

Freedom of speech and Religion in the European Union

Liberté d'expression et Religion dans l'Union européenne

Proceedings of the XXXVth Annual Conference
Joensuu, 22–24 September 2023

Actes du XXXV^{ème} colloque annuel
Joensuu, 22–24 Septembre 2023

MATTI KOTIRANTA
(*ed.*)

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The European Consortium for Church and State Research dedicates these proceedings to Brigitte Basdevant-Gaudemet, in honour of her active membership in the Consortium (1992–2022).

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Le Consortium européen pour l'Étude des Relations Églises-État dédie ces actes à Brigitte Basdevant-Gaudemet, en hommage à son investissement en tant que membre du Consortium (1992–2022).

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This volume contains the proceedings of the XXXVth Annual Meeting of the European Consortium for Church and State Research, held in Joensuu (Finland) on 22–24 September 2023, on the topic *'Freedom of speech and Religion in the European Union'*.

PREFACE

The XXXVth Annual Conference of the European Consortium for Church and State Research was held at the University of Eastern Finland in Joensuu and amidst the renowned cultural landscape of Koli, Finland, on 22–24 September 2023. The theme of the meeting was ‘Freedom of Speech and Religion in the European Union’.

The conference was organized and prepared on behalf of the Consortium by Professor Matti Kotiranta, University of Eastern Finland. The conference papers presented in this volume of proceedings were prepared and circulated in advance, with the delegates including both Consortium members and the respective national reporters. The conference was attended by forty-one people representing the countries of the European Union.

The conference was preceded on 21 September by the International Conference and Celebration Symposium, ‘100 Years of Religious Freedom in Finland’, in the Aurora building of the University. The opening ceremony included an introductory welcome from the Academic Rector of the UEF, Tapio Määttä, the Law School of the UEF; by Ms Hanna Kiiskinen, Senior Ministerial Adviser/Legal Affairs, representing the Ministry of Education and Culture; and four keynote speeches by Professors Martin Scheinin, Tuomas Ojanen, Matti Kotiranta and the deputy ombudsman, Ms Maija Sakslin. Acting as chair and moderator of the Celebration Symposium was Professor Pamela Slotte. Later that same day, consortium members and national reporters visited the Monastery of the Transfiguration of Christ at New Valamo, which is a male monastery of the Finnish Orthodox Church located at Heinävesi in North Karelia. The monastery’s abbot, Archimandrite Mikael, acted as guide.

The opening session of the Consortium meeting, chaired by Professor *Jonatas Machado*, dealt with blasphemy and the defamation of religion. Many changes have occurred since 2008 and many European countries have repealed blasphemy laws, and hence the focus was placed in particular on the following key issues: the legal implementation of blasphemy and defamation of religion in national contexts, the fundamental norms regulating freedom of expression, and the prohibition of blasphemy in religiously motivated hate speech as restrictions on freedom of expression.

The second session, chaired by Professor *Rik Torfs*, was concerned with religious hate speech against religious communities and their members, an area that has experienced a wide variety of approaches across Europe. The following key issues are particularly worth mentioning: crimes against international law and the preparation and denial of genocide and of crimes against humanity, and in general the freedom of scientific research into historical events.

The third session, chaired by Professor *Mark Hill*, dealt with hate speech by religious clergy against others, such as homosexuals, and the thorniest issue of whether hate speech can ever be legitimate as an expression of religious freedom and whether religious feelings should be protected or not.

The fourth session was chaired by Professor *Merilin Kiviorg* and was concerned with protecting and promoting freedom of religion in the digital age and the relationship between freedom of religion and freedom of expression.

The final session, chaired by Professor *Lina Papadopoulou*, dealt with Blasphemy and Art – Ecclesiastical Objects, Symbols, and Their Protection. Are there art works that can insult a religion (Symbols of God or the Prophet, etc.)? Which kind of art is suitable for churches and what is the nature of an artist's freedom of expression? The discussion also covered the performing arts and legal cases that have resulted in blasphemy or defamation charges.

I should like to thank all those who have contributed to this volume and to the meeting of the Consortium: members, reporters, and invited guests. I should also thank most wholeheartedly all those who helped organise the conference, the sponsors of the event, Joensuun yliopiston tukisäätiö (the Joensuu University Support Foundation), Olvi-säätiö (the Olvi Foundation), Oskar Öflunds Stiftelse, the Federation of Finnish Learned Societies, Suomen Kulttuurirahasto/Pohjois-Karjalan rahasto (the Finnish Cultural Foundation/North Karelia Regional Fund), Karjalaisen kulttuurin edistämissäätiö (the Foundation for the Promotion of Karelian Culture), Joensuun kaupunki (the City of Joensuu), the Church Council of the Evangelical Lutheran Church of Finland, the Orthodox Church of Finland, and His Eminence, Arseni, the Metropolitan of Kuopio and Karelia, who hosted the gala dinner at the Monastery of the Transfiguration of Christ at New Valamo on the first day of the conference. Special thanks also go to Ms Nina Venhe, Communications Specialist, and to Ms Bettina Lievonon, Graphic Designer from the Development Services, University Services, who were responsible for event communications, programme booklets, and roll-ups.

Finally, I am indebted to Dr John A Stotesbury, FEA, for working on the final English-language format of this volume of proceedings. It has been a great pleasure and privilege to work with him. I also thank Editorial Comares, in Spain, for their work in its publication.

Joensuu, 16 December 2024

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