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# Muslim Family Laws In England

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Shari'a Councils and Muslim Women in Britain

The Cambridge Companion to Comparative Family Law

Islam and English Law

Exploring the Multitude of Muslims in Europe

Muslim Family Law in Sub-Saharan Africa

Citizenship After Orientalism

Women in Muslim Family Law

Muslim Family Law in Western Courts

Islamic Law in Europe?

Fifty Years of the Divorce Reform Act 1969

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Modern Perspectives on Islamic Law

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Family Law in Britain and America in the New Century

Muslim Family Law

Islamic Family Law  
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Muslim Family Laws

Citizenship after Orientalism  
The Muslim Family Laws Ordinance, 1961

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**ARIANA ZAVIER**

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*Shari'a Councils and Muslim Women in  
Britain* Amsterdam University Press  
Muslim Families, Politics and the  
Law Ashgate Publishing, Ltd.

**The Cambridge Companion to  
Comparative Family Law** Edward  
Elgar Publishing

In recent years, all over the western  
world, a conversation has begun about  
the role of Islamic law or Shariah in  
secular liberal democratic states. Often  
this has focused on the area of family  
law, including matters of marriage and

divorce. Islamic Family Law in Australia  
considers this often-controversial issue  
through the lens of multiculturalism and  
legal pluralism. Primarily, its main  
objective is to clarify the arguments that  
have been made recently. In both  
Australia and overseas, debates have  
occurred which have been both  
controversial and divisive, but have  
rarely been informed by any detailed  
analysis of how Muslim communities in  
these countries are actually dealing with  
family law issues. Islamic Family Law in  
Australia responds to this need for  
accurate information by presenting the  
findings of the first empirical study  
exploring how Australian Muslims

resolve their family law matters. Through the words of religious and community leaders as well as ordinary Australian Muslims, the book questions the assumption that accommodating the needs of Australian Muslims requires the establishment of a separate and parallel legal system.

Islam and English Law BRILL

Contemporary European societies are multi-ethnic and multi-cultural, certainly in terms of the diversity which has stemmed from the immigration of workers and refugees and their settlement. Currently, however, there is widespread, often acrimonious, debate about 'other' cultural and religious beliefs and practices and limits to their accommodation. This book focuses principally on Muslim families and on the

way in which gender relations and associated questions of (women's) agency, consent and autonomy, have become the focus of political and social commentary, with followers of the religion under constant public scrutiny and criticism. Practices concerning marriage and divorce are especially controversial and the book includes a detailed overview of the public debate about the application of Islamic legal and ethical norms (shari'a) in family law matters, and the associated role of Shari'a councils, in a British context. In short, Islam generally and the Muslim family in particular have become highly politicized sites of contestation, and the book considers how and why and with what implications for British multiculturalism, past, present and

future. The study will be of great interest to international scholars and academics researching the governance of diversity and the accommodation of other faiths including Islam.

Exploring the Multitude of Muslims in Europe Manchester University Press

This second edition of John L. Esposito's landmark book expands and updates coverage of family law reforms (in marriage, divorce, and inheritance) throughout the Middle East, North Africa, and South and Southeast Asia, and analyzes the diverse interpretation of Muslim family law, identifying shifts, key problems, and challenges in the twenty-first century.

Muslim Family Law in Sub-Saharan Africa  
Muslim Families, Politics and the Law  
In Exploring the Multitude of Muslims in

Europe, the fourteen collected articles present conceptualisations, productions and explorations of the multitudes of Muslims in Europe, echoing and honouring Jørgen S. Nielsen's work on the challenges for Muslim communities in Europe.

Citizenship After Orientalism Jessica Kingsley Publishers

This collection offers a postcolonial critique of the ostensible superiority or originality of 'Western' political theory and one of its fundamental concepts, 'citizenship'. The chapters analyse the undoing, uncovering, and reinventing of citizenship as a way of investigating citizenship as political subjectivity. If it has now become very difficult to imagine citizenship merely as nationality or membership in the nation-state, this is at

least in part because of the anticolonial struggles and the project of reimagining citizenship after orientalism that they precipitated. If it has become difficult to sustain the orientalist assumption, the question arises; how do we investigate citizenship as political subjectivity after orientalism? This book was originally published as a special issue of *Citizenship Studies*.

*Women in Muslim Family Law*

Bloomsbury Publishing

The interchange between Muslims and Europe has a long and complicated history, dating back to before the idea of 'Europe' was born, and the earliest years of Islam. There has been a Muslim presence on the European continent before, but never has it been so significant, particularly in Western

Europe. With more Muslims in Europe than in many countries of the Muslim world, they have found themselves in the position of challenging what it means to be a European in a secular society of the 21st century. At the same time, the European context has caused many Muslims to re-think what is essential to them in religious terms in their new reality. In this work, H.A. Hellyer analyses the prospects for a European future where pluralism is accepted within unified societies, and the presence of a Muslim community that is of Europe, not simply in it.

**Muslim Family Law in Western Courts** Springer

Theories of gender justice in the twenty-first century must engage with global economic and social processes. Using

concepts from economic analysis associated with global commodity chains and feminist ethics of care, Ann Stewart considers the way in which 'gender contracts' relating to work and care contribute to gender inequalities worldwide. She explores how economies in the global north stimulate desires and create deficits in care and belonging which are met through transnational movements and traces the way in which transnational economic processes, discourses of rights and care create relationships between global south and north. African women produce fruit and flowers for European consumption; body workers migrate to meet deficits in 'affect' through provision of care and sex; British-Asian families seek belonging through transnational

marriages.

**Islamic Law in Europe?** Cambridge University Press

This edited volume presents a critique of citizenship as exclusively and even originally a European or 'Western' institution. It explores the ways in which we may begin to think differently about citizenship as political subjectivity.

**Fifty Years of the Divorce Reform Act 1969** Routledge

The enactment of the Divorce Reform Act 1969 was a landmark moment in family law. Coming into force in 1971, it had a significant impact on legal practice and was followed by a dramatic increase in divorce rates, reflecting changes in social attitudes. This new interdisciplinary collection explores the background to the 1969 Act and its

influence on law and society. Bringing together scholars from law, sociology, history, demography, and film and literature, it reflects on the changes to divorce law and practice over the past 50 years, and the changing impact of divorce on different people in society, particularly women. As such, it offers a 'biography' of this important piece of legislation, moving from its conception and birth, through its reception and development, to its imminent demise. Looking to the future, and to the new law introduced by the Divorce, Dissolution and Separation Act 2020, this collection suggests ways for evaluating what makes a 'good' divorce law. This brilliant collection gives insight not only into this crucial piece of legislation, but also into a key period of societal change.

*ISS 15 Family Law and Australian Muslim Women* BRILL

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 various legal, cultural and social processes that Australian Muslim women use when disputes in these key areas arise.

**Islamic Family Law and Its Reception by the Courts in England**  
Routledge

While forced marriage and 'honour-based' violence attract media attention, little is known about the issues and



experiences of South Asian women and children who are affected by gendered violence. This book explores the key theoretical and empirical issues involved in gendered violence, ethnicity and South Asian communities. The editors draw together leading researchers and practitioners to provide a critical reflection of contemporary debates and consider how these reflections can inform policy, research and practice. The contributors consider the primacy of religion and culture, and how South Asian women face multiple and intersecting forms of violence. Future directions for facilitating improved services for survivors of violence against women from different racial and ethnic backgrounds are also proposed. Violence Against Women in South Asian

Communities will have widespread relevance for professional academics, researchers, students, policy makers, practitioners and anyone concerned with gendered violence within South Asian communities.

*Modern Perspectives on Islamic Law*  
Ashgate Publishing, Ltd.

'This book presents an invaluable contribution to the debate on the compatibility of Islam and modernity. It is full of arguments and examples showing how Islam can be understood in line with modern life, human rights, democracy, the rule of law, civil society and pluralism. The three authors come from different countries, represent different gender perspectives and have a Shia, a Sunni and a non-Muslim background respectively which makes

the book a unique source of information and inspiration.' Irmgard Marboe, University of Vienna, Austria This well-informed book explains, reflects on and analyses Islamic law, not only in the classical legal tradition of Sharia, but also its modern, contemporary context. The book explores the role of Islamic law in secular Western nations and reflects on the legal system of Islam in its classical context as applied in its traditional homeland of the Middle East and also in South East Asia. Written by three leading scholars from three different backgrounds: a Muslim in the Sunni tradition, a Muslim in the Shia tradition, and a non-Muslim woman the book is not only unique, but also enriched by differing insights into Islamic law. Sir William Blair provides the

foreword to a book which acknowledges that Islam continues to play a vital role not just in the Middle East but across the wider world, the discussion on which the authors embark is a crucial one. The book starts with an analysis of the nature of Islamic law, its concepts, meaning and sources, as well as its development in different stages of Islamic history. This is followed by accounts of how Islamic law is being practised today. Key modern institutions are discussed, such as the parliament, judiciary, dar al-ifta, political parties, and other important organizations. It continues by analysing some key concepts in our modern times: nation-state, citizenship, ummah, dhimmah (recognition of the status of certain non-Muslims in Islamic states), and the rule

of law. The book investigates how in recent times, more and more fatwas are issued collectively rather than emanating from an individual scholar. The authors then evaluate how Islamic law deals with family matters, economics, crime, property and alternative dispute resolution. Lastly, the book revisits certain contemporary issues of debate in Islamic law such as the burqa, halal food, riba (interest) and apostasy. *Modern Perspectives on Islamic Law* will become a standard scholarly text on Islamic law. Its wide-ranging coverage will appeal to researchers and students of Islamic law, or Islamic studies in general. Legal practitioners will also be interested in the comparative aspects of Islamic law presented in this book.

### The Future of Child and Family Law

BRILL

Drawing on theories of legal pluralism, this book tests whether and to what extent claims of the modern nation-state laws to exclusive dominance over other spheres are tenable, and reassesses the operation of law in society. Incorporating a combination of legal theory, post-modern critique and socio-legal analysis of three current jurisdictions in which Muslims play an important role, the volume identifies Muslims' current socio-legal situation and attitudes from different perspectives and reconciles them with modern legal systems in three key countries. It analyzes the conflict between the assumptions of modern legal systems and plural legal realities, and also examines attempts by modern

legal systems to impose official laws in the face of resistance from unofficial Muslim laws and discusses possible responses to the challenge of dynamic Muslim legal pluralism. A valuable resource for students, researchers and academics with an interest in the areas of Islamic law and politics, and the interplay between secular law and religious/cultural traditions.

*Muslim Families, Politics and the Law*  
Routledge

Offering a comprehensive and critical review of many important dimensions in English family law, this text offers a new approach to aspects of private international law, such as the recognition of foreign marriages and divorce and the conflicts rules governing financial relief on divorce, matrimonial property and

succession.

Family Law in Britain and America in the New Century Syracuse University Press  
Former Archbishop of Canterbury Rowan Williams triggered a storm of protest when he suggested that some accommodation between British law and Islam's shari'a law was 'inevitable'. His foundational lecture introduced a series of public discussions on Islam and English Law at the Royal Courts of Justice and the Temple Church in London. This volume combines developed versions of these discussions with new contributions. Theologians, lawyers and sociologists look back on developments since the Archbishop spoke and forwards along trajectories opened by the historic lecture. The contributors provide and advocate a

forward-looking dialogue, asking how the rights of all citizens are honoured and their responsibilities met. Twenty specialists explore the evolution of English law, the implications of Islam, shari'a and jihad and the principles of the European Convention on Human Rights, family law and freedom of speech. This book is for anyone interested in the interaction between religion and secular society.

**Muslim Family Law** Routledge

In *Shari'a Councils and Muslim Women in Britain* Tanya Walker draws on extensive fieldwork to radically reshape the public understanding of the Shari'a councils and the motivations of Muslim women who use them.

**Islamic Family Law** Routledge

This book focuses on Islamic family law

as interpreted and applied by judges in Europe, Australia and North America. It uses court transcriptions and observations to discuss how the most contentious marriage-related issues - consent and age of spouses, dower, polygamy, and divorce - are adjudicated. The solutions proposed by different legal systems are reviewed, and some broader questions are addressed: how Islamic principles are harmonized with norms based on gender equality, how parties bargain strategically in and out of court, and how Muslim diasporas align their Islamic worldview with a Western normative narrative.

**Muslim Families, Politics and the Law** Routledge

Using original empirical data and critiquing existing research, Samia Bano

explores the experience of British Muslim woman who use Shari'ah councils to resolve marital disputes. She challenges the language of community rights and claims for legal autonomy in matters of family law showing how law and community can empower as well as

restrict women.

Issues of Law and Justice in Singapore  
Oxford University Press

A study on the Islamic ADR institutions in England through the lens of Comparative Law and Geopolitics.

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