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Steenschuur 25
P.O. Box 9520
NL 2300 RA Leiden
Bart.Labuschagne@Law.LeidenUniv.nl

Religion, Politics and Law

Philosophical Reflections on the Sources of Normative Order in Society

Edited by

Bart C. Labuschagne
Reinhard W. Sonnenschmidt

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The present collection of essays brings together the work of two research groups on religion and society, one from Leiden University in the Netherlands, one from the University of Duisburg/Essen in Germany. The Dutch scholars are affiliated to the Law Faculty, the Department of Jurisprudence and Philosophy of Law, and are engaged in a research programme on *Social Cohesion and the Role of Law*, part of which is dedicated to questions of *Social Cohesion, Multiculturalism and Globalization* and, within this theme, a sub-programme on *Religion and State/Church relations*. The Leiden approach to these questions is primarily legal philosophical, taken in a broad sense – that is: including ethics, social and political philosophy. The scholars from Germany are all Members of the *Institute for the Political Science of Religion*,[1] dedicated to the study of the political dimension of religion and the religious dimension of politics. The approach they take is predominantly political philosophical, taking into account history, anthropology, and social philosophy. Both groups distinguish themselves by their interdisciplinary and philosophical approach of religion in society and the current meaning of faith and religion for law, morals and politics.

The Leiden group published a book (in Dutch) in 2004: *Religion as a Source for Social Cohesion in Liberal Democracy? Religion, State and Civil Religion in Post-Secular Society*.[2] The members of the Duisburg *Institute for the Political Science of Religion* issued their book (in German) in 2005: *"Whoever does not Recognize Religion, Cannot Take Account of Politics." Perspectives of the Political Science of Religion*.[3]

During a *Colloquium on Law, Religion and Politics: Philosophical Perspectives from Leiden and Duisburg* at the Law Faculty in Leiden on April 20th and 21st 2006, the contributors to this book presented their current research on this subject. The ensuing discussion enabled them to elaborate on

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[1] *Institut für Religionspolitologie*; see www.religionspolitologie.de

[2] B.C. Labuschagne (ed.), *Religie als bron van sociale cohesie in de democratische rechtsstaat? Godsdienst, overheid en civiele religie in een post-geseculariseerde samenleving*, Nijmegen: Ars Aequi Libri 2004.

[3] Claus-E. Bärsch, et al. (ed.), *"Wer Religion verkennt, erkennt Politik nicht". Perspektiven der Religionspolitologie*, Würzburg: Königshausen & Neumann 2005.

their written contributions extensively, the result of which is assembled in this volume.

The theme discussed in this book reflects the common interest of these research groups: the relation between religion, and moral, legal and political order in society. A shared interest in the work of Eric Voegelin, one of the leading 20th-century philosophers on this subject, is a binding factor between them as well. One of Voegelin's scholars, Claus-E. Bärsch, who co-founded the *Institute for the Political Science of Religion*, figures prominently in this book with three contributions, two on the Enlightenment's view, not only on religion and politics, but also on reason and religion; and one on the new approach of the 'Political Science of Religion'. His reasonable and genuinely philosophical approach to the questions we address ourselves in this volume, is an example for us all.

Words of thanks are addressed to Leiden University's Faculty of Law who hosted the Colloquium in 2006; to the *Leids Universiteits Fonds/Van Beuningen*, and to the Executive Board of Leiden University who generously supported the financial organization of this Colloquium; and finally to Ms. Amy Rodgers who diligently helped us prepare this book by meticulously proofreading the text and helping us to prevent making too many linguistic mistakes. Of course the final responsibility for the text lies with the editors themselves.

Bart C. Labuschagne and Reinhard W. Sonnenschmidt
Leiden and Duisburg

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