



ISLAMIC FAMILY LAW

IN A CHANGING WORLD

A Global Resource Book

EDITED BY Abdullahi A An-Na'im

Islamic Family Law In A Changing World A Global Resource

Nisrine Abiad



Islamic Family Law In A Changing World A Global Resource :

Islamic Family Law in a Changing World ‘Abd Allāh Aḥmad Na‘īm, 2002-08 In Islamic Family Law in a Changing World Abdullahi A An Na im explores the practice of the Shari a commonly known as Islamic Family Law An Na im shows that the practical application of Shari a principles is often modified by theological differences of interpretation a country s particular customary practices and state policy and law **Polygamy in the Monogamous World** Martha Bailey, Amy J.

Kaufman, 2010-05-20 This fact filled book on polygamy and plural unions around the world supports an in depth consideration of policy options for Western countries Polygamy and plural marriage have become front and center issues in Europe Canada and the United States notably on two religious fronts among some splinter groups of the Church of Jesus Christ of Latter Day Saints and in Islam Polygamy in the Monogamous World Multicultural Challenges for Western Law and Policy takes both groups into account as it provides a careful examination of legal polygamy in non Western countries and plural unions in North America Comparing these similar but legally distinct forms of union it offers a fresh perspective on how Western countries should respond to these relationships Specifically the book surveys non Western countries where polygamy is legally practiced then provides an overview of plural unions in North America The problems of polygamy and plural unions are examined including the potential for the abuse of wives The responses of Western governments to such relationships are reviewed and the most effective solutions are identified to ascertain what policies should be adopted going forward

Research Handbook on Islamic Law and Society Nadirsyah Hosen, 2018-09-28 The Research Handbook on Islamic Law and Society provides an examination of the role of Islamic law as it applies in Muslim and non Muslim societies through legislation fatwa court cases sermons media or scholarly debate It illuminates the intersection of social political economic and cultural factors that inform Islamic Law across a number of jurisdictions Chapters evaluate when and how actors and institutions have turned to Islamic law to address problems faced by societies in Muslim and in some cases Western states

The Oxford Handbook of Islamic Law Anver M. Emon, Rumeen Ahmed, 2018-10-25 This volume provides a comprehensive survey of the contemporary study of Islamic law and a critical analysis of its deficiencies Written by outstanding senior and emerging scholars in their fields it offers an innovative historiographical examination of the field of Islamic law and an ideal introduction to key personalities and concepts While capturing the state of contemporary Islamic legal studies by chronicling how far the field has come the Handbook also explains why certain debates recur and indicates fundamental gaps in our knowledge Each chapter presents bold new avenues for research and will help readers appreciate the contested nature of key concepts and topics in Islamic law This Handbook will be a major reference work for scholars and students of Islam and Islamic law for years to come Family Law and Gender in the Middle East and North Africa Adrien K. Wing, Hisham A. Kassim, 2023-06-01 The volume serves as reference point for anyone interested in the Middle East and North Africa as well as for those interested in women s rights and family law generally or in the MENA region It is the only book covering personal

status codes of nearly a dozen countries It covers Muslim family law in the following Middle East north African countries Tunisia Egypt Morocco Algeria Iraq Lebanon Jordan Israel Palestine and Qatar Some of these countries were heavily affected by the Arab Spring and some were not With authors from around the world each chapter of the book provides a history of personal status law both before and after the revolutionary period Tunisia emerges as the country that made the most significant progress politically and with respect to women s rights A decade on from the Arab Spring across the region there is more evidence of stasis than change Sharia, Muslim States and International Human Rights Treaty Obligations Nisrine Abiad,2008 This research undertaken from a comparative perspective with a view to identifying any patterns followed by Islamic countries in making declarations and reservations to the main international human rights treaties measures and analyzes to what extent Sharia affects the ratification and implementation of human rights norms by Muslim States An analysis of the various roles of Sharia reveals different approaches in the use of Islamic considerations by Muslim States At an international level Sharia has always been used upon the ratification of international human rights treaties to limit the scope of the State s engagement Internally however some recent examples of legislative amendments and judicial activities demonstrate that Sharia is and can be used to achieve a better translation of human rights norms into domestic practice

Women and Muslim Family Laws in Arab States Lynn Welchman,2007 A number of Arab states have recently either codified Muslim family law for the first time or have issued amendments or new laws which significantly impact the statutory rights of women as wives mothers and daughters In *Women and Muslim Family Laws in Arab States* Lynn Welchman examines women s rights in Muslim family laws in Arab states across the Middle East while also surveying the public debates surrounding the issues The author considers these new laws alongside older statutes to comment on the patterns and dynamics of change both in the texts of the laws and in the processes through by which they are drafted and issued She draws on original legal texts and explanatory statements as well as on extensive secondary literature particular to certain states for an insight into practice and on interventions by women s rights organizations and other parties to the debate in the press and in advocacy materials The discussions are set in the contemporary global context that internationalises the domestic and regional debates The book considers laws in states from the Gulf to North Africa in regard to their approaches to issues of codification processes and issues of and of registration capacity and guardianship in marriage polygyny the marital relationship divorce and child custody Publisher description **The Penguin Dictionary of Islam** Azim

Nanji,2008-04-24 Islam today is a truly global faith yet it remains somewhat of an enigma to many of us Each and every day our newspapers are saturated with references to Islam Quran Taliban Hijab Fatwa Allah Sunni Jihad Shia the list goes on But how much do we really understand Are we in fact misunderstanding The Penguin Dictionary of Islam provides complete impartial answers It includes extensive coverage of the historical formations of the worldwide Muslim community and highlights key modern Muslim figures and events Understanding Islam is vital to understanding our world and this text is the

definitive authority designed for both general and academic readers Gender and Careers in the Legal Academy Ulrike Schultz, Gisela Shaw, Margaret Thornton, Rosemary Auchmuty, 2021-02-25 In the past fifteen years there has been a marked increase in the international scholarship relating to women in law The lives and careers of women in legal practice and the judiciary have been extensively documented and critiqued but the central conundrum remains Does the presence of women make a difference What has been largely overlooked in the literature is the position of women in the legal academy although central to the changing culture To remedy the oversight an international network of scholars embarked on a comparative study which resulted in this path breaking book The contributors uncover fascinating accounts of the careers of the academic pioneers as well as exploring broader theoretical issues relating to gender and culture The provocative question as to whether the presence of women makes a difference informs each contribution Judaism and Islam Stephen Hunt, 2017-03-02 This volume on Judaism and Islam in The Library of Essays on Sexuality and Religion series overviews perceptions of human sexuality through two major monotheistic faiths namely Judaism and Islam Part 1 presents previously published articles on Judaism and sexuality from a historical perspective in particular through the writings of the Tanakh and traditional Judaic attitudes Part 2 focuses more cogently on contemporary themes including both the contestation and defence of conventional Jewish standpoints on sexuality via orthodox and liberal renderings of the faith Part 3 includes articles examining Islamic views of sexuality from a historical perspective Here there is a special focus on the faith's construction of sexual categories as well as the relationship between sexuality gender and patriarchy Part 4 takes a cross cultural and global perspective of the subject with a particular emphasis on the connection between sexuality and moral regulation besides scrutinising varying and contrasting cultural attitudes in Islamic communities today **Islam and Politics in the Middle East** Mark Tessler, 2015-06-22 Some of the most pressing questions in the Middle East and North Africa today revolve around the proper place of Islamic institutions and authorities in governance and political affairs Drawing on data from 42 surveys carried out in fifteen countries between 1988 and 2011 representing the opinions of more than 60 000 men and women this study investigates the reasons that some individuals support a central role for Islam in government while others favor a separation of religion and politics Utilizing his newly constructed Carnegie Middle East Governance and Islam Dataset which has been placed in the public domain for use by other researchers Mark Tessler formulates and tests hypotheses about the views held by ordinary citizens offering insights into the individual and country level factors that shape attitudes toward political Islam **Muslim-Non-Muslim Marriage** Gavin W. Jones, Chee Heng Leng, Maznah Mohamad, 2009 This is an excellent and rare exploration of a sensitive religious issue from many perspectives _ legal cultural and political The case studies from Indonesia Malaysia Singapore and Thailand portray the important and exciting yet very difficult negotiation of Islamic teachings in the changing realities of Southeast Asia home to the majority of Muslims in the world Interreligious marriage is an important indicator of good relations between communities in religiously

diverse countries This book will also be of great interest to students and scholars of religious pluralism in a Southeast Asian context which has not been studied adequately Zainal Abidin Bagir Executive Director Center for Religious and Cross cultural Studies CRCS Gadjah Mada University Indonesia The issue of Muslim non Muslim marriages has different connotations in the different Southeast Asian states For example in Thailand it is more a fluid cultural issue but in Malaysia it reflects great racial schisms with severe legal implications This book is a welcome one as it examines the issue not only from the perspectives of various Southeast Asian nations but also from so many angles the legal historical social cultural anthropological and philosophical The work is scholarly yet accessible Underlying it there is a vital streak of humanism Azmi Sharom Associate Professor Faculty of Law University of Malaya

Political and Legal Perspectives of the EU Eastern

Partnership Policy Tanel Kerikmäe, Archil Chocia, 2016-01-23 This book examines EU Eastern Partnership taking into account geopolitical challenges of EU integration It highlights reasons for limited success such as systematic conflict of EU External Action In addition the book analyses country specific issues and discusses EaP influence on them investigating political economic and social factors while seeking for potential solutions to existing problems The reluctance of the Eastern countries to the European reforms should not reduce political pro activeness of the EU The authors suggest that EaP strategies should be reviewed to be more reciprocal and not based solely on the EU laden agenda This book is one of the good examples of cooperation between scholars not only from EaP and EU countries but also from different disciplines bringing diversity to the discussion process

Arab Family Studies Suad Joseph, 2018-07-10 Family remains the most powerful social idiom and one of the most powerful social structures throughout the Arab world To engender love of nation among its citizens national movements portray the nation as a family To motivate loyalty political leaders frame themselves as fathers mothers brothers or sisters to their clients parties or the citizenry To stimulate production economic actors evoke the sense of duty and mutual commitment of family obligation To sanctify their edicts clerics wrap religion in the moralities of family and family in the moralities of religion Social and political movements from the most secular to the most religious pull on the tender strings of family love to recruit and bind their members to each other To call someone family is to offer them almost the highest possible intimacy loyalty rights reciprocities and dignity In recognizing the significance of the concept of family this state of the art literature review captures the major theories methods and case studies carried out on Arab families over the past century The book offers a country by country critical assessment of the available scholarship on Arab families Sixteen chapters focus on specific countries or groups of countries seven chapters offer examinations of the literature on key topical issues Joseph s volume provides an indispensable resource to researchers and students and advances Arab family studies as a critical independent field of scholarship

The Islamic Marriage Contract Asifa

Quraishi, Frank E. Vogel, 2022-10-07 It is often said that marriage in Islamic law is a civil contract not a sacrament If this is so this means that the marriage contract is largely governed by the same rules as other contracts such as sale or hire But at the

same time marriage is a profound concern of the Islamic scriptures of Qur'an and Sunna and thus at the very core of the law and morality of Islam and of the individual familial and social life of Muslims. This volume collects papers from many disciplines examining the Muslim marriage contract. Articles cover doctrines as to marriage contracts e.g. may a wife stipulate monogamy, historical instances e.g. legal advice from thirteenth century Spain, comparisons with Jewish and canon law, contemporary legal and social practice and projects of activists for women worldwide. Demonstrating a new and powerful focus for comparative and historical inquiries into Islamic law and social practices, this book marks a fresh point of departure for the study of Muslim women.

The Cambridge Companion to Comparative Family Law Shazia Choudhry, Jonathan Herring, 2019-01-31. Offers a comprehensive overview of the key issues facing family law globally and explores how different countries have tackled them.

Human Rights: Oxford Bibliographies Online Research Guide Oxford University Press, 2010-05-01. This ebook is a selective guide designed to help scholars and students of Islamic studies find reliable sources of information by directing them to the best available scholarly materials in whatever form or format they appear from books, chapters and journal articles to online archives, electronic data sets and blogs. Written by a leading international authority on the subject, the ebook provides bibliographic information supported by direct recommendations about which sources to consult and editorial commentary to make it clear how the cited sources are interrelated. A reader will discover for instance the most reliable introductions and overviews to the topic and the most important publications on various areas of scholarly interest within this topic. In Islamic studies as in other disciplines, researchers at all levels are drowning in potentially useful scholarly information and this guide has been created as a tool for cutting through that material to find the exact source you need. This ebook is a static version of an article from Oxford Bibliographies Online Islamic Studies, a dynamic continuously updated online resource designed to provide authoritative guidance through scholarship and other materials relevant to the study of the Islamic religion and Muslim cultures. Oxford Bibliographies Online covers most subject disciplines within the social science and humanities; for more information, visit www.oxfordbibliographies.com.

North African Women after the Arab Spring Larbi Touaf, Soumia Boutkhil, Chourouq Nasri, 2017-06-21. This book looks with hindsight at the Arab Spring and sheds light on the debates it triggered within North African societies and the alarming developments in women's rights. Although women played a key role in the success of the uprisings that wiped out long ruling oligarchies across the region, they remain excluded from decision-making circles and the formal political and electoral apparatus. Women's rights are written off constitution drafts and issues of gender equality are hardly addressed. The chapters that compose this volume present research and reflections from different perspectives to help the reader get a better picture of the profound turmoil that beset this part of the so-called Arab World. Adopting an interdisciplinary perspective, the contributors discuss a host of questions related to women and gender in the Arab world and address the broader question of why women's efforts and momentum during the revolution did not seem to pay off the same way they did for men. This book

provides an assessment of the situation from the inside It is intended to help the general public as well as the academic world comprehend the significance of what is going on in this key part of the Islamic World

Normative Pluralism and International Law Jan Klabbers,Touko Piiparinen,2013-04-22 This book addresses conflicts involving different normative orders what happens when international law prohibits behavior but the same behavior is nonetheless morally justified or warranted Can the actor concerned ignore international law under appeal to morality Can soldiers escape legal liability by pointing to honor Can accountants do so under reference to professional standards How in other words does law relate to other normative orders The assumption behind this book is that law no longer automatically claims supremacy but that actors can pick and choose which code to follow The novelty resides not so much in identifying conflicts but in exploring if when and how different orders can be used intentionally In doing so the book covers conflicts between legal orders and conflicts involving law and honor self regulation lex mercatoria local social practices bureaucracy religion professional standards and morality

Islamic Divorce in North America Julie Macfarlane,2012-04-30 Policy makers and the public are increasingly attentive to the role of shari a in the everyday lives of Western Muslims with negative associations and public fears growing among their non Muslim neighbors in the United States and Canada The most common way North American Muslims relate to shari a is in their observance of Muslim marriage and divorce rituals recourse to traditional Islamic marriage and to a lesser extent divorce is widespread Julie Macfarlane has conducted hundreds of interviews with Muslim couples as well as with religious and community leaders and family conflict professionals Her book describes how Muslim marriage and divorce processes are used in North America and what they mean to those who embrace them as a part of their religious and cultural identity The picture that emerges is of an idiosyncratic private ordering system that reflects a wide range of attitudes towards contemporary family values and changes in gender roles Some women describe pervasive assumptions about restrictions on their role in the family system as well as pressure to accept these values and to stay married Others of both genders describe the gradual modernization of Islamic family traditions and the subsequent emergence of a Western shari a but a continuing commitment to the rituals of Muslim marriage and divorce in their private lives Readers will be challenged to consider how the secular state should respond in order to find a balance between state commitment to universal norms and formal equality and the protection of religious freedom expressed in private religious and cultural practices

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