

THE PLACE OF RELIGION IN FAMILY LAW:  
A COMPARATIVE SEARCH

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A COMPARATIVE SEARCH

*Edited by*

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## PREFACE

The increasing role of religion in the growing international discussion on diversity and multiculturalism led us to inquire into the legal frameworks in which religion is approached in a number of jurisdictions in order to find out what the scope and impact of the principle of religious freedom is. This concern was specifically related to the legal parameters affecting the influence of religion in family life and law. How did European states deal with the increasing interest in religion and the role of religion in the predominantly secular family laws of our day?

Our curiosity as to the true picture of the extent of law tolerating, accommodating, reconciling or even merely recognising the existence of religions and traditions in the area of family relationships, led us first to organise a one day Workshop to search for the place of religion in family law in March 2010. A number of scholars from various jurisdictions and interests were invited to participate in this Workshop, which was supported by Seedcorn Funding from the Adam Smith Research Foundation, University of Glasgow. We had a series of short presentations in the morning followed by a round-table discussion in the afternoon with the aim of incorporating a broad range of interests and opinions and highlighting the various ways in which religion and religious belief may influence or affect family relationships.

When it came to the production of this volume, we decided to fill the remaining gaps, as we saw them, by inviting some additional contributions from other scholars known to be involved in this field. Thus this volume now has 12 essays covering jurisdictions from the secular states with predominantly Muslim populations to Catholic and Jewish societies with semi-secular legal systems; from secular to Catholic and Jewish states. The search is for the place of religion in each of these both in historical and contemporary contexts. We hope that a diversity of countries and regions, and a number of different approaches our contributors take, will reflect a useful picture of recent, as well as historical, developments. This collection of essays highlights the religious dimension of law, the legal dimension of religion and the interaction or otherwise between secular law and religion in the field of family law, and, at the same time, also considers practical and topical issues.

The final part of the volume is a general and comparative assessment of our findings.

Jane MAIR and Esin ÖRÜCÜ  
30 March 2011



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