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D2.1: Report on the Corpus

Introduction

This report is the first deliverable of WP 2 of RETOPEA. The main aim of this report is to present the corpus of historical peace treaties that will be studied within the framework of WP 2. As the adaptation of the historical peace treaties into clippings and the analysis of the context in which the treaties were drafted is the main task of WP 2, the corpus forms the basis of the team`s work in the coming two years. Therefore, this report will argue why we have chosen to work on this particular corpus, and will demonstrate that for each treaty to be studied we have a sound basis to work upon. The corpus presented and discussed here is for the larger part identical with the corpus that has been briefly presented in the project application form. However, rather than merely confirming the earlier choices with regard to the composition of the corpus, this report seeks to demonstrate that after successfully obtaining the funding for RETOPEA and since the start of the project on May 1st, the team and principal investigators of WP 2 have thoroughly reflected upon and re-evaluated the composition of the corpus. The structure of the report reveals this deepened reflection. Our corpus of peace treaties consists of seven clusters that each share a common theme and points of attention. For all seven clusters, the treaties as well as the arguments for including them into the cluster will be presented. Also the division of responsibility within the team of WP 2 will be discussed for each of the clusters and for the sources in them. Following upon this discussion per cluster and per treaty, we zoom out and provide an overall discussion of the corpus that presents our arguments for bringing these sources together in the Working Package and for comprehensively studying them.

Clusters

1 Thematic range: Confessionalisation, territorial segregation, religious toleration and the secularization of international relations. Geographical range: Western and Central Europe

Partner responsible: IEG

In this cluster we will investigate six treaties that deal with the rise of confessional division and religious tensions in Continental Europe in the sixteenth and the seventeenth century. Medieval Christian

Europe already had experienced religious diversity and tension, but it was the rise of Protestant movements of various kinds that caused enduring tensions and opposition between differing interpretations of Christianity and led to political conflicts. These tensions were at play on a local level where inhabitants of cities and other smaller communities adhered to different forms of Christianity, and on a macro level, where local and European rulers became involved in the religious tensions by supporting the Roman Catholic Church or one of the rising new denominations. Throughout this period, various confessions developed and explicitly distinguished themselves from one another.

In order to study this crucial period in the history of Europe`s religious diversity, for this cluster we have selected one treaty that settled conflicts in Germany, two that arranged tolerance in France and one that was aimed at settling religious conflict in the Low Countries (Contemporary Belgium and the Netherlands). Moreover, we also include a Polish treaty, which stands out as being the first to grant religious freedom to individual noblemen. Finally, we include crucial international treaties that settled decades-long wars and laid the basis for religious co-existence in the following centuries.

The Peace of Augsburg (1555)

The Peace of Augsburg is a landmark in the history of religious coexistence in Europe. Following upon Luther`s contestation of Roman Catholic doctrine and practice (starting from 1517), religious tensions and correlating political power struggles dominated the Holy Roman Empire (the territory of present day Germany plus surrounding areas) in the first decades of the sixteenth century. Building upon the Peace of Passau (1552), the agreement of 1555 laid the groundwork for the pacification of these religiously motivated tensions. The negotiations about the treaty took place during the Imperial Diet at Augsburg. The King of the Romans Ferdinand I, who acted in place of his brother Emperor Charles V, negotiated the settlement with the Electors of the Empire, the local princes and the representatives of the cities that participated in the Diet. The most crucial feature of the treaty is that it allows local rulers to choose the religion for their territories ("*cuius regio, eius religio*"). The use of force to settle religious conflicts is strictly forbidden in the treaty. Other regulations bear on bi-confessional cities or the right to emigrate for religious reasons. The settlement goes up for Catholics and those following the Augsburg confession (i.e. Lutherans), but does not cover any other denominations (like Anabaptists or Calvinists), which caused continuous troubles in the following decades.

The Warsaw Confederation (1573)

This treaty was drafted in the context of the institutional crisis that had started with the death of Sigismund II, the last Jagiellonian king of Poland. The treaty therefore mainly aims at maintaining the stability of the Polish-Lithuanian polity. Under the reign of Sigismund II, there was an informal policy of religious tolerance. The Polish-Lithuanian monarchy indeed was a body politic with an exceptional

diversity in terms of religion. Catholics, various groups of Protestants, among which the Antitrinitarians who were prosecuted elsewhere, Orthodox Christians, Armenians, Jews and Muslims were living together under the monarchy. The Confederation of Warsaw was signed by the nobility and the Senators. It established that nobles of any religion enjoyed the right to access offices, to freely worship and spread their religion. The confederation formalized the previously informal regime of tolerance and obligated every elected king on the continuation of this regime. It made the Polish-Lithuanian commonwealth into the most open European polity in terms of religion. The confederation was an exceptional treaty for its time. Its genesis was affected by events elsewhere in Europe (in particular the St-Bartholomew massacre in France) and it later served as a model to the French king Charles X for peace negotiations.

The Edict of Saint-Germain (1562)

This treaty was drafted as a reaction to religious tensions followed by the rise of Protestantism in France in the years before 1562. It was imposed by King Charles IX, at that time a minor, and by Catharine de' Medici, his mother and regent. The edict was the first treaty that gave limited rights to Protestants in France. It stipulated that they were allowed to gather and celebrate Protestant worship outside of cities and under the protection of noblemen. The Parliament of Paris, which was dominated by conservative Catholics, did not approve the edict and requested adaptations. During this process, the legality of protestant gatherings was unclear, and this ambiguity gave way to the massacre of Vassy by the conservative Catholic Duke of Guise (1562). That event in turn led to the beginning of the first war of religion in France. In spite of this accumulation of tension following the issuing of the edict, it would remain an important point of reference for Protestants in the defence of their right to worship In France and elsewhere.

The "Religioensvrede" in the Low Countries (1578)

The "Religioensvrede" (Religious Peace) was drafted when political and religious tension was at a high point during the Dutch Revolt. Following upon the Iconoclasm of 1566 and the strong prosecution by the Duke of Alba after that, religious differences and tensions about local privileges had accumulated in open rebellion against the Habsburg monarchy and its representatives. After the Synod of Dordrecht, a gathering of Reformed church leaders, in 1578, the Religious Peace was proposed and discussed at the Estates General in Antwerp that same year. The initial proposal of the Synod was rejected, but a committee drafted a new text that was accepted by the Estates, though not unanimously. Archduke Matthias approved the treaty and in the coming months and years, many cities in the Low Countries implemented the peace, which was strongly inspired by the aforementioned German and French examples. Key aspects of the peace were individual liberty to choose one's

religion, the right of public exercise in places where a religious group has a majority, and a prohibition of discrimination on religious grounds.

The Edict of Nantes (1598)

This settlement issued by the French King Henry IV marks the end of the French wars of religion. It provided amnesty for most of the crimes related to religious tensions that were committed in the years prior to the edict. It guaranteed civil rights and freedom of conscience for Protestants in France and forbade harassing them. Protestants were allowed to celebrate worship in designated places, but explicitly not at the court or in Paris and its surroundings nor in the army. They were also allowed to hold public offices, and a number of places of refuge were given to them. Apart from rights and protections of Protestants, the edict also contained passages that imposed to the whole kingdom the general celebration of catholic mass, of catholic holidays and it obliged the payment of tithes to catholic parishes. Parts of the edict were diluted during the seventeenth century. With the edict of Fontainebleau (1685) the edict of Nantes was dramatically revoked.

The Peace treaties of Westphalia (1648)

The peace of Münster of January 1648 and the treaties of Münster and Osnabrück of October 1648 settled the various political and religious conflicts that had dominated Europe in the previous decades and in particular the Holy Roman Empire since 1618. From 1646 onwards, ambassadors of the Empire, Spain, Sweden, France and other countries involved in the war gathered in the Westphalian towns of Münster and Osnabrück. The treaties they agreed upon arranged a political peace between polities that had stood for the cause of Catholicism and of various protestant denominations. The treaties encompass a formula of amnesty for all crimes committed during the wars as well as the instrument of a normal year (1624) for settling the conflicts. In particular, the fifth article of the treaty of Osnabrück arranged religious coexistence in the Empire. The treaties limited the power of the Emperor, confirmed the basic principles of the peace of Augsburg but extended it to Calvinists. The regulation of confessional rights and relations thus remained explicitly part of the discretion of local rulers of the Empire.

2 Thematic range: Domestic secularism and religious freedom. Geographical range: Europe, with an impact on Muslim lands

Partner responsible: IEG

In this cluster, we will investigate a ground-breaking treaty that gave way to religious freedom and the emancipation of non-Catholics in the largest polity of Europe at the end of the Old Regime. This treaty fundamentally rearranged the relation between the state and religion. In the turbulent decades at the end of the eighteenth and the beginning of the nineteenth century, its principles were spread across Europe, where they were welcomed by some and fiercely contested by others.

The Declaration of the Rights of the Man and of the Citizen (1789)

This declaration was drafted and ratified by the French *Assemblée nationale* shortly after that assembly had formed itself as a successor to the corporatist Estates General. The seventeen articles of the declaration go into the rights that all Frenchmen have, regardless of their place in the corporatist order of the Old Regime. Article 10 explicitly touches upon the subject of religion, in stating that everyone should be left at peace for his opinions and religious convictions. Article 11 guarantees the freedom to express opinions freely in speech, writing and printing. These provisions de facto installed a regime of -Freedom of Religion in France and gave way to legislation that explicitly emancipated the Jews in 1791. With the Edict of Versailles (1787) Louis XVI had instated already some rights to non-catholics, but no Freedom of Religion. The wars in which France engaged at the end of the eighteenth and the beginning of the nineteenth century brought this new legislation to other parts of Europe and to its colonial empire.

3 Thematic range: Toleration and inequality in Muslim lands with a diverse population. Geographical range: Southeast Europe; El Andalus/Iberian peninsula

Partner responsible: KU Leuven

This cluster starts from the Islamic vantage point, grouping three treaties that track the origins and development of Islamic conceptions of tolerance. Especially early Islam is often framed as a religion of conquest, but the rapid expansion of its sphere of influence also necessitated the quick accommodation of other religions. The means by which such coexistence was achieved set the tone for how religious diversity was handled by subsequent Islamic dynasties. In this respect, the payment of an additional tax by non-Muslims stands out as one of the most well-known practices. The cluster includes an agreement brokered in 622 by the Prophet himself, one that still has a broad appeal in the Muslim world as an ideal type of Islamic 'constitution'. Through a second set of agreements, presumably drafted by one of the immediate successors of Muhammed, the consequences of Islam's expansion are also taken into account. Finally, the study of a much later Treaty (1870) offers a point of

contrast and enables the project to account for the impact of nationalism on century-old toleration arrangements.

The Constitutions of Medina

The Constitution of Medina consists of a series of agreements concluded between Muhammed and the Arab and Jewish tribes of Medina/Yathrib in 622. The documents are generally, albeit not unanimously, deemed to be a valid historical source for the formation of Islam during its early years. The terminology of the agreement indicates that the constitution first and foremost represented an arrangement between Muhammed and the Arab tribes of Medina, to which the Jewish allies of the Arab tribes were added. In practice, this meant that the *umma* or confederation at this point included both Muslims and Jews, a remarkable situation that immediately changed once the political balance in the city shifted. It is therefore argued that the texts should not be seen as an example of tolerance *per se*, but more as a reflection of the division of power between Muhammed, the Arab tribes and the Jewish allies in 622. This argument is reinforced by the fact that in 624 the tense relations between Muhammed's followers and the Jews escalated, eventually leading to the expulsion of one of the main Jewish tribes from Medina.

The Stipulations of Umar

The Stipulations of Umar, also known as the Pact or Covenant of Umar, are supposed to have recorded the peace accord between the Caliph Umar and the Christians of Syria in the mid-seventh century. It consists of a letter, probably drafted in the 640's, although there is serious doubt about its authenticity. The letter is from the Syrian Christians and addresses Caliph Umar I. It states the conditions by which the Christians subject themselves to the Caliph's rule: the Christians were guaranteed the safety of their lives, family and property, in return following a set of practical rules. These rules range from paying tribute to the Caliph, over not preventing Islamic conversions, to adhering to a specific hairstyle. Although the payments can be considered the most central of these arrangements, it is important to note that the Stipulations created a clear and visible distinction between Muslims and Christians, with the burden of showing respect falling mainly on the latter. The stipulations of Umar formed the basis for the legal status of the *Dhimmi*, or the non-Muslims under Muslim rule. This made these rules a prime source for arranging the relations between the adherents of Christianity and Islam, both in the seventh/eighth century and much later.

The Sultan's Decree

The *Firman* of 28 February 1870, issued by Sultan Abdulaziz of the Ottoman Empire, established the Bulgarian Exarchate in the Greek-Bulgarian-Macedonian borderlands. It thereby fits into wider debates

about the *Tanzimat* reforms in the Empire, the rise of nationalism in South-Eastern Europe, and the role of religion in the formation of nation-states. The Decree was drafted following a longer controversy kicked off by the independence of Greece in 1830. The Greek nationalists demanded that the Greek Church would become independent from the Porte, as they wanted to avoid that their 'national' Church was being led by an Ottoman-appointed officer. The Greek bishops therefore created a schism with the Patriarchate of Istanbul in 1833. This situation largely resolved itself by the 1850's, but by then it had inflamed tensions with the Bulgarian Orthodox community. According to this community, the Patriarchate had become a 'Greek' church that largely ignored the well-being of its Bulgarian flock. In order to address these complaints and tensions, Sultan Abdulaziz used the 1870 Decree to create a separate Bulgarian national Church, the Exarchate, which officially still fell under Ottoman authority. Importantly, the territorial composition of the Exarchate outlined the territories of the Bulgarian nation within the Empire, foreshadowing the territories later claimed by the Bulgarian state. These territorial disputes in turn forced the independent Greek Church to realign with the increasingly 'Greek' Patriarchate in Istanbul, clinching the communities in both states between novel, competing loyalties.

4 Thematic range: Freedom of religion as a combination of divine imperative / Enlightened pragmatism. Geographical range: Colonial North America; USA

Partner responsible: KU Leuven & IEG

In this cluster Bram de Ridder and Christophe Schellekens will study two cases of the regulation of freedom of religion in North America. The first treaty was conceived as a bottom-up project to experiment with freedom of religion, whereas the second one is a top-down regulation of religious freedom in a newly conceived federacy of states. This difference in genesis allows to understand its impact on the reception of religious freedom. Moreover, both treaties do not refer to any specific religious denomination, which raises questions about the definition of religion. This idiosyncrasy of the treaties therefore also allows to compare the American conception of religious freedom and tolerance with ideas and settlements developed in Europe and to investigate efforts to distinguish an American position as well as trace transatlantic mutual influence.

The Charter of Rhode Island (1663)

This charter was granted by the English King Charles II. It sets out the institutional arrangements of the newly recognized colony of Rhode Island and the Providence plantations. The document responds to

a petition of a group of inhabitants of the colony around the Narraganset Bay (Rhode Island & Providence) in New England. Some of the petitioners had left or been expelled from colonial settlements in Massachusetts because of their religious convictions which were at odds with those of the majority there. The petitioners had invoked an intention to live in a different and open religious context as one of their main motives. Charles II, who also on the British Isles and in relations with European states adopted a pragmatic and tolerant attitude towards religious differences, granted the right to maintain a regime of religious liberty in the colony. The charter was maintained as a constitutional document of the state after Rhode Island became part of the United States of America and remained in force until 1843.

The US First Amendment

The First Amendment is part of the so-called Bill of Rights, which contained the first ten amendments to the US constitution. This Bill was drafted by James Madison, submitted to the US states for ratification on September 25, 1789, and adopted on December 15, 1791. The Amendment states that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof". Together with Article VI, which prohibits religious tests for public offices, is this the only reference to religion in the entire US Constitution. The inclusion of religious freedom with other key principles such as freedom of speech highlights its position within wider contemporary debates about such fundamental rights, even though the wording of the Amendment itself is extremely short and open for interpretation. One of the most interesting elements about the First Amendment is indeed that it allowed for a broad definition of what religion is. In contrast to other treaties included in the RETOPEA-project, the US Constitution does not identify the specific religions between which tolerance should be maintained, but simply argues that all religions should be permitted by the government. This has allowed for various, and sometimes contradictory, interpretations of which organizations and practices can be defined as religious – and thus defended by the Amendment.

5 Thematic range: Freedom of religion "beyond tolerance"/non-exclusive views on religion and spirituality. Geographical range: India

Partner responsible: KU Leuven

Cluster 5 consists of two cases situated in the Indian subcontinent. The goal of the cluster is to offer a point of contrast with the Western and Middle-Eastern cases, which make up the bulk of the project. Indian practices of tolerance and religious coexistence were to a certain extent influenced by

interactions with these two regions, but in other respects reflected radically different ideas. It is therefore the ambition to demonstrate the impact of such interactions, but even more so to take our audience out of its familiar conceptual context and to point participants to the more 'unusual' Indian alternatives. Given the broad context that needs to be painted, the clippings in this cluster are not so much centered on two individual treaties, but rather on a range of texts related to tolerance. The first set of clippings focusses on the Ashoka edicts, going back to the third century B.C.E. and offering a point of contact and contrast with the Classical Greek World. The second set of examples was drafted in the Early Modern period and contrasts nicely with the Christian-Islamic confrontations around the Mediterranean Sea in this period.

The Ashoka's edicts

The edicts of Ashoka consist of a collection of 33 inscriptions on rocks and pillars, carved in the third century B.C.E. and spread out across the Indian subcontinent. They deal with a range of topics, including references to Ashoka's conversion to Buddhism and some specific moral instructions. Of main interest are Major Rock Edicts 7 and 12, which seem to promote a principled adherence to tolerance and freedom of religion. Edict 7 states that all religious 'sects' may reside everywhere, whereas edict 12 argues for a moderation in speech when discussing one's own or another's sect. These two elements fit into the broader philosophy and governance of Ashoka described as the *Dhamma*, meaning that these two edicts will require a lot of context before they can be framed correctly. Important to note is that the Edicts had a triple audience. They were primarily designed to instruct the officers in Ashoka's Mauryan Empire, and on this basis the wider audience of Mauryan subjects could be reached. The inscriptions were however also intended to last beyond Ashoka's rule, attesting to their nature as eternal guiding principles. In this sense there seems to be less of a clear political incentive to them than is the case in many other treaties discussed in the project, even though such incentives are certainly not absent.

Akbar the Great's settlement

Akbar counts as one of India's greatest rulers, both from a military-governmental and a religious cultural perspective. With regard to the latter, this sixteenth-century Mogul Emperor started as a Muslim prince interested in Sufism, but he quickly become known for his tolerance of other religions. In 1562, he forbade Muslims to forcefully convert prisoners of war, and a year later he discontinued the *Jijiya*, the tax non-Muslims had to pay. Although these two decrees are interesting from the perspective of tolerance, Akbar eventually became even better known for his efforts to synthesize and combine several religions into one. This *Din-i-ilahi* and its rites contained Persian-Islamic, Christian and Hindu elements, fusing them into a sort of 'World-religion' professed by Akbar and his closest circle.

Although the *Din-i-Ilahi* never took off with the masses, the idea of not only tolerating other religions but merging them with one's own faith stands out as a major alternative to the other approaches studied by the project.

6 Thematic range: Religion in International Law; Assimilation; Minority protection and deportations. Geographical range: Central and Eastern Europe

Partners responsible: UKIM/KU Leuven

This cluster tracks the development of toleration in modern International law, starting in the post-Napoleonic world and moving towards the formation of the League of Nations after WWI. In this sense it includes a tendency towards collective international decision-making with regard to those religious issues that threatened the 'balance of power' between the European powers. Both the Concert of Europe and the League of Nations were concerned about so-called minority issues, highlighting the impact of nationalism on the religious settlements of previous centuries. This was indeed a period in which, on the one hand, nationalistic feelings threatened the established position of many religious minorities, but, on the other, it was also one when the emerging international community increasingly tried to protect such groups. The three treaties included refer to two major conferences (Vienna and Paris) and one international body, the League of Nations. There is a revealing contrast between these three, as the former is often seen as a highly successful example of international joint decision-making, whereas the latter two are largely deemed failures.

Vienna Congress

The final act of the Congress of Vienna is composed of 17 different documents, all signed on 9 June 1815. They involve a wide range of European signatories and an even wider range of European subjects. The Congress treaties are often linked to one of Europe's more peaceful periods, encapsulating them in a more 'optimistic' setting compared to some of the other treaties studied. The main issues discussed involved religious 'minority rights' and the position of the Jews. The former was a logical consequence of dividing and re-patching of the European territorial borders. The power element is again quite visible in this respect: the creation of a new European map was of course an act of geopolitical power politics, but protests against the continental re-arrangement were also connected to concerns about a balance of power – albeit at the local level. On the one hand communities being merged with smaller groups feared the upsetting influx of non-co-religious populaces, whereas those being merged with larger communities feared to be overruled by the original

inhabitants. The net result was often frustration on both ends, as both communities experienced a loss of power and stability compared to their previous status. Secondly, the deliberations about the status of the Jews in Poland and Germany (mainly in the latter) formed a highly contentious matter, setting the tone for the treatment of Jews across northern Europe. It is a case that also highlights the agency of the Jews themselves, being present in the salons and publications surrounding the Congress.

The Paris Peace Treaties

The Paris Peace Conference of 1919-1920 formed the diplomatic closure to the First World War. The Conference resulted, in addition the creation of the League of Nations, in five major treaties settling the end of the Great War. These treaties were the Treaty of Versailles, signed, 28 June 1919; the Treaty of Saint-Germain, 10 September 1919; the Treaty of Neuilly, 27 November 1919; the Treaty of Trianon, 4 June 1920; the Treaty of Sèvres, 10 August 1920. A number of other treaties, such as the Locarno and Lausanne treaties, built upon these five initial documents, either changing the Paris arrangements or adding to them. Religious issues are not necessarily central to these documents, but the territorial re-carving of the European map resembled that of 1815, and so did the consequences for several religious groups. Most famously, these treaties are seen as causes of WWII or at least as having failed to prevent it, meaning that they connect to the treatment of minorities before and during this subsequent major conflict.

The League of Nations Minority Protection

The League of Nations Minority Protection consists of a series of treaties involving minorities in Central and Eastern Europe. After the end of WWI, it became clear that a re-arrangement of European borders based on nationality would be very difficult, if not impossible. Therefore, some countries that received large new populations due to the territorial re-arrangements of 1919 needed to be given guarantees, just as those populaces needed to be reassured about their new status. This was especially the case with regard to Poland, where a specific Minority Treaty (of 28 June 1919) formed the *sine qua non* for its constitution. The Polish Treaty thereafter provided the blueprint for four comparable treaties. Effectively, in the years thereafter the League of Nations would continue to uphold an expand its involvement regarding the protection of religious and ethnic minorities, both in Europe and beyond The Minority Treaties contain a strong connection to territoriality and border creation, as well as to international governance. However, the League of Nations' efforts were discontinued after WWII, when the UN took a different approach to these matters.

7 Thematic range: Human Rights, Freedom of religion; 'privatization' of religion. Geographical range: Western Europe, EU

Partners responsible: KU Leuven/UKIM and OU for the Irish case

This cluster brings together four treaties that touch upon religious tolerance and co-existence in Europe after World War II. Two of them provide a general framework of fundamental rights that apply to the various European nation states that are members of respectively the Council of Europe and the European Union. Two other treaties settled concrete political and religious conflicts with a violent dimension. These four cases allow us to study the relation between supranational bodies and nation states with regard to the defence of religious rights and the place of religion in the public sphere.

The European Convention on Human rights (1950)

The European Convention on Human Rights establish the human rights of people in the 47 countries that belong to the Council of Europe. The Convention consists of articles that guarantee basic human rights. The Council of Europe was founded after the Second World War to protect the human rights and the rule of law, as well as to promote democracy. The aim of the treaty was to secure basic rights for anyone within their borders, including their own citizens and people of other nationalities. The project was strongly driven by British lawyers and Winston Churchill in particular. The European Court of Human Rights, which has its seat in Strasbourg, applies and protects the rights and guarantees set out in the European Convention on Human Rights. Article 9 touches explicitly on religion, and guarantees that everyone has the right to observe, change and manifest his or her religion. However, the article leaves room to limitations of this freedom for the public interest, when they are part of national law, and thus leaves space for national differences with regard to the place of religion in the public sphere.

The Charter of Fundamental Rights of the European Union (2009)

The Charter of Fundamental Rights of the European Union brings together the fundamental rights of everyone living in the European Union. It was introduced to bring consistency and clarity to the rights established at different times and in different ways in individual EU Member States. Since 1964, Union law holds precedence over national law. As the Union was not governed by a document that established fundamental rights, this left a legal gap. This gap was recognized in the 1970`s when the European Court of Justice ruled that fundamental rights were an integral part of the Union. The Charter turns these unwritten fundamental rights into a written document. The place of religion in the charter

is identical to that in the European Convention of Human rights and leaves a similar kind of room for national differences.

The Good Friday/Belfast Agreement (1998)

This agreement, concluded on Good Friday, 10 April,1998, between eight Northern Ireland political parties and the governments of the United Kingdom (UK) and the Republic of Ireland (ROI) was a key development in the peace process that brought largely to a close the violent 'Troubles' in Northern Ireland that had continued since 1969. It consists of two documents, an extended agreement between the Northern Ireland parties, and a shorter international agreement between the two sovereign governments of the UK and ROI. It affirmed the right to freedom and expression of religion. It also affirmed measures to develop reconciliation and mutual understanding between communities and traditions and the 'promotion of a culture of tolerance at every level of society'. The international agreement established that whatever sovereign government with jurisdiction in Northern Ireland would exercise rigorous impartiality in respect of the diversity of identities and traditions. The agreement makes little explicit reference to religion, but has substantial implications for religious tolerance and peace on an island historically bitterly divided on religious lines. Its achievements have been mixed: while it has almost entirely brought an end to the violence, community divisions remain largely intractable and at time of writing the power-sharing political institutions it established are not functioning. Brexit and the consequent border issue also have potentially serious implications for the future.

The Ohrid Framework Agreement (2001)

The Ohrid Framework Agreement was drafted in August 2001 following increasing violent tensions in the Republic of Macedonia. The agreement was negotiated between the four-major Macedonian and Albanian Political Parties and the international community, reflecting the internal character of the crisis that had become an armed conflict in the first half of 2001. After the conflict, the Ohrid Framework Agreement secured group rights for ethnicities that are not in majority in the Republic of Macedonia. The present law on the legal status of the church, religious communities and religious groups that was drafted in 2007 following upon the agreement, repealed the Law on religion and religious groups of 1997. According to the Constitution of Macedonia all religious communities and groups are separate from the state and equal before the law. A constitutional amendment of 2001 lists five religious groups: the Macedonian Orthodox Church (MOC), the Islamic Religious Community of Macedonia (ICM), the Catholic Church, the Evangelical Methodist Church and the Jewish community. The abovementioned list clearly shows that it is hard to claim that there is a state religion in Macedonia.

General discussion of the corpus

In the seven clusters of WP 2, a total of 21 settlements that organized religious peace, tolerance or co-existence are studied. This corpus covers a wide period of time and a diverse set of places all over the globe. The oldest sources go back to the 3rd Cent BCE, and our most recent source dates from the first decade of the 21st C. A majority of the treaties that we study deals with the arrangement of tolerance in Europe, but an important part of our corpus consists of treaties that regulated religious co-existence in other parts of the world.

The composition of this corpus is the result of a selection process that was guided by various selection criteria. First of all, we have sought to select periods of crisis and tension in Europe that were ended by arrangements that explicitly sought to bring religious tolerance and co-existence. The various treaties generated in the sixteenth and seventeenth century that brought to an end the various conflicts between Catholics and Protestants are examples here. The international treaties of the nineteenth and twentieth century and in particular the settlements of the conflicts in Northern Ireland and former Yugoslavia fall into this category as well. Second, we explicitly aimed to include cases that set out arrangements of religious co-existence that were developed outside Europe. Some of these share a connection with European approaches, such as the treaties developed in North America, whereas for example the Ashoka's edicts are more detached from such approaches. Third, we have sought to include not only arrangements of religious tolerance and co-existence within Christianity, but also a substantial amount of treaties that were developed in other contexts. We have included various treaties that were developed in a context where Islam was the major religion. However, we also have sought to include settlements that were developed as part of a universalist, and sometimes secularist, project of various kinds, such as Ahkbar`s regime, or the declaration or the rights of man and the citizen.

This diverse body of sources allows the team of researcher in RETOPEA`s WP 2 to engage with questions about religious co-existence and tolerance from multiple perspectives. Inspired by David Armitage`s methodology of transtemporal historical contextualism, as well as by his work on Civil Wars from Republican Rome up until the twenty-first century, our corpus allows for various comparisons. Yet, above all, the diversity of the corpus is meant to allow the teenagers who will make docutubes with clippings related to these various treaties to choose among a broad and diverse set of cases and to compare cases they deem interesting to explore. For example, many of the treaties in the corpus regulate religious co-existence in a particular region, whereas some of the treaties have universal claims or aspirations. By including various source texts that each have their own local dimension, it is possible for the teenagers to investigate how various local experiences each may have led to similar or

different outcomes in terms of concretely organizing religious co-existence. By comparing them, it becomes clear that pragmatism, a driving idea behind many of these settlements, led to diverse outcomes based on local circumstances. The importance of local context also brings to light how religious tolerance was related to political power relations, balances between majorities and minorities and concerns about political and ceremonial prerogatives, taxation, and property rights. Moreover, the inclusion of both agreements that arranged religious co-existence on a pragmatic and detailed local level as well as treaties that refer to religious tolerance and freedom on a more abstract level allows the teenagers to explore the tensions and compatibilities between these levels.

Apart from offering a rich variety of potential comparisons, the choice to study sources from a period of over two millennia also allows to reflect upon long term evolutions. The changes in the relation between politics, state and religion as well as evolutions in the ideas about religion belonging to the public or private sphere can be investigated. This also goes for the long-term development of the idea of freedom of religion. Without suggesting a one-dimensional line in history, the diversity of our corpus allows both the researchers of WP 2 and the teenagers to explore connections between treaties, as well as to follow evolutions in how various concepts related to religious tolerance were conceived and understood. The authors of some treaties implicitly or explicitly drew inspiration from previous texts or sought a rupture with previous ideas. By including treaties from various periods and from diverse places, such connections and evolutions can be studied without imposing a grand narrative.

As a last general remark, the fact that this corpus is a small yet carefully selected set of texts, and by no means an exhaustive range of peace treaties, should be stressed and briefly discussed. As the RETOPEA project and WP 2 in particular engage with both an innovative and new academic methodology as well as with a new way of preparing and adapting sources to be used by an audience of teenagers, the scale of the corpus has been an important point of attention. Our selection has been guided by the arguments discussed above, as well as by our reliance on the expertise that the various partners have developed through previous engagement with such sources. The result of this selection is inevitably that periods and regions are also left out of the corpus, and that even within the corpus some texts might receive more attention than others. However, as RETOPEA tries to develop an innovative example in both the field of historical research as well as in contemporary engagement with the past, the standard that the project seeks to set may be followed upon for other cases in the future. Yet, the diverse corpus defined here serves both as the best starting point for scholars to engage with the selected methodology and for teenagers to work on various questions related to religious tolerance and peace making.

Appendix 1: printed and digital source editions per treaty

The Peace of Augsburg (1555)

Edited online on the platform *Religiöse Friedenswahrung und Friedensstiftung in Europa (1500-1800): Digitale Quellenedition frühneuzeitlicher Religionsfrieden*
http://tueditions.ulb.tu-darmstadt.de/e000001/
(consulted 30 July 2018)

The Warsaw Confederation (1573)

Edited online on the platform *Religiöse Friedenswahrung und Friedensstiftung in Europa (1500-1800): Digitale Quellenedition frühneuzeitlicher Religionsfrieden*
http://tueditions.ulb.tu-darmstadt.de/e000001/
(consulted 30 July 2018)

The Edict of Saint Germain (1562)

Edited online on the platform *Religiöse Friedenswahrung und Friedensstiftung in Europa (1500-1800): Digitale Quellenedition frühneuzeitlicher Religionsfrieden*
http://tueditions.ulb.tu-darmstadt.de/e000001/
(consulted 30 July 2018)

The "Religioensvrede" in the Low Countries (1578)

Edited online on the platform *Religiöse Friedenswahrung und Friedensstiftung in Europa (1500-1800): Digitale Quellenedition frühneuzeitlicher Religionsfrieden*
http://tueditions.ulb.tu-darmstadt.de/e000001/
(consulted 30 July 2018)

The Edict of Nantes (1598)

Edited online on the platform of the Ecole des chartes:
elec.enc.sorbonne.fr/editsdepacification/edit_12

(consulted 30 July 2018)

The Peace treaties of Westphalia (1648)

Edition of the Peace of Münster:
Het Vredesverdrag van Münster, 30 Januari 1648, C. Smit ed., (Leiden, 1949)

Online editions of the treaty of Münster and of Osnabrück:
Die Westfälischen Friedensverträge vom 24. Oktober 1648. Texte und Übersetzungen (Acta Pacis Westphalicae. Supplementa electronica, 1)
http://www.pax-westphalica.de/
(consulted 30 July 2018)

The declaration of the rights of man and of the citizen (1789)

Online edition on the French Republic`s official website of legal sources:
https://www.legifrance.gouv.fr/Droit-francais/Constitution/Declaration-des-Droits-de-l-Homme-et-du-Citoyen-de-1789
(consulted 30 July 2018)

The Constitution of Medina

R.B. Serjeant, 'The "Sunnah Jāmi'ah," Pacts with the Yaṯ̲rib Jews, and the "Taḥrīm" of Yaṯ̲rib: Analysis and Translation of the Documents Comprised in the So-Called 'Constitution of Medina'', *Bulletin of the School of Oriental and African Studies*, 41 (1978), 1-42

The Stipulations of Umar

Abū Bakr al-Ṭurṭūshī, *Sirāǧ al-mulūk*, M. Fatḥī Abū Bakr ed. (Cairo, 2006), 542-543

The Sultan's Decree

Digital copies exist, but need to be further selected due to language difficulties

The Charter of Rhode Island

Annotated transcription on the website of the State of Rhode Island:
https://sos.ri.gov/assets/downloads/documents/RI-Charter-annotated.pdf
(consulted 30 July 2018)

Transcription on the website of the Avalon project of the Yale University Law School
http://avalon.law.yale.edu/17th_century/ri04.asp
(consulted 30 July 2018)

The US First Amendment

The Complete Bill of Rights. The Drafts, Debates, Sources, and Origins, Second Edition, Neil H. Cogan ed., Oxford: Oxford University Press, 2015

Transcript with analysis on the website of PennState University`s library:
https://guides.libraries.psu.edu/usconstitution
(consulted 30 July 2018)

The Ashoka's Edicts

Aśokan Sites and Artefacts. A Source-book with Bibliography, H. Falk ed., (Mainz am Rhein, 2006).

Akbar the Great's Settlements

/ (is not centred on one treaty text)

Vienna Congress

Congrès de Vienne. Recueil des pièces officielles relatives à cette assemblée, des déclarations qu'elle a publiées, des protocoles de ses délibérations et des principaux mémoires qui lui ont été présentés; le tout rangé par ordre chronologique, Frédéric Schoell (ed.), (6 vols., Paris, 1816–1818)

Paris Peace Treaties

Transcript with analysis on the website of library of Congress:

https://www.loc.gov/rr/program/bib/ourdocs/versailles.html
(consulted 30 July 2018)

League of Nations Minority Protection

Basic Documents on Autonomy and Minority Rights, Hurst Hannum ed., (Dordrecht, 1993).

European Convention of Human Rights

Amended version of the convention on the website of the European Court of Human Rights:
https://www.echr.coe.int/Documents/Convention_ENG.pdf
(consulted 30 July 2018)

EU Charter of Fundamental Rights

Translations of the Charter in every language of the European on the EUR-lex database of EU Law
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P/TXT
(consulted 30 July 2018)

The settlement of the conflicts in Northern Ireland

The agreement as published on the website of the British government:
https://www.gov.uk/government/publications/the-belfast-agreement
(consulted 30 July 2018)

Ohrid Framework Agreement

The Agreement as published on the website of the Organization for Security and Co-Operation in Europe:
https://www.osce.org/skopje/100622
(consulted 30 July 2018)