

The International Workshop draws its inspiration from the circumstance of several countries in Europe experiencing a growing number of cases in which individuals (mainly immigrants) claim to have a series of family and personal matters regulated by the law of their country of origin, under international private law.

In so far as this foreign law corresponds to – or is largely influenced by – Islamic law (or other religious law), domestic legal systems in Europe face the problem of reviewing the compatibility of such religiously inspired foreign law with domestic (and European) fundamental rights standards, mainly by applying the public policy (*ordre public*) exception which prevents the administrative application or the judicial enforcement of foreign law or foreign judicial or administrative decisions that are qualified as incompatible.

The International Workshop aims at considering the current attitude shown by the judiciary in legal systems influenced by Islamic law as well as in some European states, while ultimately focusing on whether a shared European *ordre public* exception in the field of family law is emerging in case law.

Jurisdiction and Pluralisms (JPs) (<http://www.jupls.eu/>) is a research project which aims at exploring the impact of the plurality of pluralisms on basic features of the judicial organization and function. Legal pluralism in Europe and elsewhere is a specific area of interest of JPs and it provides the framework for the organization of this International Workshop.

SCIENTIFIC COORDINATION

Prof. **Roberto Toniatti**
University of Trento
Faculty of Law

Dr. **Davide Strazzari**
University of Trento
Department of Sociology and Social Research

ORGANIZING SECRETARIAT

Giorgia Sartori
University of Trento
Faculty of Law
+39 0461 281844
eventi.giurisprudenza@unitn.it

Participation is free of charge, but advance registration is appreciated.

www.unitn.it/evento/legal-pluralism

www.jupls.eu

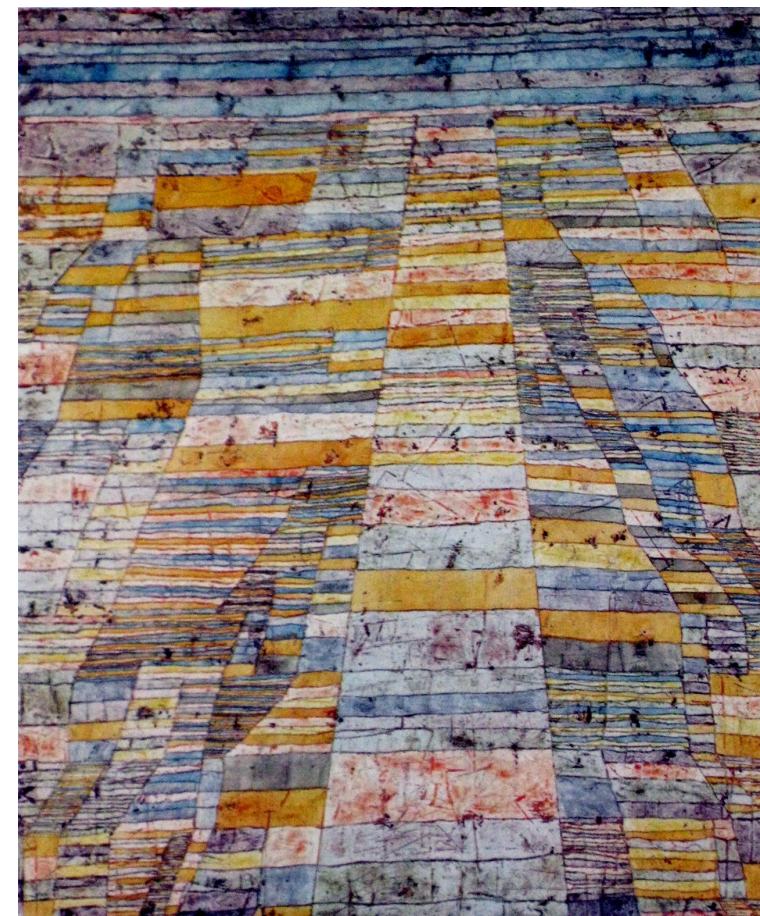
ART>UNITrento

IMG>Paul Klee, Hauptweg und Nebenwege, 1929, Öl auf Leinwand, 83,7 x 67,5 cm, Museum Ludwig, Köln - Wikimedia Commons



International Workshop **LEGAL PLURALISM IN EUROPE AND THE *ORDRE PUBLIC* EXCEPTION: NORMATIVE AND JUDICIAL PERSPECTIVES**

Trento, 16 and 17 April 2015
Room 20 (2nd floor)
Department of Sociology and Social Research
via Verdi 26, Trento



Thursday, April 16th 2015

16.00-18.30

Book Presentation

“**Muslim Family Law in Western Countries**”
(Routledge 2014)

Edited by **Elisa Giunchi**

Chair: **Cinzia Piciocchi**, University of Trento

Participants:

Cristiana Cianitto, University of Milan

Elena Ioriatti, University of Trento

Elena Valentina Zonca, University of Trieste

Elisa Giunchi, University of Milan

Friday, April 17th 2015

9.15 Welcome

Giuseppe Sciortino, Dean of the Sociology and Social Research Department - University of Trento

9.30-12.45

Legal Pluralism and Islamic Law

Chair: **Davide Strazzari**, University of Trento

Elisa Giunchi, University of Milan

Lay Judges and Sacred Law: Family Law and Muslim Courts

Prakash Shah, School of Law at Queen's Mary University, London

Catch Me if You Can! Muslim Translocal Legal Pluralism

11.00-11.15 Coffee Break

Fatna Sarehane, University of Casablanca

Traditional Islamic Law and State Codification: the Case of Morocco

Michel Karayanni, Hebrew University, Jerusalem

Tainted Liberalism: The Palestinian-Arab Milletts in Israel

Debate

14.15-18.15

Judicial Enforcement of Islamic Law in European Countries: Towards an Emerging European Notion of *Ordre Public* Exception?

Chair: **Roberto Toniatti**

Gloria Esteban de la Rosa, University of Jaén

Ordre Public Exception, Recognition Method and Regulation 1259/2010: The Case of Spain and Other European Countries

Davide Strazzari, University of Trento

The Ordre Public Exception as a Means to Protecting Fundamental Rights? - The Case of France and Belgium

15.30-15.45 Coffee Break

Sara Tonolo, University of Trieste

European Public Policy and Religious Values in Conflict of Laws

Marta Tomasi, University of Trento

Special Focus

Towards an Emerging Notion of Ordre Public Exception: a Comment on the Case-Law of the ECtHR on Surrogacy

Discussant: **Elena Valentina Zonca**, University of Trieste

Debate

Conclusive Remarks:

Rui Manuel Gens de Moura Ramos, University of Coimbra