

Sharia, Muslim States and International Human Rights Treaty Obligations: A Comparative Study

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Sharia Muslim States And International Human

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Sharia Muslim States And International Human:

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

International Law and Muslim States Dawood Hamzah, 2021-08-12 This book analyses the general interaction between international law and Islamic law in the Muslim world today It interrogates factors that often form the root of the tension between the two legal regimes Literalist interpretations of Islamic law and the modern international law s disposition that does not give due consideration to differences among cultures and civilizations are some of these factors This work examines the Saudi Arabia textualist approach to the two primary sources of law in Islam the Qur an and Sunnah and argues that a liberal approach of interpretation has become sine qua non especially now that myriad issues are confronting the Muslim world generally and Saudi Arabia in particular Similarly globalization has generated an unprecedented multi culturalism legal pluralism and trans border interactions in socio economic and political relations Therefore Saudi Arabia as the bastion of Islam and Islamic nations is faced with the imperative of adopting a liberal approach to interpretation of Islamic law with a view to accommodating a wide spectrum of other laws and cultures The book provides a timely examination of the issue of modern Saudi Arabia Islamic legal order vis vis the contemporary concept of international law and international relations in specific areas such as international human rights law and trans national economic matters As such it will be of interest to academics and researchers working in Islamic law international and comparative law human rights law and law and religion

The New Global Law Rafael Domingo, 2010-02-26 The dislocations of the worldwide economic crisis the necessity of a system of global justice to address crimes against humanity and the notorious democratic deficit of international institutions highlight the need for an innovative and truly global legal system one that permits humanity to re order itself according to acknowledged global needs and evolving consciousness A new global law will constitute by itself a genuine legal order and will not be limited to a handful of moral principles that attempt to guide the conduct of the world s peoples If the law of nations served the hegemonic interests of Ancient Rome and international law served those of the European nation state then a new global law will contribute to the common good of all humanity and ideally to the development of durable world peace This volume offers a historical juridical foundation for the development of this new global law

Religious Actors and

International Law Ioana Cismas, 2014 This book assesses whether a new category of actors religious actors has been constructed within international law Religious actors through their interpretations of the religion s they are associated with uphold and promote or indeed may transform potentially oppressive structures or discriminatory patterns This study moves beyond the concern that religious texts and practices may be incompatible with international law to provide an innovative analysis of how religious actors themselves are accountable under international law for the interpretations they choose to put forward The book defines religious actors as comprising religious states international organizations and non state entities that assume the role of interpreting religion and so claim a special legitimacy anchored in tradition or charisma Cutting across the state non state divide this definition allows the full remit of religious bodies to be investigated It analyses the crucial question of whether religious actors do in fact operate under different international legal norms to non religious states international organizations or companies To that end the Holy See Vatican the Organization of Islamic Cooperation and churches and religious organizations under the European Convention on Human Rights regime are examined in detail as case studies The study ultimately establishes that religious actors cannot be seen to form an autonomous legal category under international law they do not enjoy special or exclusive rights nor incur lesser obligations when compared to their respective non religious peers Going forward it concludes that a process of two sided legitimation may be at stake religious actors will need to provide evidence for the legality of their religious interpretations to strengthen their legitimacy and international law itself may benefit from religious actors fostering its legitimacy in different cultural contexts

The Rule of Law, Freedom of Expression and Islamic Law Hossein Esmaeili, Irmgard Marboe, Javaid Rehman, 2017-12-14 The importance of the rule of law is universally recognised and of fundamental value for most societies Establishing and promoting the rule of law in the Muslim world particularly in the Middle East North Africa and Central Asia has become a pressing but complicated issue These states have Muslim majority populations and the religion of Islam has an important role in the traditional structures of their societies While the Muslim world is taking gradual steps towards the establishment of rule of law systems most Muslim majority countries may not yet have effective legal systems with independent judiciaries which would allow the state and institutions to be controlled by an effective rule of law system One important aspect of the rule of law is freedom of expression Given the sensitivity of Muslim societies in relation to their sacred beliefs freedom of expression as an international human rights issue has raised some controversial cases This book drawing on both International and Islamic Law explores the rule of law and freedom of expression and its practical application in the Muslim world

Minority Rights in South Asia Rainer Hofmann, Ugo Caruso, 2011 This publication contains case studies on human and minority rights in the South Asian countries including a special focus on the South Asian Association for Regional Cooperation SAARC and articles on different forms of National Human Rights Commission and Immigration to the UK and new minorities It is further complemented by an in depth study on Autonomy Kashmir and International Law Assembling

articles authored by leading scholars from both South Asia and Europe the book will contribute to a mutual exchange of views on human and minority rights issues in South Asia In particular the book is aimed at increasing awareness and understanding of current developments in South Asia and on this basis at enhancing a constructive dialogue between representatives of the scientific community policy makers and civil society in Europe and their counterparts in South Asia

The Shari'a and Islamic Criminal Justice in Time of War and Peace M. Cherif Bassiouni,2014 Shows that the shari'a and Islamic law are compatible with contemporary international human rights laws and norms and appropriate for use in Muslim societies

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

Islamic Law and Transnational Diplomatic Law Muhammad-Basheer .A. Ismail,2016-04-12 This book in its effort to formulate compatibility between Islamic law and the principles of international diplomatic law argues that the need to harmonize the two legal systems and have a thorough cross cultural understanding amongst nations generally with a view to enhancing unfettered diplomatic cooperation should be of paramount priority

The Law and Logic of Sexual Harassment Dr. Suparna Sharma,Dr. Sunil Kumar Shukla,2025-05-20 This book presents a concise yet comprehensive exploration of sexual harassment combining theoretical frameworks legal analysis and policy evaluation The book begins by unpacking the core concept of sexual harassment and introduces key models such as Quid Pro Quo and Hostile Work Environment It delves into the socio cultural and institutional factors contributing to the persistence and growth of

harassment in workplaces academic spaces and public life Drawing from multiple disciplines the book provides a scholarly foundation for understanding how sexual harassment is defined perceived and challenged A distinguishing feature of the book is its focus on landmark judicial decisions that have shaped legal responses especially within the Indian context while also examining international laws and conventions The comparative approach helps readers appreciate the global dimensions of the issue The final section addresses policy implications offering insights into institutional responsibilities and the effectiveness of current mechanisms for prevention and redressal Designed for students researchers and professionals in law gender studies and public policy this book serves as a critical academic resource that bridges theory and practice in addressing one of the most pressing issues of contemporary society

Sharia Muslim States And International Human Book Review: Unveiling the Magic of Language

In a digital era where connections and knowledge reign supreme, the enchanting power of language has become more apparent than ever. Its capability to stir emotions, provoke thought, and instigate transformation is really remarkable. This extraordinary book, aptly titled "**Sharia Muslim States And International Human**," published by a highly acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound effect on our existence. Throughout this critique, we will delve to the book is central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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