

ISLAM IN THE EUROPEAN UNION

MARK HILL

*A Report of the Conference of the European Consortium for Church and State
Research held in Vienna on 15–18 November 2001*

The European Consortium for Church and State Research was established in 1989 and has its headquarters at the Istituito di Diritto Internazionale of the University of Milan. Professor David McClean, who since its inception has occupied the place reserved for the United Kingdom, set out the background to the formation of the Consortium in his paper, *European Perspectives on Ecclesiastical Law and Religious Education* (1990) 2 Ecc LJ 23–27. Since then the Consortium has met annually and considered a broad range of subjects concerning relations between states and religious denominations in Europe from a historical, political and, particularly, juridical point of view. Its web page may be viewed at www.uni-trier.de/eurocon/. Professor Norman Doe was elected to the Consortium two years ago, having been involved in its affairs for some years. I was invited to attend the sessions in Reggio Calabria (1998), in Strasbourg (1999) and, most recently, in Vienna last November.

The theme of Islam and the European Union was suggested by Professor Richard Potz, director of the Institute for Law and Religion at the University of Vienna and lately President of the Consortium. No one could have imagined the gruesome topicality which the events of 11 September would bring to the proceedings. Most but not all member states submitted a report authored by persons expert in Islamic law and the regulatory processes by which the state engages with Muslim communities. The United Kingdom report was a masterly legal, historical and sociological exposition prepared by Urfan Khaliq, lecturer in law at Cardiff Law School. A revised and abridged article based on this report will be published in the next volume of this Journal.

The conference was divided into three substantive plenary sessions in which Consortium members and invitees, numbering some thirty-five in total, explored specific themes of common concern emerging from the papers. The working languages were French and English. The first session examined the organisational structures of Islamic communities. It considered the need for such structures from the viewpoint of Muslims and from that of the state. A recurring theme was the lack of an interlocutor on a national level to engage with the state. Just prior to the conference, the government White Paper on the reform of the House of Lords has advocated a reduction in the number of Church of England bishops but declined to implement the recommendation that representatives of other faith communities be appointed. The reason given (or should that be excuse?) was that these communities lack the hierarchical organisation necessary for any one figure to be representative of diverse communities.

In the second and third sessions, attention turned to specifics, namely family and labour law, and education and media respectively. Various issues arose: validity of marriage, bigamy, religious holidays, slaughter of animals, clothing, religious instruction in schools etc. Despite a wide ranging, and at times highly charged, discussion no consensus was reached nor was there much by way of synthesis. Part of the difficulty lay in the variety between member states in their formal law of recognition of faith communities; part also lay in the pluralism of different schools of Islamic jurisprudence and diversities in practice. Austria, for example, is somewhat progres-

sive. It accommodates the teaching of Islam in schools and recognises the Islamic Faith Community as a public body.

The formal part of the conference ended with a discussion at the Islamische Religionspädagogische Akademie. This was chaired by Dr Michael Weninger, recently appointed policy adviser to Romano Prodi, President of the European Commission, on dialogue with religions and faith communities in the EU. This echoed the themes discussed at Canterbury in September 2000 in the International Conference on the Unification of Europe and the Relationship of Society, State and Church. See the report at (2001) 6 Ecc LJ 58–60.

Next year Cardiff Law School will be the host and the subject will be Communicating Religion, a discussion of legal regulation of religious issues in the media and the arts. Members of the Ecclesiastical Law Society might also wish to know that Professor Gerhard Robbers of the University of Trier, a long-standing member of the Consortium and recent appointee to the Editorial Advisory Board of this Journal, has agreed to address the Society's residential conference in Durham in 2003.