

## **Judging Islam: Analysis of European Court Cases Involving Islam**

Islam has been a part of Europe's religious landscape since the eighth century, leading to intricate exchanges and interactions with other religions and cultures over the centuries. Today, in the aftermath of the attacks of September 11, 2001, and amid ongoing migration crises, the role of Islam in predominantly secular European societies, rooted in Christian traditions, has emerged as a key topic of social and political discussions. These discussions find a mirror in the legal realm, particularly in the jurisprudence of the courts, which grapple with a range of issues stemming from tensions around the integration of Muslim communities, differences in religious practices, and shifting interpretations of religious freedom. The challenge of coexistence within the same legal framework, based on equality and respect, is a complex task. European courts are addressing these significant legal challenges with varying degrees of success.

The aim of this project is to deepen our knowledge of the interplay between religion, law, and interpretations of religious freedom in Europe, with a particular focus on court cases requiring a nuanced understanding of Muslim beliefs and customs. Concerns about growing anti-Islamic sentiment in various parts of Europe and the possibility that prejudice is seeping into judicial jurisprudence underline the importance of this work.

The research will undertake a detailed analysis of European court rulings and the narratives surrounding them to explore the perception and interpretation of Islam in these judicial contexts. It will delve into the evolving dynamics and potential tensions arising between Muslim religious practices and the principles of European secular law, examining the role of European jurisprudence in this context. The investigation will go beyond theoretical considerations by exploring the practical implications and social consequences of these rulings. The research will primarily focus on cases presented to international judicial institutions in Europe: the European Court of Human Rights and the Court of Justice of the European Union.

To ensure a comprehensive and multifaceted methodology, the project will employ a range of research techniques, such as content analysis, discourse analysis, and comparative analysis. Judicial decisions will serve as primary sources, providing direct insights into the legal reasoning and interpretive framework employed by these institutions. Media resources will be analyzed to understand public discourse and the wider social context surrounding these legal decisions. Expert interviews will offer additional in-depth analysis, highlighting perspectives from those involved in or knowledgeable about the implications of these legal processes.

The research will be divided into five distinct components, each focusing on different aspects of the complex relationship between Islam and European secular law. These components include identifying common legal challenges faced by Islam in Europe, examining how Islam is legally presented and judged in judicial rulings, and reconstructing normative models of religion. Through this comprehensive approach, the project aims to gain a deeper understanding of the dynamics between religion, law, and secularism in Europe and to trace possible changes in the perception of these ideas.

This research is intended to contribute to the understanding of the complex relationship between Islam and European law, thereby enriching the scholarly discourse on postsecularism, the sociology of adjudication, and the so-called judicialization of religious freedom. Tracing public and judicial perceptions of Islam and its impact on the European legal and social landscape will contribute to ongoing debates on cultural diversity and social cohesion in Europe's increasingly multicultural societies. Given the current socio-political climate and the urgent need to promote understanding and respect between different religious groups, the importance of this research is immense.