



Co.Co.A. Summer School
(Comparing Constitutional Adjudication: A Summer School on Comparative Interpretation of European Constitutional Jurisprudence)

2018 Programme

Co.Co.A. (**Comparing Constitutional Adjudication**) is an ongoing project at the Faculty of Law, University of Trento.

Website: <http://cocoaproject.eu/index.php/co-co-a-summer-schools>

2018 Topic

“Islam in Constitutional Adjudication in Europe”

Guest Speakers:

Francesco Alicino, LUM “Jean Monnet”, Bari and School of Government, LUISS

“Guido Carli” - Roma;

Ronan McCrea, UCL European Institute;

Gianluca Parolin, The Aga Khan University, London (formerly, the American University in Cairo);

Marie-Claire Foblets, Max Planck Institute for Social Anthropology, Halle;

Konstantinos Tsitselikis, University of Macedonia, in Thessaloniki and Kemo;

Timing

From Monday July 30th (arrival on Sunday July 29th) to Friday August 3rd, 2018 (departure in the afternoon).

Venue

Dimaro, Val di Sole, Trentino, Italy (AlpHoliday Dolomiti – wellness & fun hotel www.alpholiday.it).

Purpose

Providing law clerks and legal assistants to Constitutional and Supreme Courts as well as PhD students, post Docs and researchers with an opportunity for comparative critical analysis of case law (mostly by national Supreme and Constitutional Courts as well as by the EHCR and the ECJ) dealing with litigation concerning features of Islam.

The issues

Rationalist and religious worldviews are historically structural parts of European culture. The protection of religious and philosophical pluralism has become, consequently, a permanent feature of mainstream liberal constitutionalism.

The secular principle – although quite differently interpreted and implemented domestically, even where official State religions are still part of law in the books – is still being regarded as the normative source of inspiration for national systems aiming at a balanced safeguard of equal protection of religious and philosophical communities, of individual freedom of conscience, founded on both philosophical and religious ground, and of worship.

Nevertheless, in more recent times, secular and liberal constitutionalism in Europe as the mainstream ideal *ordre public* has been politically and judicially challenged in a variety of ways as a consequence of individual and collective practices and forms of behavior deriving from religious groups and, in particular, by members of Islamic communities; in a number of cases it appears that well established European liberal, plural and secular constitutionalism cannot properly accommodate Islam. Most state and European jurisdictions have been tested and the case law lends itself to various interpretations and constructions of the phenomenon which is relatively recent and needs to be dealt with in view of inevitable further cases of adjudication.

Hence the interest for a comparative analysis of judicial decisions adopted by national Supreme and Constitutional Courts as well as by the two European Courts (ECTHR and CJEU) with regard to issues – involving religious regulations related to codes of conduct, family relations, dietary requirements, social behavior – affecting the (in)compatibility of Islam with constitutional rules at all levels and jurisdiction. The analysis is open to case law connected to other (minority) religions as well and applicable to Islam also.

Format

Co.Co.A. Summer School is based on (i) **Lectures by Guest Speakers**, that are meant to provide the theoretical and comparative foundation of the topic; *morning* presentations are expected to cover more or less 50/60 minutes, followed by coffee break and discussion. In the afternoon, participants will present the case law of their respective jurisdiction (we have reached the number of 17 one Summer); (ii) **Panels by Participants**, that serve the purpose of analyzing the relevant case law. In the *afternoon*, participants will present the case law of their respective jurisdiction (we have reached the number of 17 different countries one Summer).

Lectures and Panels are expected to increase knowledge and understanding of the various facets of constitutional legitimacy of Islam in Europe. Guest Speakers are hopefully going to be present throughout the Summer School and contribute to strengthening a proper and friendly academic atmosphere. One afternoon (on Wednesday) will be reserved to excursions in the beautiful mountain environment.

A good outcome of the Summer School requires some careful preliminary work by participants. In particular, *each participant* is requested (i) to collect the most relevant and meaningful judicial decisions in her/his jurisdiction; (ii) to suggest a classification of such decisions according to the normative setting concerned; (iii) to list the relevant constitutional provisions (or, as the case may be, international, ECHR, EU or else) that have been interpreted and applied by the constitutional or supreme court in deciding those controversies; (iv) an outline of presentations. All these materials are to be sent to Co.Co.A Secretariat by the deadline that will be indicated.

All participants are welcome to elaborate a paper on constitutional adjudication in the field of Constitutional Legitimacy of Islam in Europe in their respective jurisdiction and/or in a comparative perspective. Such papers will be published on the website of the Co.Co.A. project.

The presentation of cases and materials will be organised thematically and not by Country. Sending the materials in due time will allow all participants to read them and concentrate presentation and discussion on the most interesting features.

Language: The Summer School will be held in English.

Costs of participation

The individual registration fee is Euro 450. It includes accommodation for the duration of the summer school (five nights) and full board (in double room - breakfast, lunch, dinner and coffee break).

Accommodation in a single room requires an additional payment (Euro 21 per day). No total or partial waiver of the individual registration fee can be granted.

Travel arrangements and related expenses are in charge of participants. Some basic information will be provided by the Secretariat.

Participants

Not fewer than 15 and not more than 40.

(a) Law Clerks are to be selected by the Presidents of Constitutional Courts/Supreme Court;

(b) PhD Candidates, PhDs and Post-Docs, Researchers, Students of advanced courses (post-lauream) are selected with reference to their research work in the field selected (CV and publications).

Application

Application form (available at <http://cocoaproject.eu/>)

CV

Letter of motivation

Deadline

Applications: Monday, May 28th, 2018

Staff

Academic Coordination: Roberto Toniatti, Faculty of Law, University of Trento; Secretariat: Dr. Marta Tomasi, Sara Cricenti, Lucia Dell'Aira.

Information

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