



STRUCTURE OF THE LEGAL SYSTEM

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Mahkama Studies In The Egyptian Legal System Courts Crimes Law Society

Mona L. Russell Ph.D.



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Mahkama! Enid Hill,1979 **The Expert Witness in Islamic Courts** Ron Shaham,2010-04-15 Islam's tense relationship with modernity is one of the most crucial issues of our time Within Islamic legal systems with their traditional preference for eyewitness testimony this struggle has played a significant role in attitudes toward expert witnesses Utilizing a uniquely comparative approach Ron Shaham here examines the evolution of the role of such witnesses in a number of Arab countries from the premodern period to the present Shaham begins with a history of expert testimony in medieval Islamic culture analyzing the different roles played by male experts especially physicians and architects and females particularly midwives From there he focuses on the case of Egypt tracing the country's reform of its traditional legal system along European lines beginning in the late nineteenth century Returning to a broader perspective Shaham draws on a variety of legal and historical sources to place the phenomenon of expert testimony in cultural context A truly comprehensive resource **The Expert Witness in Islamic Courts** will be sought out by a broad spectrum of scholars working in history religion gender studies and law Prison Conditions in Egypt Middle East Watch (Organization),1992 The first such report on Egypt by a human rights organization including on site inspection and extensive interviews with current inmates Prison conditions in Egypt documents appalling conditions and practices It describes the filth and poor sanitary facilities in living quarters and hospitals tremendous overcrowding and prolonged daily confinement denial of medication attention the use of unauthorized physical violence against inmates and the imposition of particularly harsh living conditions on sentenced security prisoners and security detainees held without charge The report provides a detailed set of recommendations to the Egyptian authorities for improving the current conditions Judges and Generals in the Making of Modern Egypt Mahmoud Hamad,2018-10-25 Discusses why and how the Egyptian judiciary was critically important in bringing down two vastly different regimes in three years Legal Pluralism in the Holy City Ido Shahar,2016-03-09 This book provides an unprecedented portrayal of a lively shari'a court in contemporary West Jerusalem which belongs to the Israeli legal system but serves Palestinian residents of the eastern part of the city It draws a rich picture of an intriguing institution operating in an environment marked by legal pluralism and by exceptional political and cultural tensions The book suggests an organizational institutional approach to legal pluralism which examines not only the relations between bodies of law but also the relations between courts of law serving the same population Based on participant observations in the studied court as well as on textual and legal analyses of court cases and rulings the study combines history and ethnography diachronic and synchronic perspectives and examines broad macro political processes as well as micro level interactions The book offers fresh perspectives on the phenomenon of legal pluralism on shari'a law in practice and on Palestinian Israeli relations in the divided city of Jerusalem The work is a valuable resource for academics and researchers working in the areas of Legal Pluralism Islamic Law and socio legal history of the Middle East **Family and Court** Iris Agmon,2006-01-03 The popular

image of the family and the court of law in Muslim societies is one of traditional unchanging social frameworks Iris Agmon suggests an entirely different view grounded in a detailed study of nineteenth century Ottoman court records from the flourishing Palestinian port cities of Haifa and Jaffa She depicts the shari a Muslim court of law as a dynamic institution capable of adapting to rapid and profound social changes indeed of playing an active role in generating these changes Court and family interact and transform themselves each other and the society of which they form part Agmon s book is a significant contribution to scholarship on both family history and legal culture in the social history of the Middle East

Privatisation and the Creation of a Market-Based Legal System Bahaa Ali El-Dean,2002 This Volume aims to provide an analysis of problems and challenges relating to the creation of a legal infrastructure that meets the needs and capabilities of emerging market economies in the light of the privatisation process Appointing Judges in an Age of Judicial Power Peter H. Russell,Kate Malleson,2006-01-01 The main aim of this volume is to analyse common issues arising from

increasing judicial power in the context of different political and legal systems including those in North America Africa Europe Australia and Asia **The Sanh*urī Code, and the Emergence of Modern Arab Civil Law (1932 to 1949)** Guy Bechor,2007 The book examines the drafting of the Egyptian Civil Code of 1949 exposing its unknown sociological strata under the leadership of Dr Abd al Razz q al Sanh r one of the most prominent jurist to emerge to date in the Arab world

Egypt Mona L. Russell Ph.D.,2013-01-11 This handbook provides an overview of the society culture geography history and politics of contemporary Egypt While such historic monuments as the pyramids at Giza the Karnak Temple and the Valley of the Kings draw visitors to Egypt each year the country is today a large and varied collection of some 79 million people An important political and cultural force in the Middle East and home to one of Africa s most advanced economies Egypt is rapidly becoming a major player in the 21st century world This comprehensive text examines all facets of life in Egypt including its land history politics and culture It is written in a manner that makes the subject accessible and engaging for readers with little prior knowledge about the country but also provides a critical analysis of the latest research for students and scholars familiar with Egypt and its people Special attention is given to the historical period following the rise of Islam to enable a greater understanding of Egypt s contemporary government religious practices popular culture and current events

The Promise and Perils of Transnationalization Benjamin Stachursky,2013 Benjamin Stachursky s book questions the unvarying positive view of transnationalism on domestic forms of activism arguing for a more nuanced analysis that permits an understanding of the enabling and restricting effects of transnationalism Looking at the period from the mid 1980s up to present developments such as the Arab Spring Stachursky analyzes the emergence and development of NGO activism in Egypt and Iran the social political and legal context of NGO activism and key domestic debates on the impact and legitimacy of the actors operating in women s rights activism **Islam and Law in Lebanon** Morgan Clarke,2018-06-21

The modern state of Lebanon created after the fall of the Ottoman Empire is home to eighteen officially recognised different

religious communities or sects Crucially political office and representation came to be formally shared along confessional lines and the privileges of power are distributed accordingly One such key prerogative is exclusivity when it comes to personal status laws the family legal affairs of each community In this book Morgan Clarke offers an authoritative and dynamic account of how the sharia is invoked both with Lebanon s state legal system as Muslim family law and outside it as a framework for an Islamic life and society By bringing together an in depth analysis of Lebanon s state sponsored sharia courts with a look at the wider world of religious instruction this book highlights the breadth of the sharia and the complexity of the contexts within which it is embedded

The Oxford Handbook of Modern Egyptian History Beth Baron,Jeffrey Culang,2024 Until relatively recently scholars of Egyptian history understood the modern period to begin with the movement of European people and ideas to Egypt s northern shores precipitated by Napoleon s invasion in 1798 From this perspective modern Egyptian history was animated by the diverse and sometimes contradictory ways in which Egyptians responded over time to colonial power and modern forms of knowledge This handbook featuring 26 originally commissioned essays by top scholars in the field adds to a growing literature that complicates the facile colonizer colonized and modern tradition binaries undergirding this view Modern Egyptian history is a continuous process of translation and adaptation invention and reinvention Bringing together a dynamic and accomplished group of historians of Egypt the book maps the present state of modern Egyptian history highlighting the most promising avenues of research and laying new ground upon which future generations of scholars may build The contributors address both long persisting themes in the field though in new ways as well as new themes reshaping how we understand modern Egyptian history and thus Middle Eastern and global history These include environment family infrastructure intellectuals labor law literature medicine politics popular culture and slavery Within these categories they explore issues of gender race and class The questions these scholars consider reflect pressing contemporary concerns and debates including medical sovereignty and bodily autonomy the management of the environment the rights and movements of workers courts and legal struggles cultural expression production and reception and the relationship between the army state and society

Lawyers in 21st-Century Societies Richard L Abel,Ole Hammerslev,Hilary Sommerlad,Ulrike Schultz,2020-04-02 The world s legal professions have undergone dramatic changes in the 30 years since publication of the landmark three volume *Lawyers in Society* which launched comparative sociological studies of lawyers This is the first of two volumes in which scholars from a wide range of disciplines countries and cultures document and analyse those changes The present volume presents reports on 46 countries with broad coverage of North America Western Europe Latin America Asia Australia North Africa and the Middle East sub Saharan Africa and former communist countries These national reports address the impact of globalisation and neoliberalism on national legal professions the relationship of lawyers and their professional associations to the state and tensions between state and citizenship changes in lawyer demography rapidly growing numbers and the profession s efforts to retain control the entry of

women and obstacles to full gender equality ethnic diversity legal education the proliferation of institutions and pedagogic innovation the regulation of lawyers structures of production especially the growth of large firms and the impact of technology and paraprofessionals the distribution of lawyers across roles and access to justice state funded legal aid and pro bono services The juxtaposition of the reports reveals the dramatic transformations of professional rationales labour markets and working practices and the multiple contingencies of the role of lawyers in societies experiencing increasing juridification within a new geopolitical order

The Economics of Ottoman Justice Metin Coşgel, Boğaç Ergene, 2016-10-27 A systematic analysis of legal practice in a sharia court in the Ottoman Empire during the seventeenth and eighteenth centuries

Revolutionary Justice Yoram Meital, 2017 Revolutionary Justice narrates the power struggle between the Free Officers and their adversaries in the aftermath of Egypt's July Revolution of 1952 by studying trials held at the Revolution's Court and the People's Court The establishment of these tribunals coincided with the most serious political crisis between the new regime and the opposition primarily the Muslim Brothers and the Wafd party but also senior officials in the previous government By this point the initial euphoria and the unbridled adoration for the Free Officers had worn off and the focus of the public debate shifted to the legitimacy of the army's continued rule Yoram Meital charts the crucial events of Egyptian Revolution both within and outside the courtroom The tribunals transcripts which constitute the prime source of his study offer a rare glimpse of the dialogue between parties that held conflicting views While show trials against political dissidents are generally considered of little historical value Revolutionary Justice lucidly shows that the rhetoric generated by Egypt's special courts played a crucial role in the denouement of political struggles the creation of new historical trends and the shaping of both the regime and the opposition's public image The deliberations at the courtroom reinforced the prevailing emergency atmosphere helping the junta advance its plans for a new dispensation On the other hand the responses of defendants and witnesses during the trial exposed weaknesses in the official hegemonic narrative Paradoxically oppositional views that the regime tirelessly endeavored to silence were tolerated and recorded in the courtroom

Questioning Secularism Hussein Ali Agrama, 2022-12-22 The central question of the Arab Spring what democracies should look like in the deeply religious countries of the Middle East has developed into a vigorous debate over these nations' secular identities But what exactly is secularism What has the West's long familiarity with it inevitably obscured In *Questioning Secularism* Hussein Ali Agrama tackles these questions Focusing on the fatwa councils and family law courts of Egypt just prior to the revolution he delves deeply into the meaning of secularism itself and the ambiguities that lie at its heart Drawing on a precedent setting case arising from the family law courts the last courts in Egypt to use Shari'a law Agrama shows that secularism is a historical phenomenon that works through a series of paradoxes that it creates Digging beneath the perceived differences between the West and Middle East he highlights secularism's dependence on the law and the problems that arise from it the necessary involvement of state sovereign power in managing the private spiritual lives of citizens and the

irreducible set of legal ambiguities such a relationship creates Navigating a complex landscape between private and public domains Questioning Secularism lays important groundwork for understanding the real meaning of secularism as it affects the real freedoms of a citizenry an understanding of the utmost importance for so many countries that are now urgently facing new political possibilities *Gender and the Judiciary in Africa* Gretchen Bauer, Josephine Dawuni, 2015-10-30 Between 2000 and 2015 women ascended to the top of judiciaries across Africa most notably as chief justices of supreme courts in common law countries like Ghana Nigeria Sierra Leone Gambia Malawi Lesotho and Zambia but also as presidents of constitutional courts in civil law countries such as Benin Burundi Gabon Niger and Senegal Most of these appointments was a first in terms of the gender of the chief justice At the same time women are being appointed in record numbers as magistrates judges and justices across the continent While women s increasing numbers and roles in African executives and legislatures have been addressed in a burgeoning scholarly literature very little work has focused on women in judiciaries This book addresses the important issue of the increasing numbers and varied roles of women judges and justices as judiciaries evolve across the continent Scholars of law gender politics and African politics provide overviews of recent developments in gender and the judiciary in nine African countries that represent north east southern and west Africa as well as a range of colonial experiences postcolonial trajectories and legal systems including mixes of common civil customary or sharia law In the process each chapter seeks to address the following questions What has been the historical experience of the judicial system in a given country from before colonialism until the present What is the current court structure and where are the women judges justices magistrates and other women located What are the selection or appointment processes for joining the bench and in what ways may these help or hinder women to gain access to the courts as judges and justices Once they become judges do women on the bench promote the rights of women through their judicial powers What are the challenges and obstacles facing women judges and justices in Africa Timely and relevant in this era in which governmental accountability and transparency are essential to the consolidation of democracy in Africa and when women are accessing significant leadership positions across the continent this book considers the substantive and symbolic representation of women s interests by women judges and the wider implications of their presence for changing institutional norms and advancing the rule of law and human rights *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 **Middle Eastern Societies in the 20th Century** Jerzy Zdanowski, 2014-10-16 This book provides a comprehensive overview of the last 100 years in the Middle East from the perspective of social history It is apt to date the beginning of the modern Middle East to the industrialization era while it extends its reach into the present Taking its lead from modernization theory this book

illustrates past expectations of the present and helps to understand everyday occurrences rather than sensational events It adopts a multi disciplinary perspective and concentrates on the relationship between history and social theory From a historical perspective the categories of social anthropology and social theory are referred to as social mobility urbanization migration cultural change gender identities and the young generation The book addresses the primary issues of importance for the region namely natural and human resources demography and its dynamics family life patriarchy and the emancipation of women class structure and social mobility ethnic and religious minorities migration and its impact on culture and politics refugees problems in historical and contemporary contexts urbanization in the Middle Eastern context the challenges of development and finally the social and political consequences of the Arab Spring

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