



Credits: Matteo Boato, *Burano*, 2007, olio su tela, 120x100



UNIVERSITY  
OF TRENTO - Italy  
Faculty of Law

**JP**  
Jurisdiction  
and Pluralisms

## International Workshop

# The debate on the uniform civil code in India: new perspectives on constitutional secularism in India and personal laws regimes in Asia?

Trento, Thursday 27<sup>th</sup> and Friday 28<sup>th</sup> April 2017  
Faculty of Law, via Rosmini 27, Trento (Italy) - Room 3

The preamble of the 1949 Constitution declares India to be a secular state and yet religions are recognised a well visible role in the public space. Furthermore, in spite of the constitutional mandate ("The State shall endeavour to secure for the citizens a uniform civil code throughout the territory of India", art. 44), a regime of personal laws - based on religious or customary ground - is actually applied, mostly in matters of family law and group status. The political process is presently re-considering the adoption of a uniform civil code, and the question whether such a solution - long waited for - is more consistent with the principle of constitutional secularism and more respectful to religious pluralism needs to be critically addressed, in a context - like the Indian one - where the balance between constitutional secularism and a deeply religious and plural society has been firmly guaranteed by the Supreme Court.

The current debate in India offers the opportunity to reconsider general categories of constitutional law and comparative models in the light of other relevant [South]Asian experiences and trends, including also perspectives drawing on mainly Islamic contexts. The International Workshop at the Law School in Trento, sponsored by the Research Project on Jurisdiction and Pluralisms, has the purpose of contributing to a better understanding of the political and systemic dynamics of Asian constitutionalism and law as well as the potential for expansion of the rationale of legal pluralism in culturally plural contexts.

## FIRST SESSION

### Thursday 27<sup>th</sup> April 2017

15:00-18:00

Chair: **Roberto Toniatti**, University of Trento

**Arun Thiruvengadam**, Azim Premji University, Bangalore

*The contemporary debate over personal laws in India and its historical and constitutional context.*

**Domenico Francavilla**, University of Turin

*The complexity of personal laws in India: some issues about application, uniformisation and further pluralisation.*

Coffee Break

Discussant

**Chiara Lapi**, University of Pisa

### Friday 28<sup>th</sup> April 2017

9:30-12:30

Chair: **Marco Ventura**, FBK Trento

**Arif Jamal**, National University of Singapore

*The productive potential of personal law regimes and normative legal pluralism*

**Francesco Alicino**, LUISS, Rome

*Freedom of Religion and Religion-Based Personal Laws in Pakistan and Bangladesh*

Coffee break

Discussant

**Domenico Amirante**, University of Naples 2

## SCIENTIFIC COMMITTEE

**Roberto Toniatti**, University of Trento

**Davide Strazzari**, University of Trento

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