human rights at the University of Muhammadiyah. The announcement marked the fifth year a master's-level course (MLC) on Sharia and human rights was held at the university.

The first 10 students admitted to the master's program were among 35 students from Indonesia who participated in the MLC, which was held in Malang on May 30–June 3, 2016. Thanks in part to a grant from the Asia Foundation, these students will have their costs covered for the two-year program, which formally launched fall 2016.

Professor Scharffs has participated for the past five years in planning, organizing, and teaching the MLC. He explained, "The goal . . . is to build bridges between legal systems and worldviews that often seem to be separated by a chasm so large as to seem unbridgeable. This course [and now the program] is built upon the proposition that meaningful dialogue between Sharia and human rights is not just possible but important."

The theme of the 2016 MLC was "Background and Core Issues in Contemporary Indonesia." In addition to Professor Scharffs, those who participated included Professor Syamsul Arifin, the newly appointed Vice Rector of the University of Muhammadiyah; Dr. Ahmad Nur Fuad, an expert in Islamic law from the IAIN Sunan Ampel, Surabaya; Professor Tore Lindholm, a philosopher who specializes in both human rights and Islamic law at the Norwegian Centre for Human Rights at the University of Oslo, Norway; Cekli Pratiwi, LL.M., an expert in human rights law at the University of Muhammadiyah; Professor Mun'in Sirry, an expert in interfaith dialogue at

the University of Notre Dame, Indiana; and Professor Jeroen Temperman, an expert in human rights and editor-in-chief of the scholarly journal *Religion and Human Rights* at Erasmus University in Rotterdam, the Netherlands.

An outgrowth of the MLC—a "Short Course on Sharia and Human Rights"—was held the previous week at the Universitas Gadjah Mada in Yogyakarta, Indonesia. This was the third year Professor Scharffs helped organize and teach this program.

A textbook designed for teaching Sharia and human rights will be published in 2017 in both English and Bahasa Indonesian and will be edited by Syamsul Arifin, Ahman Nur Fuad, Cekli Pratiwi, and Mahaarum Kusuma Pratiwi.



1

The goal of the registration systems should be to make registration and recognition of religious groups as simple and straightforward as possible.

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Restrictions of freedom of expression and religious persuasion will be met with criticism.

4

Provisions regarding education should differentiate between education required by state law and education needed for religious qualifications, such as ordination as a minister.

5

The basic goal of the legislation should be to facilitate freedom of religion and belief while protecting government interests in the actual requirements of public order, public safety, public health, public morals, and the rights and freedoms of others.

6

The law should differentiate between circumstances when permission is required for religious groups to engage in specific activities and when they are required to provide information about their activities; information rather than permission is usually preferable.

7

There should be a right to appeal unfavorable administrative and legal decisions.

8

Ordinary mechanisms of regulation, rather than specialized and extraordinary mechanisms of regulation, are generally preferable.

**EIGHT  
RECOMMENDATIONS**

## VIETNAM NATIONAL ASSEMBLY WORKSHOP ON THE PROPOSED LAW ON BELIEF AND RELIGIONS

On September 15, 2016, Professor Scharffs and J. Clifford Wallace, Emeritus Chief Judge of the United States Court of Appeals for the Ninth Circuit, presented at a workshop organized by the National Assembly of Vietnam. The two were invited to give foreign scholarly and judicial perspectives before the National Assembly on a proposed bill that would regulate religious groups in Vietnam. Professor Scharffs made eight recommendations:



Prior to the meeting, Professors Durham and Elizabeth Clark prepared detailed commentaries on the draft Vietnamese law, and both Professors Durham and Scharffs were involved in several meetings in Vietnam and the United States with those drafting the Vietnamese law, with members of the Committee on Religious Affairs, and with the experts involved in shaping the draft.



### CONFERENCE: “RELIGIOUS PLURALISM, HERITAGE, AND SOCIAL DEVELOPMENT IN AFRICA”

More than 60 international scholars, legal professionals, and religious leaders participated in the fourth conference of the African Consortium for Law and Religion Studies (ACLARS) on May 22–24, 2016. The conference was organized by ACLARS in cooperation with the College of Law and Governance Studies of Addis Ababa University, the International Consortium for Law and Religion Studies (ICLARS), and ICLRS. A workshop for early-career scholars was held immediately prior to the conference, and a special opening program on Sunday evening featured representatives from various religious communities.

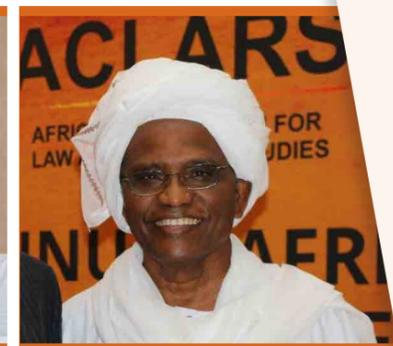
Awol Wagrís, Ethiopia State Minister of Federal and Pastoralist Development Affairs, delivered the opening speech of the conference. “Looking ahead,” he said, “the greatest challenges our country faces with regard to the protection of religious freedom and promotion of religious pluralism are religious extremism, intolerance, and violent conflict.” He added that addressing these challenges effectively requires the

promotion of mutual understanding, respect, and cooperation among governmental bodies, religious communities, and nonreligious members of society.

The conference focused on religious pluralism in Africa, particularly in relation to contemporary questions of heritage and social development. “Heritage” was defined broadly as how religious, cultural, legal, and historical traditions shape religious identities and societies in Africa today. Participants discussed topics such as the challenge for organizations like UNESCO and ICOMOS to promote and protect heritage in diverse African contexts; state responses to religious pluralism and pluralization in Africa; cooperation or tensions between international organizations, African states, and local communities over religious and spiritual heritage; the potential of national heritage policy and legislation to affirm or destabilize religion-state or interreligious relations and religious pluralism in African states; legal frameworks for re-negotiating and memorializing the past and recognizing Africa’s indigenous peoples; challenges to the influence of Western colonial policies, legal systems, classifications, and terminology on African heritage management; and the role of African traditional law on religion and heritage in social development.

### NIGERIAN JUDICIAL ROUNDTABLE

Professor Durham gave the keynote address for a judicial roundtable of approximately 100 judges in Abuja, Nigeria, on June 20, 2016. Roundtable participants included Professor Is-haq Oloyede, OFR, National Coordinator/Secretary of the Nigeria Inter-Religious Council, former Vice-Chancellor at the University of Ilorin, and member of the ACLARS steering committee; Wahab Shittu, Coordinator of the Center for Human Rights, Faculty of Law, University of Lagos, in Akoka, Lagos, Nigeria; Honorable Justice Helen Moronkeji Ogunwumiju, Court of Appeal, Nigeria; Denise Lindberg, Senior Judge, State of Utah Third Judicial District Court; Honorable Justice Kudirat Kekere-Ekun, representing Honorable Justice Mahmud Mohammed, Chief Justice of Nigeria; Yemi Osinbajo, GCON, SAN, Vice President, Federal Republic of Nigeria; Honorable Justice A. O. Lukolu-Sodipe, Court of Appeal, Nigeria; Malam A. U. Maidama, representing Honorable Justice R. P. I. Bozimo, Administrator, National Judicial Institute; Professor Akinola Ibidapo-Obe, Dean of the Faculty of Law and Director of the Center for Human Rights, University of Lagos; and a Grand Khadi of the Sharia Court of Appeal, Nigeria



### CONFERENCE: “LAW, RELIGION, AND DEVELOPMENT IN AFRICA”

Approximately 500 students and young scholars attended an event at the University of Ilorin in Nigeria on June 22, 2016. Professor Durham delivered the keynote address and several other lectures for a conference and minicourse that covered the topics “Law and Religion Studies in Nigeria: The Journey So Far” and “Law, Religion, and Development.” At the end of the conference, a communique was issued with 19 points, including recognition of the symbiotic relationship between law, religion, and development; the urgent need to address the misunderstanding between law and religion; the understanding that the harmony between law, religion, and development can lead to peaceful coexistence in diverse societies with far-reaching implications on development; the need to change the narrative in regard to the use of religion as an instrument of oppression or an obstacle to development; and the understanding that freedom of religion is a must in modern nation states, especially pluralistic societies.

*Over the past five years, the Center has been able to play an important role in the formation of the African Consortium for Law and Religion Studies and in organizing the first four of its Africa-wide conferences. Both the geography and the challenges faced in Africa are vast, but we believe we have helped form a growing and lasting network of leaders sensitive to the importance of religious freedom to Africa’s future.*

—W. Cole Durham, Jr.,  
ICLRS Founding  
Director

# EASTERN EUROPE



*Our conferences in Eastern Europe have provided an important platform and support for scholars, government leaders, and activists working in a very difficult part of the world. Over the years, we have built bridges and helped establish key players on religious freedom issues and promoted important scholarship in a region with a short history of freedom to discuss religion openly.*

—Elizabeth Clark,  
ICLRS Associate Director



## CONFERENCE: “FREEDOM OF RELIGION OR BELIEF IN SITUATIONS OF CRISIS”

More than 50 speakers took part in a regional conference in Tallinn, Estonia, on June 16–19, 2016. Co-sponsored by ICLRS and Estonia’s University of Tartu Faculty of Law, the conference addressed current challenges to religious freedom in crisis situations, particularly in regard to the migration crisis in Europe and the conflict in Ukraine. Topics included freedom of religion or belief of refugees and migrants, religious symbols in public space, accommodation of diversity, education as an antidote against religious hatred, and interreligious dialogue.

Professor Lauri Mälksoo and Dr. Merilin Kiviorg of the University of Tartu and Professor Elizabeth Clark from ICLRS opened the conference. After their remarks, Professor Silvio Ferrari of the University of Milan delivered the opening keynote, “The Decline of Europe and Its Impact on Freedom of Religion.” Professor Clark spoke in a plenary session on pending cases in the European Court of Justice involving religious discrimination in employment against women wearing headscarves.

Many of the presentations from the conference will be published in a book, with additional publication options in international journals. Conference presenters hailed from Armenia, Croatia, Estonia, Kazakhstan, Hungary, the Netherlands, Poland, Russia, Ukraine, the United Kingdom, and the United States.

## CONFERENCE: “RELIGIOUS FREEDOM AND SECURITY”

The Department of Legal Studies at Central European University (CEU) and ICLRS co-sponsored a conference at CEU in Budapest, Hungary, on May 20–21, 2016. The conference addressed the religious factor in conflict settings, rights and security, and approaches to religion and security issues.

According to familiar accounts, religious liberty emerged both as an antidote to religious violence and as a tool for promoting social stability and peace. However, its historical origins do not explain contemporary threats to global and national security that are justified in the name of religious teachings and convictions. As governments impose restrictions on religious freedom in the name of national security and public safety, the legitimate exercise of religious liberty is often affected. And those very restrictions may be counterproductive, fueling further violence and human-rights violations. Speakers tested the utility and limits of a human-rights-based approach and explored secular and faith-based perspectives on pressing contemporary problems.

The conference opened with a welcome and introduction by Renáta Uitz, chair of the Comparative Constitutional Law Program at CEU, followed by a keynote address by Husain Haqqani, former Ambassador of Pakistan to the United States and current Director for South and Central Asia at the Hudson Institute in Washington, DC. Professors Durham and Scharffs represented ICLRS at the conference.

Other participants included Brian J. Grim, President, Religious Freedom and Business Foundation; Christopher Marsh, professor of national security and strategic studies, US Army School of Advanced Military Studies; Kishan Manocha, Senior Adviser on Freedom of Religion or Belief, OSCE Office of Democratic Institutions and Human Rights (ODIHR); Jennifer S. Bryson, Director of Operations and Development, Center for Islam and Religious Freedom, United States; Lucian Leustean, Reader in Politics and International Relations, Aston University, United Kingdom; Amos Guiora,

Professor (Lecturer), University of Utah College of Law; Dilnoza Satarova, Officer on Freedom of Religion or Belief, OSCE/ODIHR; Jeffrey Haynes, Director of Faculty Research and Professor of Politics, Centre for the Study of Religion, Conflict, and Cooperation, London Metropolitan University; John Smith, Vice President of Cybersecurity and Privacy Law, Raytheon Company, and former lead lawyer for Homeland Security at the White House; and James Patton, Executive Vice President and Chief Operating Officer, International Center for Religion and Diplomacy, Washington, DC.

### TEACHING COMPARATIVE FREEDOM OF RELIGION

For the past several years Professors Scharffs and Durham have taught the course Comparative Freedom of Religion in the Department of Legal Studies at Central European University in Budapest, Hungary. The 2016 class, begun by Professor Durham in April and concluded by Professor Scharffs in May, included 26 students from 18 countries and addressed law and religion issues regarding both individual freedom of religion and belief and institutional arrangements between religion and the state from international law and comparative law perspectives. Topics included comparative constitutional law approaches to the regulation of religious groups; tensions that arise between freedom of religion and other important human rights; financial relationships between religion and the state; religion and education; and religion in the public square.

### CONFERENCE: “LAW, RELIGION, AND SOCIAL TRANSFORMATIONS OF THE 20-21ST CENTURY”

Professor Elizabeth Clark presented at a conference at Ivanovo State University in Russia on October 19–22, 2016. She spoke on the rise of the equality paradigm and challenges to multitier church-state systems.

### SACRED PLACES AND CULTURAL HERITAGE

Professor Durham participated in the conference “Sacred Places and Heritage Protection from the Perspectives of International, Constitutional, Religious Law, and Foreign Policy” in Jerusalem on March 15–17, 2016. Based on the growing concern for cultural-heritage protection during armed conflict, international experts working in the field of legal protection of sacred places and cultural heritage gathered to explore emerging systemic problems on the ground, innovative approaches, agendas for change in terms of substantive law at the international and domestic level, and considerations for foreign policy. Professor Durham participated in the opening session, “Sacred Places and Heritage Protection: Emerging Perspectives,” moderated by Asher Maoz, Dean of Peres Academic Center Law School. Alex Grzybowski, conflict resolution and prevention specialist at the Columbia University Institute for Conflict Resolution, was the second panelist.

The event was sponsored by ICLRS and the International Consortium for Law and Religion Studies (ICLARS), among others, and was hosted by the Van Leer Jerusalem Institute and the Peres Academic Center.



### CONFERENCE: “FREEDOM OF/FOR/FROM/WITHIN RELIGION: DIFFERING DIMENSIONS OF A COMMON RIGHT?”

The fourth conference of the International Consortium for Law and Religion Studies (ICLARS) brought together nearly 150 international experts from 37 countries at St. Hugh’s College, Oxford, on September 8–11, 2016. Participants considered the fundamental right of freedom of religion from differing perspectives, shedding light on its various and interconnected facets and addressing new challenges in the modern world.

The conference saw the formal launch of the Routledge ICLARS Series on Law and Religion, of which Professors Durham and Silvio Ferrari, joined by Professors Russell Sandberg, Pieter Coertzen, and Tahir Mahmood, are editors. Two volumes in this series are scheduled to come from conference presentations at this Oxford conference. Also launched at the event was the *Brill Encyclopedia of Law and Religion*, edited by Founding Member of the ICLARS Steering Committee Gerhard Robbers, outgoing ICLARS President and ICLRS Founding Director Cole Durham, and ICLARS Member and ICLRS Senior Editor Donlu Thayer, with contributions by many ICLARS members.

This fourth conference followed ICLARS conferences in Milan (2009), Santiago (2011), and Virginia (2013). This Oxford conference was co-sponsored by ICLARS, ICLRS; the University of Milan; and the Religion, Law, and International Relations Programme of the Centre for Christianity and Culture of Regent’s Park College, Oxford.

The successful planning, organization, and execution of this complex event was largely the work of ICLRS personnel, including Administrative Assistant Deborah Wright, Senior Editor Donlu Thayer, Communications Specialist Blythe Shupe, and Student Fellows Lauren Flores and Michael Goodrich, all of whom attended the conference.



*As exemplified by opportunities to make three presentations at the House of Lords in the United Kingdom; to present in the European Parliament in Brussels; to organize a conference at the European Court of Human Rights, including meetings with twelve of the Court’s judges; to participate in lecture series at Oxford and to co-organize a major international conference there, we have entered new levels of recognition and credibility in Europe, which has significantly enhanced our efforts to promote religious freedom worldwide.*

—W. Cole Durham, Jr.,  
ICLRS Founding  
Director



# EUROPE



## COLE DURHAM COMPLETES TERM AS ICLARS PRESIDENT

The 2016 conference of the International Consortium of Law and Religion Studies (ICLARS) marked the end of Professor Durham's five-year term as ICLARS president.

ICLARS is an international network of scholars and experts in law and religion that began in 2007 under the direction of founding president Silvio Ferrari of the University of Milan. The organization's purpose is to provide a forum for exchange of information, data, and opinions among members—at present from more than 40 countries—that can be made available to the broader scientific community. The ICLARS Steering Committee members, past and present, are eminent law and religion scholars from Argentina, Germany, India, Israel, Italy, South Africa, Spain, the United Kingdom, and the United States.

At the recent conference, new members of the ICLARS Steering Committee were appointed, including Professor Scharffs, Professor Ana María Celis Brunet, director of the Center of Religious Liberty at the Faculty of Law of the Pontifical Catholic University of Chile (Santiago), was installed as ICLARS president.

During his tenure as president, Professor Durham oversaw two ICLARS conferences, the creation and publication of the *Brill Encyclopedia of Law and Religion*—the first of its kind to cover the relation between law and religion for all independent nations, jurisdictions, and major international organizations—and the creation of the ICLARS Series on Law and Religion, serving as coeditor of the series and coediting the launch volume as well as two forthcoming volumes in the series.

"My five years serving as president . . . provided remarkable opportunities to collaborate with many of the leading international figures in the field of law and religion studies," said Professor Durham. "Friendships nurtured through this organization will be fruitful for years to come."

## NEW CONCEPTUAL CHALLENGES REGARDING FREEDOM OF RELIGION OR BELIEF

ICLARS co-organized a series of discussions at the European Court of Human Rights in Strasbourg, France, on November 17–18, 2016. The event involved a small group of internationally known human rights scholars and just over one-quarter of the 47 judges on the Court. Discussion covered key issues in the religious liberty sphere: the meaning and scope of the idea of conscience, religious rights and security, and the notion of reasonable accommodation of religious rights. A larger session, focused on religious freedom and security, was opened to the staff of the Court as part of the Court's in-service training.

Professors Durham and Scharffs, Senior Editor Donlu Thayer who maintains the Strasbourg Consortium website and case table, and IAC members Duane and Eryn Madsen, attended. Grégor Puppinc, director of the European Centre for Law and Justice, assisted in the event organization, and his colleagues Thierry Rambaud, Vincent Cadot, Claire de La Hougue, and Jean-Pierre Schoupe also attended.

Other participants included Ján Figel', Special Envoy for promotion of freedom of religion or belief outside the European Union; Australian barrister and legal academic Neville Rochow and his wife, Penelope, who are serving as government-relations representatives of The Church of Jesus Christ of Latter-day Saints at the seat of European Union governance in Brussels; and a number of other noted scholars of the Court's freedom of religion or belief jurisprudence, including Sophie van Bijsterveld, Silvio Ferrari, T. Jeremy Gunn, Zdravka Kalaydjieva, Yannis Ktistakis, Vincenzo Pacillo, Javier Martínez-Torrón, Jeroen Temperman, and Renáta Uitz.

The Strasbourg Court is a body of the Council of Europe, whose jurisdiction comprises the 47 member states that have acceded to the European Convention on Human Rights, the treaty that provides the body of law for the work of the Court. ICLARS has for many years hosted and maintained the Strasbourg Consortium case table, which many view as the most comprehensive and useful database tracking the Court's cases dealing with freedom of religion or belief.



# EUROPE



## FEBRUARY

The Steering Group of the International Panel of Parliamentarians for Freedom of Religion or Belief (IPPFoRB) met on 9 February 2016 at the Palace of Westminster, United Kingdom, to reflect on the outcomes of the New York summit that took place in September 2015 and create a roadmap for future activities of the IPPFoRB. Baroness Elizabeth Berridge of the House of Lords hosted along with members of the Steering Group. David Kirkham, Senior Fellow, represented ICLRS at the meeting. The group noted the contributions BYU and ICLRS made to the formation of the panel two years ago in Oxford.

## MARCH

Professor Scharffs participated in the conference “The Legitimate Scope of Religious Freedom”, March 7-9, 2016, in Venice, Italy. The following two days Scharffs acted as judge at the Law and Religion Moot Court Competition. Both events were sponsored by Fondazione Marcianum. Four BYU Law students – Ryan Anderson, Eva Brady, Aline Longstaff, and McKenna Mills, all former ICLRS Fellows and Management Board Members – traveled to Venice for the competition, where Eva was named best speaker.

At a gathering of select university professors, businesspeople, NGOs, and students in Padua, Italy, on May 6, 2016, Professor Scharffs made a dinner presentation and led a discussion on the topic of the role that religious majorities play in either promoting or limiting religious freedom. The presentation, organized by Antonio Rosmini, Padova, was based upon a paper published in the *Notre Dame Law Review* as part of a symposium commemorating the 50th anniversary of *Dignitatis Humanae*.

## MAY

On May 6, 2016, Professor Scharffs spoke at a conference on “Comparative Perspectives on Hate Speech” at the Treviso Campus of the University of Padua. The conference included students studying comparative public law and economic and social rights. In his speech, “Beyond Juris Centric Approaches to Hate Speech,” Professor Scharffs addressed the role that audiences play in the phenomenology of hate speech.

Professor Durham gave the keynote lecture on women’s and children’s rights in the international legal framework at a conference at the Summer School on Human Rights, sponsored by the Council of European Churches (CEC) in Thessaloniki, Greece, on May 31–June 4, 2016.

## JUNE

“A Roundtable Discussion, Freedom of Religion or Belief—Emerging Trends, Challenges and Agendas for Change” took place June 8, 2016, at the House of Lords in London. Participating in the two-hour discussion were Professor Sir Malcolm Evans, OBE (Bristol University, UK); Professor Mark Hill, QC (Cardiff University, UK); Professor Robert P. George (Princeton University, USA); Elder Dallin H. Oaks (The Church of Jesus Christ of Latter-day Saints); Professor W. Cole Durham, Jr. (BYU, USA); and Dr. Peter Petkoff (Brunel and Regent’s Park College, Oxford, UK). The participants were welcomed to parliament by Baroness Elizabeth Berridge of the Vale of Catmose, member of the House of Lords and founder and co-chair of the All-Party Parliamentary Group.

On the following day, Professor Durham, Elder Oaks, Baroness Berridge, Professor George, Dr. Petkoff, and Professor Nazila Ghanea, associate professor in international human rights law at the University of Oxford, participated in the Symposium on International Religious Freedom at St. John’s College in Oxford.

## SEPTEMBER

Professors Durham and Scharffs participated in the Freedom of Religion or Belief Policy Dialogue on September 7, 2016 at the Houses of Parliament in London. Convened by the All-Party Parliamentary Group for International Freedom of Religion or Belief (APPG FoRB), the event was structured around two panels, each focused on specific recommendations made in a policy brief titled “FoRB—Recognising Our Differences Can Be Our Strength: Enhancing Transatlantic Cooperation on Promoting Freedom of Religion or Belief.”

Professor Durham was the keynote speaker at a conference on Freedom of Religion or Belief and Humanitarian/Migration Crisis on September 17, 2016. The conference was hosted by the International Government Relations Office of The Church of Jesus Christ of Latter-day Saints in Geneva, Switzerland, at the newly dedicated offices of the Church, LDS Charities, ICLRS, and the BYU Kennedy Center for International Studies.

Professors Durham and Scharffs presented at a major conference at the British Foreign and Commonwealth Office on October 19–20, 2016. The conference, “Preventing Violent Extremism by Building Inclusive and Plural Societies: How Freedom of Religion or Belief Can Help,” brought together international parliamentarians, diplomats, academics, journalists, faith leaders, and civil society representatives.

## OCTOBER

Professors Durham and Scharffs participated in an ICLRS co-sponsored conference at the Lysebu Hotel and Conference Center in Oslo, Norway, on October 26–27, 2016. Titled “The Politicisation of Forb for Better or Worse,” the conference was hosted by the Oslo Coalition on Freedom of Religion or Belief of the Norwegian Centre for Human Rights at the University of Oslo Faculty of Law and saw the launch of new Oslo principles on freedom of religion or belief.

## DECEMBER

On December 4–5, 2016, Professor Durham attended the launch of the European Academy of Religion (EAR) in Bologna, Italy. Founded by Professor Alberto Melloni, UNESCO Chair in Religious Pluralism and Peace at the University of Modena-Reggio, and under the high patronage of the European Parliament, the EAR is a research initiative of scholars, associations, educational institutions, publishers, and others throughout Europe who work in the area of religion.

# LATIN AMERICA



## CONFERENCE: “CHANGES IN LEGAL PROTECTIONS FOR CONSCIENTIOUS OBJECTION”

Professor Gary Doxey, ICLRS Associate Director, and Scott Isaacson, ICLRS Senior Fellow and regional advisor for Latin America, participated in the XVI Symposium of the Latin American Consortium for Religious Freedom, held at Our Lady of the Assumption Catholic University, Campus Alto Paraná, in Hernandarias, Paraguay. Titled “Changes in Legal Protections for Conscientious Objection,” the conference took place with the institutional support of the Roman Catholic Diocese of Ciudad del Este in the person of the Center’s good friend, auxiliary bishop Monsignor Pedro Collar, who is a member of the Latin American Consortium. The organization of the symposium was overseen by Professor Abogado Juan José Bernal and colleagues from the host university.

Professor Doxey presented a paper on restrictions to religious freedom often experienced in countries with a large denominational majority. He contrasted this phenomenon with what is generally experienced in countries with a large Catholic majority, where typically there has been a high level of respect for religion and religious diversity in the wake of Vatican II’s *Dignitatis Humanae*. His point was that tolerance and respect taught by religious leaders can make the difference, and religion can provide teachings on tolerance and respect that enhance religious freedom.

Scott Isaacson presented a report on conscientious objection in the United States. He explained that although the term “conscientious objection” is commonly used in the United States only in reference to military service, the concept of allowing accommodation for citizens who have conscience-based objections to government-imposed actions is a thread that runs through many areas of the law and policy in the United States and is currently the focus of a great deal of attention.

Professors Scharffs and Gary Doxey participated in the South American Forum for Religious Freedom on November 9–11, 2016, in Buenos Aires, Argentina. The forum’s theme—“Religious Freedom, the Essence of Human Equality”—focused the presentations on discussions of religious freedom and its relationship to state, education, and practices of worship. Professor Scharffs presented a paper in a plenary session on the topic “Why Religious Freedom? Why Should It Matter to Believers and Nonbelievers?” Professor Doxey addressed “Freedom of Expression, Religious Freedom, and Hate Speech,” looking specifically at what can be done to preserve the practice of religious freedom and to live respectfully in a time of strong disagreement.

In 2016 Professor Gary Doxey was involved in law reform in Argentina, Costa Rica, the Dominican Republic, and Haiti. At the invitation of various legislators, he provided analysis and commentary on draft “organic laws” on religious freedom and regulation of religious associations. In addition, the center has analyzed and rallied discussion among scholars throughout Latin America regarding the recently adopted “Inter-American Convention Against All Forms of Discrimination and Intolerance” of the Organization of American States. Ratification by the member states is pending, and the Center’s analysis is aimed at better informing stakeholders in the member states about the religious freedom implications of the convention.

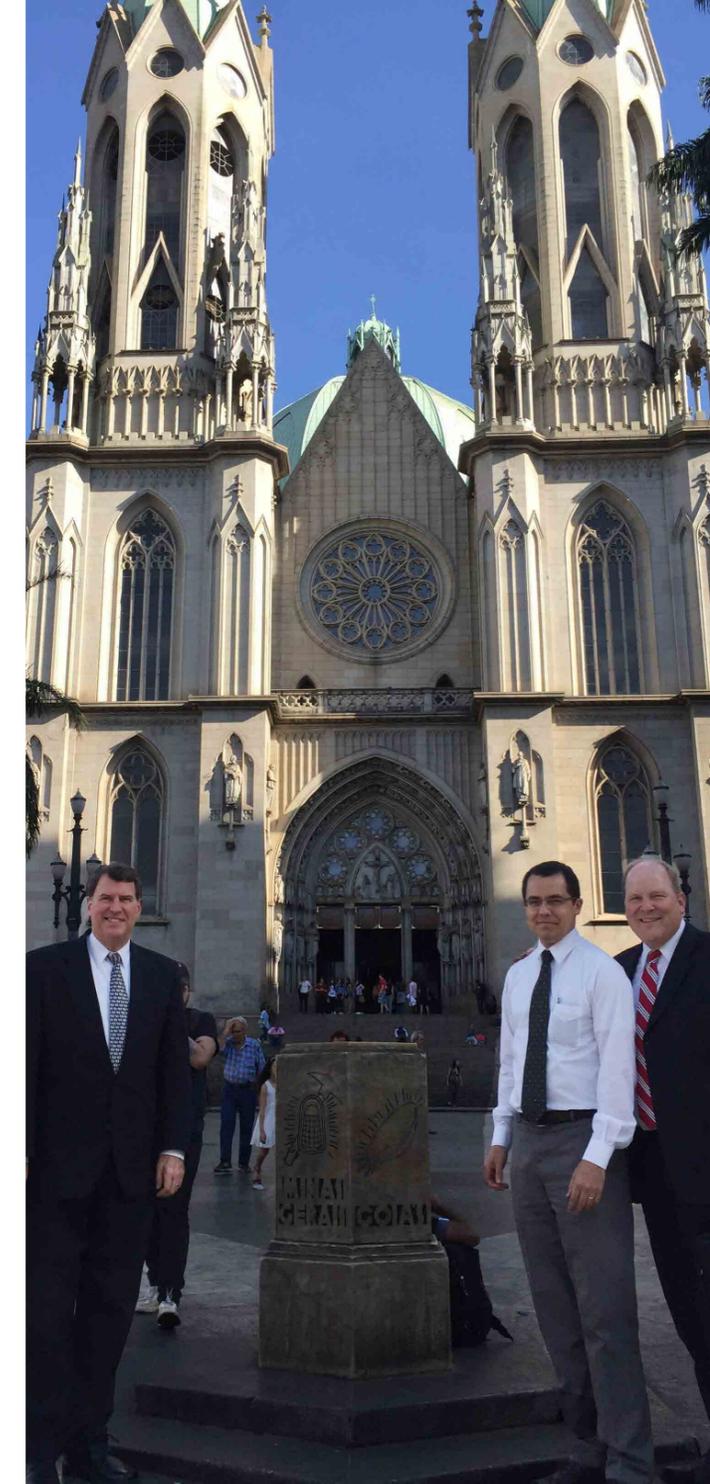
On November 3, 2016, Professor Gary Doxey addressed the Commission on Religious Freedom of the Ordem de Advogados do Brasil—the Brazilian Bar Association. The next day he gave a lecture and participated in a debate at the Universidade Federal de São Paulo in an event titled “Comparative Law of Religious Freedom in Brazil, Europe, and the United States.” The debate was moderated by Professor Rodrigo Medina Zagni.

The Center hosted a group of Brazilian judges for a certificate training on labor law on November 9–11, 2016. The judges were introduced to the American legal system by Professor Durham and attended various classes on labor-law issues conducted by Utah judges, attorneys, and professors, including ICLRS Senior Fellow Scott Isaacson.

The World Congress of Inter-cultural and Interfaith Dialogue’s conference “A Path Toward Peace” was hosted in Buenos Aires, Argentina, on April 12–14, 2016. The conference featured speakers from all over Latin America and the world. Professor Gary Doxey moderated a panel on Religion, Education, and Technology and participated as a panelist in a session titled “Work, Development, and Growth as a Source of Peace.”

Professor Gary Doxey spoke on “Freedom of Religion Threats and Challenges” at Brazil’s Universidade Adventista de São Paulo (UNASP) on November 5, 2016. Following his lecture, he joined religious leaders and religious freedom advocates for a discussion. Sponsored by the São Paulo branch of the J. Reuben Clark Law Society, UNASP, and the São Paulo Comissão de Direito e Liberdade Religiosa, the event was moderated by Dra. Damaris Moura Kuo, president of Comissão de Direito e Liberdade Religiosa.

On November 7–8, 2016, Professor Gary Doxey presented two papers at the fourth annual Research Meeting on Law and Religion at the Universidade Federal de Uberlândia (UFU) in Brazil. The conference included academic researchers, lawyers, and advocates involved in law and religion studies and was organized by Rodrigo Vitorino Souza Alves of UFU, who also chaired one of the sessions in which Professor Doxey participated.



# NORTH AMERICA



## 23<sup>RD</sup> INTERNATIONAL LAW AND RELIGION SYMPOSIUM: “RELIGIOUS RIGHTS IN A PLURALISTIC WORLD”

ICLRS held its 23rd annual International Law and Religion Symposium at Brigham Young University on October 2–4, 2016. This year’s theme—“Religious Rights in a Pluralistic World”—brought together 95 invited delegates, including scholars, jurists, political and civil society leaders, religious leaders, and religion policy makers from 45 countries. Speakers and panelists explored the relationships among religion, pluralism, and religious rights.

The symposium opened on Sunday evening with a keynote address by Professor Heiner Bielefeldt, then UN Special Rapporteur on freedom of religion or belief. Professor Bielefeldt spoke of freedom of religion or belief as a highly provocative right because of the healthy and necessary challenges it poses to governments, religious communities, and societies. For governments, it is a reminder that respect for human rights lies at the heart of democracy

and rule of law. For religious communities, it is a reminder that authentic belief is free belief and is a priority for minorities and majorities. For societies, it is a reminder that freedom of religion or belief is not a matter of lifestyle; “freedom requires real convictions, not just faith.” Professor Durham presented Professor Bielefeldt with the Center’s Distinguished Service Award for his contributions to the cause of freedom of religion or belief worldwide.

The symposium’s theme encouraged delegates to examine the struggle societies and legal systems have in an increasingly pluralistic world to articulate the roles religion and religious believers play in their communities. Speakers were encouraged to address questions such as “What role should neutrality, secularism, or dominant religions play in civic life?” “How can we articulate the relationship between religious rights and culture, particularly in a time of

shifting cultural norms?” and “How can religious rights best protect religious minorities or religious believers in a pluralistic world?” New to this year’s symposium was a “young scholars” session, with presenters from China, Italy, Vietnam, and the United States.

Center Associate Director Elizabeth Clark chaired the Symposium Organizing Committee, and with Administrative Assistant Deborah Wright coordinated all Symposium activities. Center personnel moderated sessions, made presentations, and along with the Symposium Executive Committee composed of BYU Law students, worked tirelessly behind the scenes. International Advisory Council members graciously hosted delegates, and many others volunteered their time and efforts. All plenary sessions were translated into 13 languages, with many of the breakout sessions offered in

multiple languages.

McKenna Mills, chair of the Executive Committee’s recruiting team, said: “While the symposium allows for international religious and political leaders to discuss the importance of religious freedoms, perhaps the most important outcome is the friendships that are formed. It is these friendships that are the greatest protection for religious freedoms. Those who attend the symposium realize the importance of not only protecting their own religious freedoms but their friends’ as well. This is why the symposium is so important, and this is why I have been involved. Religion is a right that needs to be protected, no matter the religion.”

All recordings of the symposium, as well as past symposia, are available at [www.iclrs.org](http://www.iclrs.org).



# NORTH AMERICA

## 2016 RELIGIOUS FREEDOM ANNUAL REVIEW

The 2016 Religious Freedom Annual Review of the International Center for Law and Religion Studies took place July 7–8, 2016, in the BYU Conference Center. Organized under the direction of Center Associate Director Elizabeth Clark, the conference provided an up-to-date review on religious freedom challenges worldwide. Experts presented in both workshop and lecture settings on topics such as religion in public schools, religion and the workplace, First Amendment protections, understanding media coverage of religion, discussing religious freedom effectively, and reducing the perceived conflict between religious freedom and LGBT rights. Attendees were counseled that advocating for religious freedom means advocating for religious freedom for all, not just a particular group.

Elder Lance B. Wickman, General Counsel and Emeritus General Authority of The Church of Jesus Christ of Latter-day Saints, opened the conference with the address “Promoting Religious Freedom in a Secular Age: Fundamental Principles, Practical Priorities, and Fairness for All.” He spoke of the need to defend the core of religious freedom—personal belief and family worship, the free exercise of religion in public, autonomy for churches, and the right of believers and nonbelievers to free speech and expression in the public square. He defined a hierarchy of principles; in the outer circles of religious liberty, compromise may be required. “Protecting those core freedoms must remain the priority, or we risk losing even them,” he said.

Matthew S. Holland, president of Utah Valley University, presented a keynote titled “Religious Liberty v. Secularity: Is the American Founding Still Useful?” Recognizing an increase in religiously unaffiliated people, President Holland pointed out that the American Founders and the principles they placed in the Constitution and the Bill of Rights are still directly relevant today. “Religion is not too pointless or too poisonous to be given special protections in the law,” he said. He stated that religious freedom was America’s first liberty and is a gift to be protected and preserved, and he encouraged audience members to be actively involved.

Center directors Brett Scharffs, Cole Durham, and Elizabeth Clark, as well as Senior Fellow David Kirkham also spoke.



# NORTH AMERICA



ICLRS Associate Director Elizabeth Clark was the keynote speaker at a religious freedom symposium on November 12, 2016, at the University of Utah in Salt Lake City. She provided an overview of the fundamental principles of religious freedom, including the benefits to society that religious freedom provides. The symposium was hosted by the J. Reuben Clark Law Society's Salt Lake City and S. J. Quinney College of Law Chapters.

On October 7, 2016, ICLRS partnered with the Religious Freedom Center of the Newseum Institute to bring together key scholars and actors involved in government responses to religious restrictions to address pressing issues concerning the International Protection of Religious Freedom. The event was held at the Newseum Knight Conference Center in Washington, DC. Professor Scharffs moderated a panel featuring Rabbi David Saperstein, US State Department ambassador-at-large for international religious freedom; Honorable Jan Figel, EU Special Envoy for the promotion of freedom of religion and belief outside the European Union; and Professor Thomas Farr, president of the Religious Freedom Institute and associate professor of the Practice of Religion and International Affairs at Georgetown University. This discussion was streamed live via the Newseum website and broadcast on ABC.com.



## FEBRUARY 1

Professor Scharffs spoke at the Center for Law and Religion at St. John's School of Law in New York City as part of its third biennial Colloquium in Law and Religion, held on February 1, 2016. At the seminar, leading law and religion scholars presented to an audience of students and faculty members. The first speaker of the Colloquium, Professor Scharffs, presented his paper "Four Models of Public Discourse and Their Implications for the Public Sphere."

## MARCH 12

On March 12, 2016, Professor Durham participated in the Freedom of Religion Symposium at the University of Denver Sturm College of Law as part of a panel of religious liberty experts and practitioners. The panel discussed the fundamentals of religious liberty law, emerging conflicts, and steps individuals can take to promote religious freedom at the state and local level. Steven T. Collis, an attorney at Holland & Hart, chaired the event.

## MARCH 26

Professor Durham joined Hannah Smith, Senior Counsel at the Becket Fund for Religious Liberty; Deano Ware, trial counsel for the Hosanna Tabor Evangelical Lutheran Church and School in its successful Supreme Court challenge; and others for a religious liberty roundtable at the Santa Clara University School of Law on March 26, 2016. The roundtable discussed religious liberty issues and perspectives.

## AUGUST 16-18

Professor Durham joined a group of scholars gathered on August 16-18, 2016, at Harvard University for the 18th Meeting of Experts of the International Religious Liberty Association, an independent advocacy organization founded by the Seventh-day Adventist Church. This panel of international scholars and attorneys is convened annually. This year's meeting focused on a paradox: that while the principle of religious freedom is gaining foothold within international law, restrictions on religious practice continue to rise.

## OCTOBER 18

Professor Scharffs delivered the University Forum Address on October 18, 2016, in the Marriott Center on the BYU Campus. His address was titled "Audacious Faith: Appreciating the Unique Power and Singular Appeal of LDS Doctrine." The powerful message was broadcast live on BYUtv, BYUtv.org, KBYU-TV 11, Classical 89 FM, and BYUradio and may be read or heard on the BYU Speeches web page.

## NOVEMBER 6-7

"Law, Religion, Equality, and Dignity" was the theme of the Restoring Religious Freedom Conference held at the Emory University School of Law on November 6-7, 2016, in Atlanta. At a Sunday evening session co-sponsored by the J. Reuben Clark Law Society Freedom of Religion Project, Professor Durham joined Jan Figel, EU special envoy for the promotion of freedom of religion or belief, in a conversation titled "A Century of Genocides: Is Better Accommodation of Conscience an Answer?" The event, which also commemorated the 100-year anniversary of the Emory University School of Law, was moderated by Mark Goldfeder, senior lecturer and Spruill Family Senior Fellow, of Emory Law's Center for the Study of Law and Religion.



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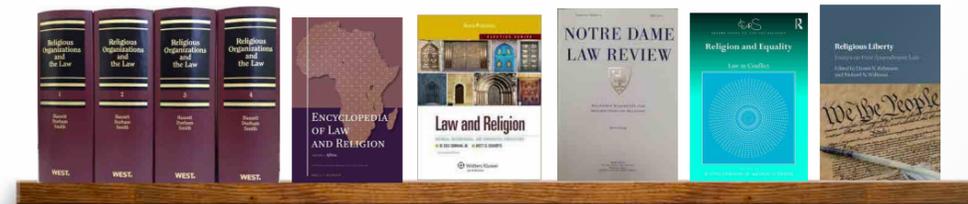
The International Religious Liberty Awards Dinner was held at the Hotel Monaco in Washington, DC, on October 6, 2016. Dr. David Holland, associate professor at Harvard Divinity School and advisory board member of the National Museum of American Religion, delivered the keynote address.

The Washington DC Mid-Atlantic Chapter of the J. Reuben Clark Law Society and ICLRS were honored to present the 2016 International Religious Liberty Award to Dr. Katrina Lantos Swett, who has served twice as chair of the US Commission on International Religious Freedom (USCIRF). Dr. Lantos Swett established the Lantos Foundation in 2008 to carry on the work of her father, the late congressman Tom Lantos. She has taught human rights and US foreign policy at Tufts University and the University of Southern Denmark. While living in Copenhagen, she successfully convinced the Danish government to take action against illicit trafficking of women and children. She currently serves on the boards of the Committee for Human Rights in North Korea, UN Watch, the Budapest-based Tom Lantos Institute, the Anne Frank Award and Lecture, the US Global Leadership Coalition for New Hampshire, the Iranian American Majority, and the Warren B. Rudman Center for Justice, Leadership, and Public Policy.

In addition, at the dinner the Clark Society and ICLRS announced the winners of the seventh annual Religious Liberty Student Writing Competition. Entrants could address either domestic or international religious liberty issues in their essays.

FIRST PLACE \$4,000	SECOND PLACE \$3,000	THIRD PLACE \$2,000	HONORABLE MENTIONS \$1,000	
HERMAN HOFMAN <i>Michigan State University College of Law</i>	COURTNEY MILLER <i>University of Virginia School of Law</i>	LISA MATHEWS <i>George Mason School of Law</i>	CALEB WOLANEK AND HEIDI LIU <i>Harvard Law School</i>	JONATHAN BACKER <i>University of Michigan Law School</i>
			NEVIN BEILER <i>Regent University School of Law</i>	WILLIAM SIMPSON <i>Boston University School of Law</i>

The writing contest promotes legal and academic studies in religious liberty. It is open to law school students, students pursuing related graduate studies, and law school graduates who are not yet practicing due to clerkships or similar pursuits.



## CENTER PUBLICATIONS HIGHLIGHTS

Elizabeth Clark and Brett Scharffs were invited to author *Religion and Law in the USA*, a volume in the religion section of the prestigious *International Encyclopaedia of Law* (Kluwer Law International).

Second editions of the Center's two major ongoing publication projects are ready for press:

- *Law and Religion: National, International, and Comparative Perspectives* (Wolters Kluwer)

This landmark international casebook by Brett Scharffs and Cole Durham was published in 2010 and has been extensively updated, with contributions from Center student researchers and senior editor Donlu Thayer. The first edition was translated into Chinese and Vietnamese; the second edition is being translated into Arabic, Burmese, Indonesian, and Turkish.

- *Religious Organizations and the Law* (Thomson West)

Originated by William W. Bassett, emeritus professor of law at the University of San Francisco, this comprehensive US-focused treatise has been updated annually since 1997. In 2009 the work moved, under the direction of Robert Smith and Cole Durham, to the Center. With the assistance of students and staff, the treatise has more than doubled in size to some 5,000 pages in four volumes. The second-edition draft was completed in 2016, with important contributions from M. Christian Green, Mark Goldfeder, former Center Student Fellows Eimi Priddis and Jedediah Knight, and law students at Emory University's Center for the Study of Law and Religion.

Two major projects connected with Cole Durham's term as president of the International Consortium for Law and Religion Studies (ICLARS) were launched at the ICLARS conference in Oxford in September:

# PUBLICATIONS

- *Encyclopedia of Law and Religion* (Brill), edited by Gerhard Robbers, Cole Durham, and Donlu Thayer and assisted by Ashley Isaacson Woolley

Some 100 attorney volunteers from the J. Reuben Clark Law Society, coordinated by BYU Law graduate Nan Barker, performed an initial review of the first batch of submitted articles in 2013. As work on this five-volume project proceeded, more than 30 BYU Law student research fellows contributed to 73 of the Encyclopedia's 243 articles, reviewing, researching, translating, and authoring.

- Initial volumes of the Routledge ICLARS Series on Law and Religion: *Religion and Equality: Law in Conflict*, edited by Cole Durham and Donlu Thayer

*Religions and Constitutional Transitions in the Muslim Mediterranean*, edited by Alessandro Ferrari and ICLRS senior fellow James Toronto

Other important publications included

- Elizabeth Clark, "International and Comparative Law Protections of Collective Aspects of Religious Freedom," in *Religious Freedom and Communities*, edited by Dwight Newman (LexisNexis)
- Elizabeth Clark, "Russia's New Anti-Missionary Law in Context," in *Cornerstone* blog, Religious Freedom Institute, Georgetown University
- Brett Scharffs, "Our Schizophrenic Attitude Toward Corporate Conscience," in *Religious Liberty: Essays on First Amendment Law* (Cambridge University Press)
- Brett Scharffs, "Religious Majorities and Restrictions on Religion," in *Notre Dame Law Review*

Pre-publication, this paper was among the top-10 downloads on the Social Science Research Network (SSRN) in two categories.



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