

# Managing Family Justice in Diverse Societies

Order now  
and receive  
20% discount

*Edited by Mavis Maclean  
and John Eekelaar*

## **CONTENTS**

Introduction

*Mavis Maclean and John Eekelaar*

### **PART I: THEORIES, IDEOLOGIES AND STRATEGIES**

1. Law and Community Practices

*John Eekelaar*

2. Religious Norms in Family Law: Implications for Group and Personal Autonomy

*Farrah Ahmed*

3. Shadow Boxing with Community Practices: A Response to Eekelaar

*Prakash Shah*

4. Muslim Dispute Resolution in Britain: Towards a New Framework of Family Law Governance?

*Samia Bano*

### **PART II: REGULATING THE INTERACTION BETWEEN RELIGIOUS AND SECULAR NORMS IN DIFFERENT JURISDICTIONS**

5. A 'Deviant' Solution: The Israeli Agunah and the Religious Sanctions Law

*Pascale Fournier, Pascal McDougall  
and Merissa Lichtsztral*

6. The Gendered Benefits and Costs of Legal Pluralism for Muslim Family Law in South Africa

*Waheeda Amien*

7. Assessing the Impact of Legislating for Diversity: The Forced Marriage (Civil Protection) Act 2007

*Mavis Maclean*

8. Religious Freedom and Protection of the Right to Life in Minors: A Case Study

*Teresa Picontó-Novales*

9. Cultural Norms, National Laws and Human Rights: How do we Balance Respect for Diversity and the Rights of the Vulnerable? The Case of Under Age Marriage of Roma Girls and Boys in Europe

*Jacek Kurczewski and Malgorzata Fuszara*

10. Child Access Services in France: A Universal Service serving Diverse Clients

*Yasmine Debarge and Benoit Bastard*

### **PART III: NON-STATE RESPONSES TO THE INTERPENETRATION OF SOCIAL NORMS BETWEEN COMMUNITIES**

*CONTINUED OVERLEAF...*

The aim of this book is to explore what response the law has or should have to different family practices arising from cultural and religious beliefs. The issue has become increasingly debated as western countries have become more culturally diverse. Although discussion has frequently focused on the role Islamic family law should have in these countries, this book seeks to set that discussion within a wider context that includes consideration both of theoretical issues and also of empirical data about the interaction between specific family practices and state law in a variety of jurisdictions ranging from England and Wales to Bangladesh, Botswana, Spain, Poland, France, Israel, Iran and South Africa. The contributors to the 17 chapters approach the subject matter from a variety of perspectives, illustrating its complex and often sensitive nature. The book does not set out to propose any single definitive strategy that should be adopted, but provides material on which researchers, advocates and policy makers can draw in furthering their understanding of and seeking solutions to the problems raised by this significant social development.

## **THE EDITORS**

**Mavis Maclean CBE** is Co-Director of the Oxford Centre for Family Law and Policy in the Department of Social Policy and Intervention, University of Oxford and a Senior Research Fellow of St Hilda's College, Oxford. She is former President of the RCSL, a Fellow of the IISL, and Academic Adviser to the Ministry of Justice.

**John Eekelaar, FBA** is Emeritus Fellow of Pembroke College, Oxford, UK, and Co-Director of the Oxford Centre for Family Law and Policy. He is a Fellow of the British Academy.

## **BOOK DETAILS**

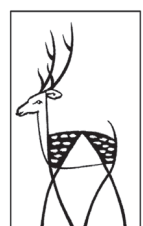
February 2013

326pp Hbk

9781849464000

RSP: £55 / €72

**DISCOUNT PRICE: £44 / €58**



**HART**  
PUBLISHING

CONTENTS CONTINUED...

11. Accommodating Religious Divorce in the Secular State: A Case Study Analysis  
*Gillian Douglas with Norman Doe, Russell Sandberg, Sophie Gilliat-Ray and Asma Khan*

12. How Parties to Sikh Marriages use and are influenced by the Norms of their Religion and Culture when engaging with Mediation  
*Jagbir Jhutti-Johal*

13. Managing Expectations: Negotiating Succession under Plural Legal Orders in Botswana  
*Anne Griffiths*

14. Rights, Women and Human Rights Change in Iran  
*Nazila Ghanea*

15. Muslim Family Law in Bangladesh: Resistance to Secularisation  
*Farah Deeba Chowdhury*

**PART IV: REFLECTIONS**

16. How much Family Conduct do we need to Regulate through Family Law?  
*Jordi Ribot*

17. Variation and Change in Normative Parental Discipline: Persuasion or Legislation?  
*Marjorie Smith and Ann Phoenix*

## HOW TO ORDER

\* To order please complete the order form below and return to Hart Publishing by post or fax.

\* Please note that our books are available at all good bookshops but that the 20% discount is only available on orders placed directly with Hart Publishing. The discount is not available through bookshops.

Please record my order for

Qty

Sub-Total

\_\_\_\_\_ **Managing Family Justice in Diverse Societies** (9781849464000) @ **£44 / €58** \_\_\_\_\_

Postage & packing: UK 1st class £4 / 2nd class £3 for the first book and £1 for each additional book  
Rest of Europe £4 / €6 for the first book and £2 / €3 for each additional book  
Elsewhere £8 for the first book and £4 for each additional book

**TOTAL**

## Name and Address

Name \_\_\_\_\_

Address \_\_\_\_\_

Postcode \_\_\_\_\_ Country \_\_\_\_\_

E-mail \_\_\_\_\_ Tel No \_\_\_\_\_

## Payment Details

Please record my order and charge my credit card: Mastercard/ Visa/ Access (delete as appropriate)

Card No: \_\_\_\_\_

Expiry Date: \_\_ \_\_ / \_\_ \_\_ Security Code (last three digits on the back of your card): \_\_ \_\_ \_\_

Switch Issue No (if applicable): \_\_ \_\_

I enclose my cheque made payable to 'Hart Publishing Ltd'

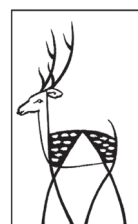
**Alternatively...** If you would like to receive a pro forma invoice please tick the box and write your contact details above.

**PLEASE RETURN FORM TO:** Hart Publishing Ltd, 16C Worcester Place, Oxford, OX1 2JW, UK

Tel +44 (0)1865 517530 Fax +44 (0)1865 510710 E-mail [mail@hartpub.co.uk](mailto:mail@hartpub.co.uk)

Order Online [www.hartpub.co.uk](http://www.hartpub.co.uk)

Hart Publishing Ltd. is registered in England No. 3307205



**HART**  
PUBLISHING