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ISLAMIC
VEILING
IN LEGAL
DISCOURSE

ANASTASIA
VAKULENKO

with an introduction by J. M. H. VAN DEN BERG



Islamic Veiling In Legal Discourse

Gokhan Bacik



Islamic Veiling In Legal Discourse:

Islamic Veiling in Legal Discourse Anastasia Vakulenko, 2012-09-10 Islamic Veiling in Legal Discourse looks at relevant law and surrounding discourses in order to examine the assumptions and limits of the debates around the issue of Islamic veiling that has become so topical in recent years For some Islamic veiling indicates a lack of autonomy the oppression of women and the threat of Islamic radicalism to western secular values For others it suggests a positive autonomous choice a new kind of gender equality and a legitimate exercise of one's freedom of religion a treasured right in democratic societies This book finds that across seemingly diverse legal and political traditions a set of discursive frameworks the preoccupation with autonomy and choice the imperative of gender equality and a particular western understanding of religion and religious subjectivity shape the positions of both proponents and opponents of various restrictions on Islamic veiling Rather than take a position on one or the other side of the debate the book focuses on the frameworks themselves highlighting their limitations

Law and Justice Review-22 Türkiye Adalet Akademisi, Law and Justice Review 22 Islam and Postcolonial Discourse Esra Mirze Santesso, James McClung, 2017-01-27 Largely though not exclusively as a legacy of the 2001 attack on the World Trade Center Islamic faith has become synonymous in many corners of the media and academia with violence which many believe to be its primary mode of expression The absence of a sophisticated recognition of the wide range of Islamic subjectivities within contemporary culture has created a void in which misinterpretations and hostilities thrive Responding to the growing importance of religion specifically Islam as a cultural signifier in the formation of a postcolonial self this multidisciplinary collection is organized around contested terms such as secularism Islamopolitics female identity and Islamophobia The overarching goal of the contributors is to facilitate a deeper understanding of the full range of experiences within Islam as well as the figure of the Muslim thus enabling a new set of questions about religion's role in shaping postcolonial identity

Contemporary Rationalist Islam in Turkey Gokhan Bacik, 2021-07-29 Nineteenth century Istanbul was an intellectual hub of rich discussions about Islam in which leading reformists had a significant role Turkey today appears to be an intellectual vacuum to anyone searching for ongoing critical engagement with Islam The main purpose of this book is to adjust this view of Turkey by showcasing the modern Turkish theologians who challenge mainstream Sunni interpretations of Islam Labelling these theologians as rationalist rather than reformist the author reveals that their theology is inherently anti establishment and thus a religiously oriented challenge to the hegemony of the state sanctioned Islam for the rationalists Turkey's problems have their origins in the Sunni interpretation of Islam Contemporary Rationalist Islam in Turkey analyses nine prominent scholars of Islam who provide a religious opposition to the Sunni revival in Turkey H. Seyin Atay, Yasar Nuri Z. Erk. M. Hayri Kirbasoglu, İlhami G. İler, R. İhsan Elia, İ. K. Merzsoy, Mustafa Z. Erk. İ. İ. Balci and Mehmet Azimli These scholars' writings are almost exclusively published in Turkish so this book makes their ideas available in English for the first time It also examines the scope, methodology and argumentation of the scholars' theology

categorizing their theological interpretations from historicist to universalist and from empiricist to rationalist In identifying a new rationalist school of Turkish theology and outlining its different manifestations the book breaks new ground It fills a significant gap in the literature on Islamic studies and reveals an understudied dimension of Turkey and Turkish Islam beyond the well known ideas of the AKP and the Gulenists

Wearing the Niqab Anna Piela,2021-01-14 Bringing niqab wearers voices to the fore discussing their narratives on religious agency identity social interaction community and urban spaces Anna Piela situates women s accounts firmly within UK and US socio political contexts as well as within media discourses on Islam The niqab has recently emerged as one of the most ubiquitous symbols of everything that is perceived to be wrong with Islam barbarity backwardness exploitation of women and political radicalization Yet all these notions are assigned to women who wear the niqab without their consultation niqab debates are held without their voices being heard and when they do speak their views are dismissed However the picture painted by the stories told here demonstrates that for these women religious symbols such as the niqab are deeply personal freely chosen multilayered and socially situated Wearing the Niqab gives voice to these women and their stories and sets the record straight enhancing understanding of the complex picture around niqab and religious identity and agency

Feminist Trouble Éléonore Lépinard,2020 This is an open access title available under the terms of a CC BY NC ND 4 0 International license It is free to read at Oxford Scholarship Online and offered as a free PDF download from OUP and selected open access locations Feminism is in trouble For more than two decades Islamic veils niqabs and burkinis forced and arranged marriages polygamy and Sharia rules concerning women have been the object of intense public scrutiny and legal regulations in many Western countries especially in Europe and feminists have been actively engaged on both sides of the debates In Feminist Trouble l onore L pinard draws on extended fieldwork with numerous women s organizations in France and Quebec Giving voice to women of color and white women L pinard dissects hierarchies of privilege in particular whiteness in feminist politics grappling with Islam and Islamic veiling debates to understand how these changes have transformed contemporary feminist movements intersectional politics and the feminist collective subject A critical look at feminism its divisions and its future Feminist Trouble argues that feminism should not be centered around an identity women but should instead focus on a feminist ethic of responsibility which reckons with power asymmetries and requires women to prioritize their ethical responsibility to the feminist project

Social Histories of Iran Stephanie Cronin,2021-01-28 A social history of modern Iran from below focused on subaltern groups and contextualised by developments within Middle Eastern and global history

Legal Pluralism in Central Asia Mahabat Sadyrbek,2017-12-22 Legal Pluralism in Central Asia reports on historical anthropological and legal research which examines customary legal practices in Kyrgyzstan and relates them to wider societal developments in Central Asia and further afield Using the term legal pluralism the book demonstrates that there is a spectrum of approaches available avenues forms of local law and indigenous popular justice in Kyrgyzstan s predominantly rural communities which can be labelled

living law Based on her extensive original research Mahabat Sadyrbek shows how contemporary peoples systematically address challenging problems such as disputes violence accidents crime and other difficulties and thereby seek justice redress punishment compensation readjustment of relations or closure She demonstrates that local law expressed through ritually structured communicative exchange through dictums and proverbs with binding characters and different legal practices or processes undertaken in specific ways deem the solutions appropriate and acceptable The reader is thereby enabled to see the law in people s deepest assumptions and beliefs in codes of shame and honour in local mores and ethics as well as in religious terms In this way the book reveals the dynamic changing and living character of law in a specific context and in a region hitherto insufficiently researched within legal anthropology

The Muslim Question in Europe Peter O'Brien,2016-02-29 In this book the author argues that the vehement controversies surrounding European Muslims are better understood as persistent unresolved intra European political tensions rather than as a clash between Islam and the West This title was made Open Access by libraries from around the world through Knowledge Unlatched

Lives of Circumcised and Veiled Women Debangana Chatterjee,2023-08-11 The book unravels the politics of representation and the process of exoticising women s bodies through the prism of external gaze and knowledge production It brings out the intricacies of representational discourses around cultural practices of female circumcision FC female genital cutting FGC and Islamic veiling Focusing on crucial international legal texts and national legislation the book gives an overview of the cultural nuances in FC FGC and juxtaposes it with the Indian variation khafz The author studies the international veiling narratives that conjure up a fractured discourse containing aspects of colonialism Islamophobia and Islamic fashion and maps them with the regional variations of Islamic purdah in India The volume explores the cultural practice of khafz and purdah through narratives in India portraying how representational factors from international discourses reflect on the Indian context and vice versa Amid the world of binaries and polarised opinions the book offers a nuanced analysis of the space in between characterised by narratives from women By situating women s narratives in relation to family community state and international politics the book explores the global Indian interplay of discourses on FC FGC and Islamic veiling This volume will be of interest to scholars students and readers of gender studies feminism cultural and religious studies sociology South Asian studies and International Relations

To Live Like a Moor Olivia Remie Constable,2018-02-02 To Live Like a Moor traces the many shifts in Christian perceptions of Islam associated ways of life which took place across the centuries between early Reconquista efforts of the eleventh century and the final expulsions of Spain s converted yet poorly assimilated Morisco population in the seventeenth

Treading on Sacred Grounds Noel Villaroman,2015-02-11 In Treading on Sacred Grounds Places of Worship Local Planning and Religious Freedom in Australia Noel Villaroman analyses the engagement of religious groups with local councils in Australia in their applications to build places of worship Such applications often encounter opposition from local residents who are reluctant to share their neighbourhood or street with the newly arrived

and less known other The local councils being the planning authority that grants or refuses such applications are caught in the middle of these disputes Using the lens of international human rights law the book probes the local councils actions and their repercussions to religious freedom The book has concrete legal and social implications that it is bound to impact not only legal scholarship but also crucially policy makers

The European Court of Human Rights and the Freedom of Religion or Belief Jeroen Temperman,T. Jeremy Gunn,Malcolm D. Evans,2019-01-04 As the tensions involving religion and society increase the European Court of Human Rights and the Freedom of Religion or Belief is the first systematic analysis of the first twenty five years of the European Court s religion jurisprudence The Court is one of the most significant institutions confronting the interactions among states religious groups minorities and dissenters In the 25 years since its first religion case Kokkinakis v Greece the Court has inserted itself squarely into the international human rights debate regarding the freedom of religion or belief The authors demonstrate the positive contributions and the significant flaws of the Court s jurisprudence involving religion society and secularism

Canada's Surprising Constitution Howard Kislowicz,Richard J. Moon,Kerri Anne Froc,2024-05-01 Constitutions are meant to endure providing both stability and adaptability Their public legitimacy depends on the ability of the courts and other interpreters to get this balance right Why then has Canada s constitution only four decades old produced so many surprises Canada s Surprising Constitution investigates unexpected interpretations of the Constitution Act 1982 by the courts In this illuminating collection of essays leading scholars reflect on these surprising interpretations focusing on fundamental freedoms equality Aboriginal and language rights structural features of the Charter as well as the courts approach to the interpretation of the Constitution The public legitimacy of the Constitution requires that it be seen as both relevant as circumstances change but also true to the values it embodies The responsibility for getting this balance right lies not only with judges but also with legislatures executives scholars advocates and public interest organizations The thoughtful work of this volume is crucial in identifying accounting for and looking ahead anticipating potential surprises Its thorough analysis also offers a view of the Constitution in action

Nazar:Vision, Belief, and Perception in Islamic Cultures Samer Akkach,2021-12-13 Na ar literally vision is a unique Arabic Islamic term concept that offers an analytical framework for exploring the ways in which Islamic visual culture and aesthetic sensibility have been shaped by common conceptual tools and moral parameters It intertwines the act of seeing with the act of reflecting thereby bringing the visual and cognitive functions into a complex relationship Within the folds of this multifaceted relationship lies an entangled web of religious ideas moral values aesthetic preferences scientific precepts and socio cultural understandings that underlie the intricacy of one s personal belief Peering through the lens of na ar the studies presented in this volume unravel aspects of these entanglements to provide new understandings of how vision belief and perception shape the rich Islamic visual culture Contributors Samer Akkach James Bennett Sushma Griffin Stephen Hirtenstein Virginia Hooker Sakina Nomanbhoy Shaha Parpia Ellen Philpott Teo Wendy M K Shaw

Un-Veiling Dichotomies Giorgia

Baldi,2021-09-27 This book analyzes the implication of secular liberal values in Western and human rights law and its impact on Muslim women It offers an innovative reading of the tension between the religious and secular spheres The author does not view the two as binary opposites Rather she believes they are twin categories that define specific forms of lives as well as a specific notion of womanhood This divergence from the usual dichotomy opens the doors for a reinterpretation of secularism in contemporary Europe This method also helps readers to view the study of religion vs secularism in a new light It allows for a better understanding of the challenges that contemporary Europe now faces regarding the accommodation of different religious identities For instance one entire section of the book concerns the practice of veiling and explores the contentious headscarf debate It features case studies from Germany France and the UK In addition the analysis combines a wide range of disciplines and employs an integrated comparative and inter disciplinary approach The author successfully brings together arguments from different fields with a comparative legal and political analysis of Western and Islamic law and politics This innovative study appeals to students and researchers while offering an important contribution to the debate over the role of religion in contemporary secular Europe and its impact on women s rights and gender equality

Comparative Law as Critique Günter Frankenberg,2016-04-29 Presenting a critique of conventional methods in comparative law this book argues that for comparative law to qualify as a discipline comparatists must reflect on how and why they make comparisons G nter Frankenberg discusses not only methods and theories but also the ethical implications and the politics of comparative law in bringing out the different dimensions of the discipline *Comparative Law as Critique* offers various approaches that turn against the academic discourse of comparative law including analysis of a widespread spirit of innocence in terms of method and critique of human rights narratives It also examines how courts negotiate differences between cases regarding Muslim veiling The incisive critiques and comparisons in this book will be of essential reading for comparatists working in legal education and research as well as students of comparative law and scholars in comparative anthropology and social sciences

The Islamic Veil Elizabeth M. Bucar,2012-09-01 Banned in public institutions in France and Turkey mandatory in Saudi Arabia and Iran no other item of clothing incites such furious reactions The Islamic veil a catch all term that encompasses everything from a simple headscarf to the all covering burqa has over the past decade become a heated battleground for debates on everything from women s rights to multiculturalism Elizabeth Bucar goes beyond the simplistic question of whether the veil is good or bad to ask instead why it has become so politically symbolic Cutting through the condescension and fear that typify the debate she reveals the huge diversity of women s experiences of veiling Her illuminating global perspective takes in everything from the new veiling movement among the Egyptian middle class to hijab fashion in Indonesia It will be invaluable to anyone looking to understand the veil beyond its status as shorthand for Islamic fundamentalism and female oppression

The Routledge International Handbook to Veils and Veiling Anna-Mari Almila,David Inglis,2017-07-06 Veils and veiling are controversial topics in social and political

life generating debates across the world The veil is enmeshed within a complex web of relations encompassing politics religion and gender and conflicts over the nature of power legitimacy belief freedom agency and emancipation In recent years the veil has become both a potent and unsettling symbol and a rallying point for discourse and rhetoric concerning women Islam and the nature of politics Early studies in gender doctrine and politics of veiling appeared in the 1970s following the Islamic revival and re veiling trends that were dramatically expressed by 1979 s Iranian Islamic revolution In the 1990s research focussed on the development of both an Islamic culture industry and greater urban middle class consumption of Islamic garments and dress styles across the Islamic world In the last decade academics have studied Islamic fashion and marketing the political role of the headscarf the veiling of other religious groups such as Jews and Christians and secular forms of modest dress Using work from contributors across a range of disciplinary backgrounds and locations this book brings together these research strands to form the most comprehensive book ever conceived on this topic As such this handbook will be of interest to scholars and students of fashion gender studies religious studies politics and sociology

The Experiences of Face Veil Wearers in Europe and the Law Eva Brems,2014-09-11 One of the most remarkable aspects pertaining to the legal bans and societal debates on the face veil in Europe is that they rely on assumptions which lack any factual basis To rectify this Eva Brems researched the experiences of women who wear a face veil in Belgium and brought her research results together with those of colleagues who did the same in four other European countries Their findings which are outlined in this volume move the current discussion on face veil bans forward by providing a much needed insider perspective In addition a number of legal and social science scholars comment on the empirical findings and on the face veil issue more generally

Enjoying the Song of Expression: An Emotional Symphony within **Islamic Veiling In Legal Discourse**

In a world used by displays and the ceaseless chatter of fast transmission, the melodic splendor and mental symphony produced by the published term frequently fade into the background, eclipsed by the persistent noise and interruptions that permeate our lives. Nevertheless, set within the pages of **Islamic Veiling In Legal Discourse** a wonderful literary value filled with fresh thoughts, lies an immersive symphony waiting to be embraced. Crafted by a wonderful musician of language, that fascinating masterpiece conducts visitors on a psychological journey, skillfully unraveling the concealed tunes and profound influence resonating within each carefully crafted phrase. Within the depths with this moving examination, we will examine the book is central harmonies, analyze its enthralling writing type, and submit ourselves to the profound resonance that echoes in the depths of readers souls.

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