

# Foreword

One of the most enduring images of Europe, which we conjure up in our mind's eye, is the picture of landscapes, rural and urban, in which more often than not, somewhere, appears a religious edifice, whether in the foreground or in the background. These church buildings, and other religious sites, both manufactured and natural, as well as the items associated with them—from sacred books through sacred vessels to sacred relics—are precious not only to human life and memory but also to the archeological, architectural, and artistic patrimony of our various peoples. But these buildings and objects have often been the subject of division, dispute, and discord. For both reasons, they are the focus of complex bodies of law—the laws of the State as well as the laws and other norms of the religious traditions to which these entities also belong. Because of the value which they place on religious freedom as a fundamental right, all States in Europe have norms on the acquisition, administration, and disposal of religious property. All States address ways in which to enable religious organisations to enjoy juridical personality so as to exercise rights of ownership and control over that property. And all religious communities have norms on the construction, maintenance, and protection of their religious sites and objects, many of which norms may or may not be mirrored in those of the State.

It is a rare scholar indeed who is able to guide us through the complexities of such norms on a European scale as well as bring to life the issues—political, economic, and cultural—which underlie these norms. In this volume, Theodosios Tsivolas has performed these tasks not only with authority but also with serious attention both to the minutiae of the rules involved and to the wider issues associated with them. It is the untidiness of the real world, which the norms of religion law and those of religious law address in matters of the religious cultural heritage in Europe. In this world of the fabric of religious buildings, protecting these and their objects for the enjoyment of future generations, and disputes about them, the laws of States perform a profoundly enabling role. And this feature is one which comes to the fore time and time again in the studies contained in this book. The author is not shy to tackle head on the substantive law with a critical appraisal of this on the basis of evaluation formed within the context of the theoretical

frameworks in which these legal norms exist. The book's treatment of current developments and political trends, its definition of the religious cultural heritage, its typology of protected elements, and its meticulous review of international and national norms in the field, is a model treatment of the subject. This is an excellent and most welcome book, which will rank among the classics in the field of law and religion and, I hope, find a place on the shelves of all involved in the religious cultural heritage in Europe.

Norman Doe  
Centre for Law and Religion,  
The Law School, Cardiff University,  
Cardiff, UK

Law and Religious Cultural Heritage in Europe

Tsivolas, T.

2014, XII, 183 p. 3 illus., 1 illus. in color., Hardcover

ISBN: 978-3-319-07931-8