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# Islamic Law in Europe?

Legal Pluralism and its Limits in European Family Laws

Andrea Büchler, University of Zurich, Switzerland

*'This is a very timely book on one of the most disputed legal and cultural issues in Europe today. Andrea Büchler has left no stone unturned to systematize and analyze the scope and limits for the application of Islamic norms in European family laws from private international law to arbitration. The book is extraordinary in its problem-orientated and comparative approach.'*

– Mathias Rohe, University of Erlangen-Nuremberg, Germany

*'Deftly written and superbly argued, this book is a must read for all interested in legal pluralism, Muslim family law, and Islam in Europe.'* – Seyla Benhabib, Yale University, USA

Cultural and religious identity and family law are inter-related in a number of ways and raise various complex issues. European legal systems have taken various approaches to meeting these challenges. This book examines this complexity and indicates areas in which conflicts may arise by analysing examples from legislation and court decisions in Germany, Switzerland, France, England and Spain. It includes questions of private international law, comments on the various degrees of consideration accorded to cultural identity within substantive family law, and remarks on models of legal pluralism and the dangers that go along with them. It concludes with an evaluation of approaches which are process-based rather than institution-based.

**Contents:** Preface; Introduction; Cultural and religious diversity in the context of family law; Real and virtual legal spaces: the scope and limitations of conflict-of-laws rules; Accommodation and its scope: the respect for cultural identity in the application and promulgation of substantive family law; Legal pluralism: justification and dangers of a lack of common ground; Beyond cultural and religious identities: introducing discourse ethics and procedure to family-law contexts; Seven theses to sum up and conclude; Conclusion; Bibliography; Index.

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