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Egypt and Its Laws

Edited by
Nathalie Bernard-Maugiron and
Baudouin Dupret



Egypt And Its Laws Arab And Islamic Laws Series 22

Asif Mohiuddin



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State Law as Islamic Law in Modern Egypt Clark Lombardi, 2006-01-01 This volume explores the decision by the government of Egypt in the 1970s to constitutionalize Islamic shar'a and discusses its impact on Egypt's constitutional jurisprudence. The author, who is trained in Islamic intellectual history and comparative law, begins by examining the evolution of Sunni Islamic legal theory and describes competing theories of Islamic law that co-exist in modern Egypt. The book then explores how the Supreme Constitutional Court of Egypt has developed its own approach to interpreting shar'a, one that permits the Court to argue that shar'a principles are consistent with international human rights norms. The book concludes with a discussion of the public reception of the Court's theory. This book will be essential for anyone interested in the evolution of Islamic law, the development of constitutional thought in the Middle East, or the relationship between Islam and human rights.

Egypt and Its Laws Nathalie Bernard-Maugiron, Badouin Dupret, 2021-12-28 Egyptian law is the main representative of the Arab civil law family and its influence largely extends beyond its national borders. Foreign elements have mixed with Egyptian legacies to build up a new and original legal system. *Egypt and its Laws* is the first book in a Western language to present in a comprehensive, systematic, and concise way contemporary Egyptian law: case law and judicial organization, Egyptian law professionals, law faculty, professor, high rank magistrates, attorneys have contributed to this project by outlining each branch of law or judicial order in a synthetic way. This includes constitutional law, administrative law, civil law, personal status law, criminal law, commercial law, company law, tax law, labor and social law, land law, press law, procedural law, commercial arbitration, public and private international law, as well as civil, criminal, administrative, and constitutional adjudication. These contributions are preceded by a substantial introduction and followed by an English-Arabic glossary, an index, and tables of cited laws and cases.

State Law as Islamic Law in Modern Egypt Clark B. Lombardi, 2006 Explores the decision by the government of Egypt in the 1970s to constitutionalize Islamic Shar'a and discusses its impact on Egypt's constitutional jurisprudence.

Islamic Law Ahmad Atif Ahmad, 2017-10-12 Introducing undergraduate students to Islamic law, this accessible textbook does not presume legal or technical knowledge. Drawing on a comparative approach, it encourages students to think through the issues of the application of Islamic law where Muslims live as a majority and where they live as a minority, including the USA, Saudi Arabia, Egypt, Pakistan. The book surveys the historical development as well as the contemporary contexts of Islamic law. In distilling the history of Islamic law for non-specialists, the author covers important topics such as the development and transformation of Islamic institutions before and after colonialism. Coverage of Islamic law across contemporary contexts draws on real case material and allows for discussion of Islam as a legal and a moral code that is activated both inside and outside the court. Readers will learn about rituals, dietary restrictions, family contracts, and property law, lawful and unlawful gain, criminal law, and punishments, and what makes a government legitimate in the eyes of Muslim individuals and authorities.

Islam, Modernity, Violence, and Everyday

Life A. Ahmad, 2009-03-02 This book offers a better insight into the comparison of Western and Islamic cultures with studies that address the issues of Islam and modernity violence in Islamic law and history and respect for individuals privacy in Islamic cultures

Yearbook of Islamic and Middle Eastern Law Eugene Cotran, Martin Lau, 2002-01-01 The Yearbook of Islamic and Middle Eastern Law is the flagship publication of the Centre of Islamic and Middle Eastern Law CIMEL of the school of Oriental and African Studies SOAS in London It is increasingly regarded as the leading international forum for commentary on and analysis of emerging issues in a field of study of ever increasing global significance There is no more useful and thorough pricis of what has happened in Islamic and Middle Eastern law over the last year With Volume 8 and the advent of Martin Lau as co editor with Eugene Cotran the Yearbook begins an expansion of its purview into non Arab Islamic countries beginning in this volume with essays covering issues in Afghanistan and Kenya The Yearbook will continue to be an authoritative source of insightful commentary and scholarship on relevant developments wherever the influence of Islamic law is felt

Index Islamicus , 2006 *Arbitral Awards of the Cairo Regional Centre for International Commercial Arbitration - Arbitral Awards of CRCICA Volume 2 (1997-2000)* Mohiedin Ismail Alamedin, 2021-10-25 The cases are edited and translated by the prominent legal scholar arbitrator and lawyer Dr Mohie Eldin I Alam Eldin His in depth commentary on the thirty four cases included in this volume encompasses discussion of emerging new arbitral trends and principles such as the alter ego and contra preferentum doctrines and new approaches to arbitration engendered by the ever growing and changing practises and patterns of internatuional trade He also analyses many of the new issues raised by the decisions of the court of appeal in cases where arbitral awards proved unsatisfactory Many of these court of appeal decisions are included in the text as are relevant decisions of the Supreme Court of Egypt This second series of cases brought before the Cairo Regional Centre for International Commercial Arbitration covers the period 1997 2002 years which witnessed a major growth in confidence in the Centre and a corresponding expansion in scope procedure and legal principles Perhaps most notable among these important developments is the evolution of hybrid procedures that permit the harmonization of legal cultures among parties In this book will be found a number of cases which successfully blend common law civil law and Sharia principles while rigorously adhering to the agreements between the parties all applicable law and guarantees of defence The subject matter of the international disputes arbitrated includes the following Supply Hotel management Software contracts Oil contracts Distributorship contracts Insurance contracts Credit risk management contracts Construction Commercial agency The significance of the Cairo Regional Centre for International Commercial Arbitration as a forward looking and innovative institution directly influencing business activity in some of the most important areas of global commerce can hardly be overstated This book validates and reinforces the Centre pivotal role and will be of inestimable value to the international commercial arbitration community

Judiciary and Arbitration in Bahrain Hassan Ali Radhi, 2021-10-18 Although Bahrain has had an established system of law courts since 1771 it was only in the course of the twentieth century that it

gradually developed a fully fledged legal system compatible with international norms Today like the other Gulf states its sophisticated judiciary represents a blend of Islamic Shari a British common law and modern reforms drawn principally from Egypt s civil law influenced tradition In recent decades arbitration has also taken its place as an important adjunct to the judiciary Egypt and Syria in the Fatimid, Ayyubid and Mamluk Eras III Urbain Vermeulen,2001 This volume contains 24 papers presented at the sixth seventh and eighth Colloquium on the History of Egypt and Syria in the Fatimid Ayyubid and Mamluk Eras organized at the University of Leuven in May 1997 1998 and 1999 The main purpose of these annual colloquia is to bring together an international body of scholars from different fields of research around the central theme of Syro Egypt s high and late medieval history Resulting now in a third volume of this kind volume I OLA 73 volume II OLA 83 these proceedings again cover areas of research in the fields of medieval sociology economy archaeology codicology theology and administrative and political history ranging from the 10th to the late 15th century AD The individual contributions deal with a great number of topics including Syro Egyptian society and architecture the Crusades aspects of civil and military administration and organisation role and value of pious endowments and the intricacies of Syro Egyptian politics

Recasting Islamic Law Rachel M. Scott,2021-03-15 By examining the intersection of Islamic law state law religion and culture in the Egyptian nation building process Recasting Islamic Law highlights how the sharia when attached to constitutional commitments is reshaped into modern Islamic state law Rachel M Scott analyzes the complex effects of constitutional commitments to the sharia in the wake of the Egyptian Revolution of 2011 She argues that the sharia is not dismantled by the modern state when it is applied as modern Islamic state law but rather recast in its service In showing the particular forms that the sharia takes when it is applied as modern Islamic state law Scott pushes back against assumptions that introductions of the sharia into modern state law result in either the revival of medieval Islam or in its complete transformation Scott engages with premodern law and with the Ottoman legal legacy on topics concerning Egypt s Coptic community women s rights personal status law and the relationship between religious scholars and the Supreme Constitutional Court Recasting Islamic Law considers modern Islamic state law s discontinuities and its continuities with premodern sharia Thanks to generous funding from Virginia Tech and its participation in TOME Toward an Open Monograph Ecosystem the ebook editions of this book are available as Open Access volumes from Cornell Open [cornellpress.cornell.edu](https://cornellpress.cornell.edu/cornell-open) cornellopen.org and other repositories Islamic Law and International Human Rights Law Anver M. Emon,Mark Ellis,Benjamin Glahn,2012-10-11 The relationship between Islamic law and international human rights law has been the subject of considerable and heated debate in recent years The usual starting point has been to test one system by the standards of the other asking is Islamic law compatible with international human rights standards or vice versa This approach quickly ends in acrimony and accusations of misunderstanding By overlaying one set of norms on another we overlook the deeply contextual nature of how legal rules operate in a society and meaningful comparison and discussion is

impossible In this volume leading experts in Islamic law and international human rights law attempt to deepen the understanding of human rights and Islam paving the way for a more meaningful debate Focusing on central areas of controversy such as freedom of speech and religion gender equality and minority rights the authors examine the contextual nature of how Islamic law and international human rights law are legitimately formed interpreted and applied within a community They examine how these fundamental interests are recognized and protected within the law and what restrictions are placed on the freedoms associated with them By examining how each system recognizes and limits fundamental freedoms this volume clears the ground for exploring the relationship between Islamic law and international human rights law on a sounder footing In doing so it offers a challenging and distinctive contribution to the literature on the subject and will be an invaluable reference for students academics and policy makers engaged in the legal and religious debates surrounding Islam and the West

Freedom of Expression in Islam Muhammad Khalid Masud, Kari Vogt, Lena Larsen, Christian Moe, 2021-01-28 In Muslim countries apostasy and blasphemy laws are defended on the grounds that they are based on Islamic Shari'a and intended to protect religion But blasphemy and apostasy laws can be used both to suppress thought and debate and to harass religious minorities both inside and outside Islam This book comprising contributions from Muslim scholars experts and activists critically and constructively engages with the theological historical and legal reasoning behind the most restrictive state laws around the world to open up new ways of thinking The book focuses on the struggle within Muslim societies in Iran Egypt Pakistan and Indonesia where blasphemy and apostasy laws serve powerful groups to silence dissent and stifle critical thought The first part of the book covers the development of the law in shifting historical circumstances and surveys the interpretations of Qur'anic verses that seem to affirm freedom of religion The second part examines the present politics and practices of prosecuting alleged blasphemers and or apostates in Muslim countries The third part looks to the future and where reforms of the law could be possible Debates on Islam and freedom of expression are often cast in polarizing terms of rights versus religion East versus West This volume avoids such approaches by bringing together a diverse group of Muslim scholars and activists with the knowledge commitment and courage to contest repressive interpretations of religion and provide a resource for reclaiming the human rights to freedom of expression and belief

Islam, Custom and Human Rights Lutforahman Saeed, 2021-10-29 For the first time the author has explored the intertwinement of written law Islamic law and customary law in the highly complex Afghan society being deeply influenced by traditional cultural and religious convictions Given these facts the author explores how to bridge the exigencies of a human rights driven penal law and conflicting social norms and understandings by using the rich tradition of Islamic law and its possible openness for contemporary rule of law standards This work is based on ample field research in connection with a thorough analysis of the normative contexts It is a landmark since it offers broadly acceptable and thus feasible solutions for the Afghan legal practice The book is of equal interest for scientists and practitioners interested in legal religious social and

political developments concerning human rights and regional traditions in the MENA region in Afghanistan in particular

The Asian Yearbook of Human Rights and Humanitarian Law, 2018-08-13 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 2 is Islamic Law and its Implementation in Asia and the Middle East

Changing God's Law Nadjma Yassari, 2016-06-03 This volume identifies and elaborates on the significance and functions of the various actors involved in the development of family law in the Middle East Besides the importance of family law regulations for each individual family law has become the battleground of political and social contestation Divided into four parts the collection presents a general overview and analysis of the development of family law in the region and provides insights into the broader context of family law reform before offering examples of legal development realised by codification drawn from a selection of Gulf states Iran and Egypt It then goes on to present a thorough analysis of the role of the judiciary in the process of lawmaking before discussing ways the parties themselves may have shaped and do shape the law Including contributions from leading authors of Middle Eastern law this timely volume brings together many isolated aspects of legal development and offers a comprehensive picture on this topical subject It will be of interest to scholars and academics of family law and religion

The Rule of Law, Islam, and Constitutional Politics in Egypt and Iran Said Amir Arjomand, Nathan J. Brown, 2013-04-15 Comparative study of Islam and the rule of law in Egypt and Iran

Women's Rights in Authoritarian Egypt Hiam Elgousi, 2016-04-20 During the uprisings of late 2010 and 2011 which took place across the Middle East and North Africa women made up an important part of the crowds protesting Women's rights were central to the demands made However despite this in the ensuing social and political struggles these rights have not progressed much beyond the situation under previous governments Hiam El Gousi's book offers an examination of the status of women under Egypt's various authoritarian regimes In exploring the role played by religious scholars in helping to define women's status in society she focuses on personal status laws and health rights In examining the issue of women's rights El Gousi begins with an account of feminism in Egypt the centre of feminist thought in the Middle East at the end of the nineteenth and beginning of the twentieth century Based on extensive research in the country especially at grassroots level El Gousi goes on to analyse the constitutional and legislative rulings which have affected the lives and rights of Egyptian women This book will become a vital primary resource for those studying feminism in the wider Middle East and North Africa

Human Rights Law in Egypt and Malaysia: Freedom of Religion and Expression, Volume 1 Asif Mohiuddin, 2024-12-19 The discourse surrounding freedom of religion and expression in Muslim majority countries is complex and multifaceted shaped by a myriad of factors including cultural political and legal dynamics This volume examines the complex interplay of these factors within the contexts of Egypt and Malaysia offering valuable

insights into the challenges and advancements in safeguarding these fundamental freedoms From the diverse interpretations of Islamic principles to the varying legal frameworks and the influence of global events such as geopolitical conflicts and terrorism on human rights dynamics this volume provides a comprehensive exploration of the complexities involved Moreover it delves into the historical social and political contexts that shape the protection and limitation of these freedoms offering a nuanced understanding of the evolving discourse surrounding human rights in Muslim majority countries Through comparative analyses and discussions on the role of civil society and advocacy groups this volume serves as an invaluable resource for scholars policymakers and activists seeking to deepen their understanding of the multifaceted realm of freedom of religion and expression in Egypt and Malaysia International Encyclopedia of Comparative Law K. Zweigert, 2003-01-01 No Sales rights in German speaking countries Eastern Europe Portugal Spain Italy Greece South and Central America

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