

Faculty of Theology



SREL2030 Law and Religions in Europe

[30h] 2.5 credits

Teacher(s): Louis-Léon Christians
Language: French
Level: Second cycle

Aims

The aim of the course is to put in perspective the evolution of state regulation of religions in modern democratic societies. The course concerns all religions in a legal, historic, philosophical and theological perspective.

Main themes

Two approaches are taken: one bearing on interpretation of religious laws, the other on the institutional integration of certain social functions of religions.

- (1) The first angle of approach concerns the State's legal arbitration in matters touching on the application of religious laws (questions of exceptions of conscience, notably in contract and family law, application of foreign laws of religious origin but incorporated into civil law, public rights of religions, etc.);
- (2) the second angle of approach concerns the State's legal recognition of certain religious institutions and their competence in organising activities of social utility, like education, health and welfare, etc. (the question of the autonomy of Churches, of religion in political space, the question of the social integration of religions, etc.).

Besides the technical analysis of the contemporary evolution of these two aspects within the framework of private international law, a wider reflection is proposed on relationships between State and religions, pointing out the various representations which influence this evolution within the legal analysis. The aim of the course is to widen the debate in order to raise the philosophical and theological dimensions of these representations of the concept of religion within the sphere of modern law. A second aim of the course is to evaluate the consequences of these evolutions from the point of view of the representations of the legal capacities to determine a policy of democratic integration of religions.

Content and teaching methods

After an introduction dedicated to the main issues in Political Philosophy and Jurisprudence applied to the principles of law and religions in the european debate (Council of Europe, European Union, Comparative State Law, three specific fields are chosen each year by the students to be studied in a comparative way (family law, labour law, exceptions of conscience, autonomy of Churches, religions in political sphere, religions in media etc.).

Other information (prerequisite, evaluation (assessment methods), course materials recommended readings, ...)

without object

Other credits in programs

SREL9CE	Certificat universitaire en sciences des religions	(2.5 credits)	Mandatory
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