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## Cultural Accommodation

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Adjudication In Religious  
Family Laws

Adjudication in Religious  
Family Laws takes its  
rightful place amongst  
cultural pluralist and  
cosmopolitan approaches to  
law (e.g. Merry 2006, Wilson  
2006, Santos 2006) -  
approaches that similarly  
stress the complexity and  
the unevenness of lawmaking  
and adjudication on the  
ground. The writing is of  
great importance, therefore,

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to legal, political, feminist and anthropological scholarship that engages critically with questions surrounding legal reform in the context of a polycentric legal ...

ADJUDICATION IN RELIGIOUS  
FAMILY LAWS. CULTURAL ...

In so doing, they fracture the homogenized religious identities grounded in hierarchical gender relations within the conjugal family. The shared adjudication model facilitates diversity as it allows the construction of hybrid religious identities, creates fissures in ossified group boundaries and

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provides institutional  
spaces for ongoing  
intersocietal dialogue.

Adjudication in Religious  
Family Laws by Gopika  
Solanki

ADJUDICATION IN RELIGIOUS  
FAMILY LAWS How do  
multireligious and  
multiethnic societies  
construct accommodative  
arrangements that can both  
facilitate cultural  
diversity and ensure wom-  
en's rights? Based on a rich  
ethnography of legal  
adjudication of marriage and  
divorce across formal and  
informal arenas in Mumbai,  
this book argues



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## ADJUDICATION IN RELIGIOUS FAMILY LAWS

Adjudication in Religious  
Family Laws: Cultural

Accommodation, Legal  
Pluralism, and Gender  
Equality in India.

Adjudication in Religious  
Family Laws: Cultural ...

This book argues that the  
shared adjudication model in  
which the state splits its  
adjudicative authority with  
religious groups and other  
societal sources in the  
regulation of marriage can  
potentially balance cultural  
rights and gender equality.  
In this

Adjudication in Religious

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Family Laws – Family Law

Law

Adjudication in religious  
family laws: Cultural

accommodation, legal  
pluralism, and gender  
equality in India

Adjudication in religious  
family laws: Cultural ...

Adjudication in Religious  
Family Laws: Cultural  
Accommodation, Legal  
Pluralism, and Gender...

Ramachandran, Vibhuti

2012-06-01 00:00:00 The  
possibilities and

implications of legal  
pluralism have long  
interested scholars

exploring the Indian state's  
relationship to family,

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religion, and gender  
equality. In a situation  
complicated by violent  
conflicts between Hindus and  
Muslims at the time of  
India's independence,  
lawmakers faced a  
predicament unique to  
multireligious societies  
with a colonial ...

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Family Laws: Cultural ...  
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accommodation legal  
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equality in india cambridge  
studies in law and society  
that we will totally offer.  
It is not regarding the  
costs. It's virtually what

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you need currently. This  
adjudication in religious  
family laws cultural Page  
4/30.

## Cambridge Studies In Law

Religious Family  
Adjudication Family Laws And  
Gender ...

This book argues that the  
shared adjudication model in  
which the state splits its  
adjudicative authority with  
religious groups and other  
societal sources in the  
regulation of marriage can  
potentially balance cultural  
rights and gender equality.  
In this model the civic and  
religious sources of legal  
authority construct,  
transmit and communicate  
heterogeneous notions of the

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conjugal family, gender  
relations and religious  
membership within the  
interstices of state and  
society.

## And Society

Adjudication in Religious  
Family Laws (Cambridge  
Studies ...

Based on a study of legal  
adjudication of marriage and  
divorce across formal and  
informal arenas in  
contemporary Mumbai, this  
book argues that the shared  
adjudication model in which  
the state splits its  
adjudicative authority with  
religious groups and civic  
bodies in the regulation of  
marriage can potentially  
balance cultural rights and

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gender equality.

## Legal Pluralism And Adjudication in Religious Family Laws: Cultural ...

Adjudication in religious  
family laws: Cultural  
accommodation, legal  
pluralism, and gender  
equality in India

Adjudication in religious  
family laws: Cultural ...  
In so doing, they fracture  
the homogenized religious  
identities grounded in  
hierarchical gender  
relations within the  
conjugal family. The shared  
adjudication model  
facilitates diversity as it  
allows the construction of  
hybrid religious identities,

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creates fissures in ossified  
group boundaries and  
provides institutional  
spaces for ongoing  
intersocietal dialogue.

## And Society

Adjudication in Religious  
Family Laws eBook by Gopika

...

In Adjudication in Religious  
Family Laws: Cultural  
Accommodation, Legal  
Pluralism, and Gender  
Equality in India, Gopika  
Solanki provides a  
convincing defence of the  
Indian policy of legal  
pluralism for governing  
marriage and divorce among  
Hindus and Muslims. The  
author contends that, by  
“split [ing] its

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adjudicative authority with social actors and organizations in the regulation of marriage and divorce among a sector of religious and caste group and the other actors" (p. 10), the Indian ...

Gopika Solanki: Adjudication in Religious Family Laws ... In so doing, they fracture the homogenized religious identities grounded in hierarchical gender relations within the conjugal family. The shared adjudication model facilitates diversity as it allows the construction of hybrid religious identities, creates fissures in ossified



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group boundaries and  
provides institutional  
spaces for ongoing  
intersocietal dialogue.

## Cambridge Studies In Law And Society

Argues that the shared  
adjudication model regarding  
the regulation of marriage  
can potentially balance  
cultural rights and gender  
equality.

Argues that the shared  
adjudication model regarding  
the regulation of marriage  
can potentially balance  
cultural rights and gender  
equality.

This book argues that the  
shared adjudication model in

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which the state splits its adjudicative authority with religious groups and other societal sources in the regulation of marriage can potentially balance cultural rights and gender equality. In this model the civic and religious sources of legal authority construct, transmit and communicate heterogeneous notions of the conjugal family, gender relations and religious membership within the interstices of state and society. In so doing, they fracture the homogenized religious identities grounded in hierarchical gender relations within the conjugal family. The shared

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adjudication model facilitates diversity as it allows the construction of hybrid religious identities, creates fissures in ossified group boundaries and provides institutional spaces for ongoing intersocietal dialogue. This pluralized legal sphere, governed by ideologically diverse legal actors, can thus increase gender equality and individual and collective legal mobilization by women effects institutional change.

Multi-religious and multi-ethnic democracies face the challenge of constructing

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accommodative arrangements that can both facilitate cultural diversity and ensure women's rights within religio-cultural groups.

This thesis is an investigation of the Indian state's policy of legal pluralism in recognition of religious family laws in India. The Indian state has adopted a model of what I have termed "shared adjudication" in which the state shares its adjudicative authority with internally heterogeneous religious groups and civil society in the regulation of marriage among Hindus and Muslims.

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Families and family law have encountered significant challenges in the face of rapid changes in social norms, demographics and political expectations. The Cambridge Companion to Comparative Family Law highlights the key questions and themes that have faced family lawyers across the world. Each chapter is written by internationally renowned academic experts and focuses on which of these themes are most significant to their jurisdictions. In taking this jurisdictional approach, the collection will explore how different countries have tackled these

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issues. As a result, the collection is aimed at students, practitioners and academics across a variety of disciplines interested in the key issues faced by family law around the world and how they have been addressed.

Recently, new methods of dispute resolution in matters of family law—such as arbitration, mediation, and conciliation—have created new forms of legal culture that affect minority communities throughout the world. There are now multiple ways of obtaining restitution through nontraditional alternative

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dispute resolution (ADR) mechanisms. For some, the emergence of ADRs can be understood as part of a broader liberal response to the challenges presented by the settlement of migrant communities in Western liberal democracies. Questions of rights are framed as "multicultural challenges" that give rise to important issues relating to power, authority, agency, and choice. Underpinning these debates are questions about the doctrine and practice of secularism, citizenship, belonging, and identity. Gender and Justice in Family Law Disputes offers insights into how

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women's autonomy and personal decision-making capabilities are expressed via multiple formal and nonformal dispute-resolution mechanisms, and as part of their social and legal lived realities. It analyzes the specific ways in which both mediation and religious arbitration take shape in contemporary and comparative family law across jurisdictions. Demarcating lines between contemporary family mediation and new forms of religious arbitration, Bano illuminates the complexities of these processes across multiple national contexts.



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Since the early 1990s, politicians, policymakers, the media and academics have increasingly focused on religion, noting the significant increase in the number of cases involving religion. As a result, law and religion has become a specific area of study. The work of Professor Norman Doe at Cardiff University has served as a catalyst for this change, especially through the creation of the LLM in Canon Law in 1991 (the first degree of its type since the time of the Reformation) and the Centre for Law and Religion in 1998 (the first of its kind in the UK). Published to mark

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the twenty-fifth anniversary of the LLM in Canon Law and to pay tribute to Professor Doe's achievements so far, this volume reflects upon the interdisciplinary development of law and religion.

While there are many books on Islamic family law, the literature on its enforcement is scarce. This book focuses on how Islamic family law is interpreted and applied by judges in a range of Muslim countries - Sunni and Shi'a, as well as Arab and non-Arab. It thereby aids the understanding of shari'a law in practice in a number of

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different cultural and political settings. It shows how the existence of differing views of what shari'a is, as well as the presence of a vast body of legal material which judges can refer to, make it possible for courts to interpret Islamic law in creative and innovative ways.

This volume shows how and why legal empowerment is important for those exercising their religious rights under various jurisdictions, in conditions of legal pluralism. At the same time, it also questions the thesis that as societies

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become more modern, they also become less religious. The authors look beyond the rule of law orthodoxy in their consideration of the freedom of religion as a human right and place this discussion in a more plurality-sensitive context. The book sheds more light on the informal and/or customary mechanisms that explain the limited impact of law on individuals and groups, especially in non-Western societies. The focus is on discussing how religion and the exercise of religious rights may or may not empower individuals and social groups and improve access to human rights in

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general. This book is important reading for academics and practitioners of law and religion, religious rights, religious diversity and cultural difference, as well as NGOs, policy makers, lawyers and advocates at multicultural jurisdictions. It offers a contemporary take on comparative legal studies, with a distinct focus on religion as an identity marker.

The interaction between individual rights, which are often seen in secular terms, and religion is becoming an important and complex topic not only for academic study

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but for practical policy. This volume collects a range of writings from journals, edited collections and individual books which deal with different aspects of the interaction within the context of family life, and which appear with their original pagination. These studies have been selected because they throw a sharp light on central elements of the role of religion in determining the structure of the rights of family members in relation to one another, both from an historical and contemporary perspective. While many of the writings are focused on US and European systems, selected

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writings covering other systems illustrate the universal nature of the topic. The studies are accompanied by a reflective commentary from the editor which sets the writings in a broad context of social, constitutional and philosophical thought, with the aim of stimulating critical thought and discussion.

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