

Religion et droit dans les pays arabes

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Religion Et Droit Dans Les Pays Arabes:

Religion et droit dans les pays arabes Sami Awad Aldeeb Abu-Sahlieh, 2008-05-02 Cet ouvrage encyclopédique illustre la complexité des rapports entre l'islam et le droit dans les pays arabes. Après une présentation des fondements du droit musulman et de son application en tout temps et en tout lieu, il analyse l'impact de la religion musulmane sur le droit de la famille et des successions, l'absence d'unité juridique, l'inégalité entre homme et femme, l'inégalité entre musulmans et non musulmans, le droit pénal, les sanctions, l'apostasie, l'éthique sexuelle, les limites du sport et de la liberté artistique, les interdits alimentaires et l'abattage rituel, le droit médical, l'avortement, la limitation des naissances et la planification familiale, le clonage, les mutilations sexuelles, le droit socio-économique, la solidarité entre riches et pauvres, le zakat, et les impôts, les intérêts et les banques, les assurances, les biens en commun, le travail et l'éducation de la femme. Il explore en détail de multiples questions juridiques, morales et sociales qui préoccupent aujourd'hui non seulement les citoyens des pays arabes mais aussi les musulmans vivant en Occident.

Les constitutions arabes et l'Islam Sabine Lavorel, 2011-04-22T12:14:41-04:00 La lecture des Constitutions arabes de leur lettre comme de leur pratique par le biais du pluralisme juridique permet de comprendre la nature et la portée des transformations qui sont l'œuvre dans ces États tant ceux qui restent essentiellement attachés des valeurs traditionnelles que les plus avancés dans les processus de démocratisation et de protection des droits fondamentaux.

Filiation and the Protection of Parentless Children Nadjma Yassari, Lena-Maria Möller, Marie-Claude Najm, 2019-07-03 This book contains selected contributions presented during the workshop Establishing Filiation Towards a Social Definition of the Family in Islamic and Middle Eastern Law which was convened in Beirut Lebanon in November 2017. Filiation is a multifaceted concept in Muslim jurisdictions. Beyond its legal aspect it encompasses the notion of inclusion and belonging thereby holding significant social implications. Being the child of someone carrying one's father's name and inheriting from both parents form important pillars of personal identity. This volume explores filiation, *nasab* and alternative forms of a full parent child relationship in Muslim jurisdictions. Eleven country reports ranging from Morocco to Malaysia examine how maternal and paternal filiation is established be it by operation of the law by the parties exercise of autonomy such as acknowledgement or by scientific means DNA testing in particular and how lawmakers courts and society at large view and treat children who fall outside those legal structures especially children born out of wedlock or under dubious circumstances. In a second step alternative care schemes in place for the protection of parentless children are examined and their potential to recreate a legal parent child relationship is discussed. In addition to the country specific analyses included in this book three further contributions explore the subject matter from perspectives of premodern Sunni legal doctrine premodern Shiite legal doctrine and the private international law regimes of contemporary Arab countries. Finally a comparative analysis of the themes explored is presented in the synopsis at the end of this volume. The book is aimed at scholars in the fields of Muslim family law and comparative family law and is of high practical relevance to legal practitioners working in the area of international child law. Nadjma Yassari is Leader of the

Research Group Changes in God's Law An Inner Islamic Comparison of Family and Succession Law at the Max Planck Institute for Comparative and International Private Law while Lena Maria Müller is a Senior Research Fellow at the Max Planck Institute and a member of the same Research Group Marie Claude Najm is a Professor in the Faculty of Law and Political Science at Saint Joseph University of Beirut in Lebanon and Director of the Centre of Legal Studies and Research for the Arab World CEDROMA

Les Etats Arabes Jean-Pierre Ziry, 2011 Les droits maghrébins des personnes et de la famille à l'épreuve du droit français Jacqueline Pousson Petit, 2009-09-01 Cet ouvrage poursuit une double comparaison la première concerne les droits maghrébins Au-delà d'un certain pluralisme ils conservent un noyau dur commun un droit particulier de la famille et un ordre public familial imprégnés de droit musulman classique leurs évolutions sont convergentes La deuxième comparaison confronte le droit français aux droits praticés qui leur oppose des réponses de plus en plus paradoxales voire incohérentes Le couple mixte franco-maghrébin cristallise toutes ces tensions

Shari'a in the West Rex J. Ahdar, Nicholas Aroney, 2010 Leading scholars from a range of countries and academic disciplines and representing different political viewpoints and faith traditions explore the complex issues surrounding the legal recognition of religious faith in a multicultural society

Humanitarian Intervention, Colonialism, Islam and Democracy Gustavo Gozzi, 2021-04-12 This book offers a critical analysis of the European colonial heritage in the Arab countries and highlights the way this legacy is still with us today informing the current state of relations between Europe and the formerly colonized states The work analyses the fraught relationship between the Western powers and the Arab countries that have been subject to their colonial rule It does so by looking at this relationship from two vantage points On the one hand is that of humanitarian intervention a paradigm under which colonial rule coexisted alongside humanitarian policies pursued on the dual assumption that the colonized were barbarous peoples who wanted to be civilized and that the West could lay a claim of superiority over an inferior humanity On the other hand is the Arab view from which the humanitarian paradigm does not hold up and which accordingly offers its own insights into the processes through which the Arab countries have sought to wrest themselves from colonial rule In unpacking this analysis the book traces a history of international and colonial law to this end also using the tools offered by the history of political thought The book will be of interest to students academics and researchers working in legal history international law international relations the history of political thought and colonial studies

Exclusive Jurisdiction in Intellectual Property Benedetta Ubertazzi, 2012 Exclusive jurisdiction rules related to intellectual property rights cases are insufficiently supported by the arguments usually invoked in their favor Benedetta Ubertazzi argues that such rules are even contrary to the public international law provisions on the avoidance of a denial of justice and should therefore be abandoned

Religion and International Law Robert Uerpman-Wittzack, Evelyne Lagrange, Stefan Oeter, 2018-08-13 Growing religious antagonisms are challenging the ultimate goal of living together in peaceful societies Living together explores international law responses beginning with their historic roots before the

perspective shifts to the role of religious institutions and religious law Contributions of different human rights bodies are analyzed before further sections deal with the international protection of religion the relationship between religious beliefs and freedom of expression and the roles of other individual rights Religion and International Law originates from the long standing cooperation between the German and the French Societies of International Law thus bringing together the traditions of French laicism and a cooperative German approach Experts from Austria Italy Poland Portugal and the UK complement the pan European perspective

Les fonds islamiques en Europe Bahya Bouharati, 2016-05-18 Les fonds islamiques int grent dans leur strat gie de gestion des crit res d investissement extra financiers fond s sur des principes directeurs issus du droit musulman applicable en mati re bancaire et financi re Ils r pondent une demande croissante en produits d investissement religieusement orient s Si l industrie de la gestion collective islamique se d veloppe sur le march europ en les fonds islamiques de m me que leurs gestionnaires ne font pas l objet d une r glementation sp cifique La r gulation des fonds islamiques se fait par le biais de prescriptions et de recommandations issues de normes autonomes d origines publiques et priv es religieuses et extra religieuses Ces fonds interpellent galemment sur l opportunit et partant sur la possibilit de l laboration d une norme tative contraignante susceptible de poser les bases d un r gime juridique d di ce type de fonds Ce dernier point ne serait il pas un pr requis n cessaire la possible mergence d un mod le europ en des fonds islamiques permettant de garantir la protection des investisseurs et du march tout en permettant l panouissement de ce segment innovant de la gestion collective de l pargne

Law, Religion, Constitution W. Cole Durham, Silvio Ferrari, Cristiana Cianitto, Donlu Thayer, 2016-04-29 What is the place assigned to religion in the constitutions of contemporary States What role is religion expected to perform in the fields that are the object of constitutional regulation Is separation of religion and politics a necessary precondition for democracy and the rule of law These questions are addressed in this book through an analysis of the constitutional texts that are in force in different parts of the world Constitutions are at the centre of almost all contemporary legal systems and provide the principles and values that inspire the action of the national law makers After a discussion of some topics that are central to the constitutional regulation of religion the book considers a number of national systems covering countries with a variety of religious and cultural backgrounds The final section of the book is devoted to the discussion of the constitutional regulation of some particularly controversial issues such as religious education the relation between freedom of speech and freedom of religion abortion and freedom of conscience

Les Etats Arabes Face A l'Arbitrage International Bilan et Perspectives Conférence Internationale Euro-arabe, 2017-01-01 Ce livre pr sente la question des pays arabes confront s au bilan et aux attentes de l arbitrage international et les sujets du livre sont les suivants Rapport introductif Les Etats arabes face l arbitrage international Bilan et perspectives L arbitrage et la Chariaa Etats arabes souverainet et d veloppement Les facteurs de promotion de l arbitrage Le cas tunisien Une lex mediterranea arabe de l arbitrage Faisabilit et pertinence L exequatur de la sentence arbitrale internationale en droit marocain et L arbitrage dans

les contrats publics internationaux au Maroc Descriptor s INTERNATIONAL LAW ARBITRATION ARBITRAL AWARDS ARBITRATION RULES ARAB COUNTRIES A Bibliography of Islamic Law, 1980-1993 Laila Al-Zwaini, Ruud Peters, 2021-12-06 This bibliography offers a new and indispensable tool for both researchers and practitioners in the field of Islamic law It supplements the bibliographies published by Joseph Schacht 1964 and John Makdisi 1987 and includes some 1 600 Western language publications which have appeared between 1980 and 1993 It contains a general and a regional section With regard to the latter the main focus is on the Middle East including Afghanistan and North Africa although publications in South and Southeast Asia have also been included In order to facilitate its use an authors index and a subject index have been added 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 **Hommage à Marie-Luce Pavia** association Méditerranées Bouineau Jacques, 2016-12-01 Un hommage in dit rendu par une quipe d historiens du droit sp cialis s dans le dialogue m diterran en la m moire d une grande figure f minine professeur de droit public Marie Luce Pavia n a cess de militer pour la d fense des droits fondamentaux et la dignit de la personne humaine dans un esprit d intelligence et d humanit L intelligence cordiale que les auteurs ont mise dans leurs contributions parle de M diterran e et de dialogue **Droits et sociétés au Maghreb** Collectif, 2023-12-14 Ancien directeur de l Institut d tudes de l Islam et des soci t s du monde musulman IISMM et de l Institut de recherche sur le Maghreb contemporain IRMC de Tunis professeur de droit public l Universit de Rouen Jean Philippe Bras s est tout particuli rement int ress au droit colonial et au droit musulman aux configurations et reconfigurations politiques des pays du Maghreb que les droits constitutionnel et administratif ont t amen s traduire juridiquement et aux volutions sociales et familiales des soci t s maghr bines que le droit du statut personnel est venu encadrer Les treize contributions r unies dans cet ouvrage d auteurs europ ens et maghr bins lui rendent hommage Y sont analys s les bouleversements qui ont affect les tats et les soci t s du Maghreb depuis pr s de deux si cles en traitant de certains aspects de ses terrains d tude de pr dilection l histoire juridique coloniale la pens e juridique et politique musulmane ainsi que l histoire politique et constitutionnelle tunisienne r cente Recognition of Kafala in the Italian Law System from a Comparative Perspective Adele Pastena, 2020-07-09 The provision of Islamic kafala has no legal correspondence with secularised political systems and structures and as a result requires a proper understanding of the legislative measures that

are indispensable for the protection of the weakest groups of society at least when the latter turn out to be mostly vulnerable or abandoned. Most recent international conventions have placed much emphasis on the priority to be given to child protection rather than other personal interests. While no syntagmatic principle exists for a theoretical definition and boundary of religious freedoms and legal rules affecting Islamic kafala, it has become a prevailing interpretative canon which requires the scholar to aim for a proper understanding of the cultural identities and measures to safeguard individuals concerned. This book is a thought provoking study of these important issues and will serve to strengthen further research into this topic area for the benefit of both academic and professional readers.

Education à la citoyenneté et aux droits de l'homme Belouchi, Amina, Bernoussi, Nadia, El Maslouhi, Abderrahim, El Moumni, Nadir, 2016-01-25 **International law in the past third of a century**, 1979-03-09 *Religions, églises et droit* Gilles Bollenot, Centre d'étude et de recherches d'histoire du droit, 1990

Decoding **Religion Et Droit Dans Les Pays Arabes**: Revealing the Captivating Potential of Verbal Expression

In a period characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its ability to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**Religion Et Droit Dans Les Pays Arabes**," a mesmerizing literary creation penned with a celebrated wordsmith, readers attempt an enlightening odyssey, unraveling the intricate significance of language and its enduring effect on our lives. In this appraisal, we shall explore the book's central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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