

Revised Edition

ZIBA MIR-HOSSEINI

Marriage on Trial

Islamic Family Law
in Iran and Morocco



I.B. TAURIS

Marriage On Trial A Study Of Islamic Family Law

Suad Joseph,Afsāna Nağmābādī



Marriage On Trial A Study Of Islamic Family Law:

Marriage on Trial Ziba Mir-Hosseini, 2000-09-22 Taking an inter disciplinary approach which straddles law anthropology sociology and women s studies Mir Hosseini shows how women can turn even the most patriarchal elements of Islamic law to their advantage and achieve their personal marital aims **Women's Rights and Islamic Family Law** Lynn

Welchman, 2004-06 Explores the present day realities of Islamic family law with particular emphasis on the rights of women and focusing on law in its living social context as reflected in public opinion and personal experience **Family Law and**

Australian Muslim Women Helen McCue, Abdullah Saeed, 2013-06-01 This book is a collection of essays that aims to identify the multitude of ways in which Australian Muslim women negotiate both Australian Family Law and Islamic Family Law in the key areas of marriage divorce child custody property settlement and inheritance The book also seeks to provide a timely and significant insight into the carious legal cultural and social processes that Australian Muslim women use when disputes in these key areas arise Islamic Studies Series Volume 15 **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 **Feminist Activism, Women's Rights, and Legal Reform**

Mulki Al Sharmani, 2013-12-12 This ground breaking collection investigates the relationship between feminist activism and legal reform as a pathway to gender justice and social change Since the advent of feminist movements legal reform has been a popular and yet contentious vehicle for seeking women s rights and empowerment This important book looks at comparative insights drawn from field based research on the processes the challenges and the outcomes of legal reform and feminist activism Feminist Activism Women s Rights and Legal Reform brings together cases from Middle East Latin America

and Asia of the successes and failures of reform efforts concerning the promulgation and implementation of new family laws and domestic violence codes **The State in India After Liberalization** Akhil Gupta, Kalyanakrishnan

Sivaramakrishnan, 2010-10-04 This book assesses the changing nature of the state in the period after liberalization in India. It includes detailed analysis of its implications for important issues such as inequality, poverty, basic needs provision, citizenship, federalism, and democratization Islamic Divorce in the Twenty-First Century Erin E. Stiles, Ayang Utriza Yakin, 2022-09-16

Islamic Divorce in the 21st Century shows the wide range of Muslim experiences in marital disputes and in seeking Islamic divorces. For Muslims, having the ability to divorce in accordance with Islamic law is of paramount importance. However, Muslim experiences of divorce practice differ tremendously. The chapters in this volume discuss Islamic divorce from West Africa to Southeast Asia, and each story explores aspects of the everyday realities of disputing and divorcing Muslim couples face in the twenty-first century. The book's cross-cultural and comparative look at Islamic divorce indicates that Muslim divorces are impacted by global religious discourses on Islamic authority, authenticity, and gender, by global patterns of and approaches to secularity, and by global economic inequalities and attendant patterns of urbanization and migration. Studying divorce as a mode of Islamic law in practice shows us that the Islamic legal tradition is flexible, malleable, and context-dependent Islamic Law in Practice Mashood A. Baderin, 2017-03-02

Islamic law influences the lives of Muslims today as aspects of the law are applied as part of State law in different forms in many areas of the world. This volume provides a much-needed collection of articles that explore the complexities involved in the application of Islamic law within the contemporary legal systems of different countries today, with particular reference to Saudi Arabia, Morocco, Indonesia, Nigeria, Turkey, Malaysia, and Pakistan. The articles identify the relevant areas of difficulties and also propose possible ways of realising a more effective and equitable application of Islamic law in the contemporary world. The volume features an introductory overview of the subject as well as a comprehensive bibliography to aid further research *Shari'a Councils and Muslim*

Women in Britain Tanya Walker, 2016-10-11 The public debate on Shari'a councils in Britain has been heavily influenced by the assumption that the councils exist as religious authorities and that those who use them exercise their right to religious freedom. In *Shari'a Councils and Muslim Women in Britain*, Tanya Walker draws on extensive fieldwork from over 100 cases to argue for a radically different understanding of the setting and dynamics of the Shari'a councils. The analysis highlights the pragmatic manoeuvrings of Muslim women in pursuit of defined objectives within limited space, holding in tension both the constraints of particular frameworks of power and the realities of women's agency. Despite this needed nuance in a polarised debate, however, important questions about the rights of Muslim women remain **Shari'a Law and Modern Muslim**

Ethics Robert W. Hefner, 2016-08-29 Many Muslim societies are in the throes of tumultuous political transitions, and common to all has been heightened debate over the place of sharia law in modern politics and ethical life. Bringing together leading scholars of Islamic politics, ethics, and law, this book examines the varied meanings and uses of Islamic law so as to assess the

prospects for democratic plural and gender equitable Islamic ethics today These essays show that contrary to the claims of some radicals Muslim understandings of Islamic law and ethics have always been varied and emerge not from unchanging texts but from real and active engagement with Islamic traditions and everyday life The ethical debates that rage in contemporary Muslim societies reveal much about the prospects for democratic societies and a pluralist Islamic ethics in the future They also suggest that despite the tragic violence wrought in recent years by Boko Haram and the Islamic State in Iraq we may yet see an age of ethical renewal across the Muslim world

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

Encyclopedia of Women and Islamic Cultures Suad Joseph, Afsāna Nağmābādī, 2003 Family Law and Politics Volume II of the Encyclopedia of Women Islamic Cultures brings together over 360 entries on women family law politics and Islamic cultures around the world

Gendered Politics and Law in Jordan Afaf Jabiri, 2016-09-02 This book analyzes how the state constructs and reproduces gender identities in the context and geopolitics of Jordan Guardianship over women is examined as not only the basis of women's legal and social subordination but also a key factor in the construction and reproduction of a gender hierarchy system Afaf Jabiri probes how a masculine state gives power and legitimacy through guardianship to institutions including family religion and tribe in managing producing and constructing gender identity Does the masculine institution succeed in imposing a dominant form of femininity Or are there ways by which women escape and resist the social and legal construction of femininity Based on over 60 case studies of contemporary women in Jordan the book additionally examines how the resultant strategies and tactics developed by women in Jordan are influenced by and affect their status within the guardianship system

The Asian Yearbook of Human Rights and Humanitarian Law, 2019-07-22 The Asian Yearbook of Human Rights and Humanitarian Law aims to publish peer reviewed scholarly articles and reviews as well as significant developments in human rights and humanitarian law It examines international human rights and humanitarian law with a global reach though its particular focus is on the Asian region The focused theme of Volume 3 is Law Gender and Sexuality

Islam Cenap Çakmak, 2017-05-18 This expansive four volume encyclopedia presents a broad introduction to Islam that enables learning about the fundamental role of Islam in world history and promotes greater respect for cultural diversity One of the most popular and widespread religions in the world Islam has attracted a great deal of attention in recent times particularly in the Western world With the ongoing tensions in the Middle East and a pervasive sense of hostility toward Arab Americans there

is ever increasing need to examine and understand Islam as a religion and historical force Islam A Worldwide Encyclopedia provides some 700 entries on Islam written by expert contributors that cover the religion from the birth of Islam to the present time The set also includes 16 pages of color images per volume that serve to illustrate the diverse expressions of this important religious tradition Each entry begins with a basic introduction followed by a general discussion of the subject and a conclusion Each entry also features a further readings list for readers In addition to supplying a comprehensive authoritative overview of Islam this work also specifically addresses many controversial related issues including jihad violence in Islam polygamy and apostasy **The Ashgate Research Companion to Islamic Law** Peri Bearman, 2016-03-16 This

unparalleled Companion provides a comprehensive and authoritative guide to Islamic law to all with an interest in this increasingly relevant and developing field The volume presents classical Islamic law through a historiographical introduction to and analysis of Western scholarship while key debates about hot button issues in modern day circumstances are also addressed In twenty one chapters distinguished authors offer an overview of their particular specialty reflect on past and current thinking and point to directions for future research The Companion is divided into four parts The first offers an introduction to the history of Islamic law as well as a discussion of how Western scholarship and historiography have evolved over time The second part delves into the substance of Islamic law Legal rules for the areas of legal status family law socio economic justice penal law constitutional authority and the law of war are all discussed in this section Part three examines the adaptation of Islamic law in light of colonialism and the modern nation state as well as the subsequent re Islamization of national legal systems The final section presents contemporary debates on the role of Islamic law in areas such as finance the diaspora modern governance and medical ethics and the volume concludes by questioning the role of Sharia law as a legal authority in the modern context By outlining the history of Islamic law through a linear study of research this collection is unique in its examination of past and present scholarship and the lessons we can draw from this for the future It introduces scholars and students to the challenges posed in the past to the magnitude of milestones that were achieved in the reinterpretation and revision of established ideas and ultimately to a thorough conceptual understanding of Islamic law

The Oxford Handbook of Islamic Law Anver M. Emon, Rume 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 **Men in Charge?** Ziba Mir-Hosseini, Mulki Al-Sharmani, Jana Rumminger, 2014-12-10 Both

Muslims and non Muslims see women in most Muslim countries as suffering from social economic and political discrimination treated by law and society as second class citizens subject to male authority This discrimination is attributed to Islam and Islamic law and since the late 19th century there has been a mass of literature tackling this issue Recently exciting new feminist research has been challenging gender discrimination and male authority from within Islamic legal tradition this book presents some important results from that research The contributors all engage critically with two central juristic concepts rooted in the Qur'an they lie at the basis of this discrimination One refers to a husband's authority over his wife his financial responsibility toward her and his superior status and rights The other is male family members right and duty of guardianship over female members e.g. fathers over daughters when entering into marriage contracts and the privileging of fathers over mothers in guardianship rights over their children The contributors brought together by the Musawah global movement for equality and justice in the Muslim family include Omayma Abou Bakr Asma Lamrabet Ayesha Chaudhry Sa'diyya Shaikh Lynn Welchman Marwa Sharefeldin Lena Larsen and Amina Wadud *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 **Shi'i Materiality Beyond Karbala**, 2024-05-21 This book examines material and multi sensorial expressions of Shi'i Islam in diverse and understudied demographic and geographic contexts It engages with conceptual debates and makes several propositions that push the frontiers of scholarship on Islamic and Religious Studies Material Religion Heritage Studies and Anthropology and Sociology of Religion The contributions presented in this volume demonstrate how material things and less thing like materialities make the praesentia and potentia of the Sacred tangible how they cultivate intimate relations between human and more than human beings and how they act as links and gateways to the Elsewhere and Otherworldly The volume posits that materialities of religion are integral to processes of heritagization shaped by competing social and political actors involved in the construction and canonization of religious in this case Shi'i heritage

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