Record Nr. UNINA9910456294903321 Autore Moussa Jasmine Titolo Competing fundamentalisms and Egyptian women's family rights [[electronic resource]]: international law and the reform of Shari'aderived legislation / / by Jasmine Moussa Leiden;; Boston,: Brill, 2011 Pubbl/distr/stampa **ISBN** 1-283-16148-6 9786613161482 90-04-20310-9 Descrizione fisica 1 online resource (320 p.) Collana Brill's Arab and Islamic laws series Disciplina 342.6208/78 Soggetti Women - Legal status, laws, etc - Egypt Women (Islamic law) Electronic books. Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Includes bibliographical references and index. Nota di bibliografia Nota di contenuto Preliminary Material / J. Moussa -- Introduction / J. Moussa -- 1. The Human Rights Of Women In A Specific Cultural Context / J. Moussa --2. The Sources Of International Women's Rights Law And International Enforcement Mechanisms / J. Moussa -- 3. The Prohibition Of Discrimination Under CEDAW And The Role Of The CEDAW Committee / J. Moussa -- 4. Shari'A-Based Reservations: The Law And Politics Of Invalidity / J. Moussa -- 5. Shari'A Law And The Development Of Egypt' s Personal Status Legislation / J. Moussa -- 6. Gender (In)equality And The Shari'a In Egypt's Constitution: The Role Of The Supreme Constitutional Court / J. Moussa -- 7. Marriage, Divorce And Inheritance: Unequal Power Structures And Women's Equality Rights / J. Moussa -- 8. The Positive Prospects For Personal Status Law Reform: Two Steps Forward / J. Moussa -- 9. Domestic Enforcement Of Women' s Human Rights / J. Moussa -- Conclusion / J. Moussa -- Select Bibliography / J. Moussa -- Index / J. Moussa.

Sommario/riassunto

The debate surrounding women's family rights under Shar'a -derived law has long been held captive to the competing fundamentalisms of universalism and cultural relativism. These two conflicting perspectives

fail to promote practical tools through which such laws can be reformed, without prejudice to their religious nature. This book examines the development of Egypt's Shar'a -derived family law, and its compatibility with international obligations to eliminate discrimination against women. It highlights the interplay between domestic reform processes, grounded in the tools of takhayyur, talfiq and ijtihad, and international institutions and mechanisms. In attempting to reconcile these two seemingly dissonant value systems, this book underscores the shortcomings of Egypt's legislation, proposes particular reforms, while simultaneously presenting alternatives to insular interpretations of international women's rights law.