

Index

- Abdul Razak, Rafidah, see *first female judges*
Abd al-Razzaq, Amina, see *first female judges*
Abd al-Razzaq, Zaynab, see *first female judges*
Academic legal training 24
Aceh 102, 114–115, 117–119
Administrative court(s) 77–78, 82, 89, 103,
237 n. 3, 240 n. 9, 241 n. 17, 271, 284,
286–288
Administrative Judiciary Court 286
Administrative law 43, 268, 278
Administrative Prosecution 241 n. 17, 285,
289, 292–294, 296, 312
Admission 6, 24, 26, 54, 57, 60, 73, 87, 91–92,
225, 251, 285, 292, 298, 312
Adultery 59, 133, 136, 153 n. 4, 184, 186, 189–191,
192 n. 27, 195–196, 201, 210, 267 n. 8
Adversarial 37, 158
Al-‘Atţār, Najāh 239
Al-Ayubi, Na’ima 62, 64–65
Aleppo 238 n. 5, 241, 248–250
Alexandria 65, 80, 82, 292
Al-Gebali, Tehani, see *first female judges*
Al-Hasaka 238 n. 5
Ali, Muhammad 60–61
Alliance of Arab Women 289
Ali, Ben 187 n. 21
Alimony 11, 38, 41–42, 77, 78 n. 37, 85,
130–131, 301, 306–307
Al-Raqqā 238 n. 5, 253–254
Al-Saidi, Sally 292 n. 20, 294–296, 298
Al-Suweida 238 n. 5
Al-Zind, Ahmed 293
Anti-discrimination 24
Appointment in remote areas 225, 233
Arab Center for Independence of the
Judiciary 289
Assassination 266
Attitude 3, 25, 27, 32–34, 36–37, 39–43, 45,
113, 130, 159, 168, 174, 184, 193, 199, 213,
229, 245, 277, 300, 312
Authority for State Cases 285, 292–293

Bar 6, 23 n. 2, 54–55, 57, 69, 76, 78, 91, 266,
271, 278–280, 285
Batavia 72
Ba’th 237 n.1, 240
Bourguiba, Habib 9

Breadwinner 23 n. 3, 27, 58, 63, 186, 233
Bureaucratic 184, 196–198, 264, 304

Cairo 51, 60–62, 65, 80, 82, 156 n. 13, 284, 292,
294, 297, 299, 312
Care 3, 8–9, 16, 27, 30, 34, 37, 39, 42, 63, 115,
124–125, 130 n. 16, 131–133, 136, 149, 157
n. 17, 158, 185, 191, 193, 231–233, 242,
244–245, 247, 284, 297, 298, 302–303,
305
Career 11, 12, 24, 28, 35–36, 56–57, 59, 61, 65,
67, 71, 86, 91, 104, 164, 167, 194–195,
199–201, 224, 237–238, 240, 242–247,
250–252–257, 270, 294–295, 297, 312
Career obstacles 24
Caretaking duties 195
Chairi, Arifiyah, see *first female judges*
Change 23–25, 27–29, 31–33, 36, 44–46, 51,
58, 64, 68–69, 71, 73, 76, 77, 79, 84, 87,
103–104, 108–109, 124, 131, 133, 136, 161,
172, 178, 180–181, 186–187, 214–215,
218–219, 226–227, 231, 239, 259, 262,
266, 280–282, 291, 294, 298, 302,
308–309, 311
Chastity 190, 198–201
Children’s judge 83
Choice of husband 231
Civil Court(s) 6–9, 12, 14, 87–88, 90, 102,
106–111, 153, 163–166, 171, 205–206,
228, 238, 244–245, 247–248, 255–257,
308
Civil jurisdiction 165, 174–175, 244–245, 255,
257
Civil law 6, 31, 37, 56, 79, 104, 182, 237, 244,
254, 256–257, 293, 298, 305
Class 3, 18, 23, 26, 32, 43, 50, 58–59, 61, 72,
133, 180–181, 190, 195, 199, 206, 211–212,
214–215, 217–233, 263, 292
Classical scholars 1, 11, 154–155 n. 10, 172
Code of conduct 207, 217, 221–222, 229,
230 n. 32
Code Napoleon (Napoleonic Code, Napoleon)
56, 58, 63, 66, 68, 71, 189 n. 25
Colonial period 24, 102–103
Colonial power 24
Common law 5–6, 31, 37, 56, 79, 93, 153, 205,
212

- Communication 15, 30, 33, 35–36, 40, 44, 51, 81, 90, 125, 132, 149, 269, 279
 Complexity of legal arguments 155
 Computer technology 16, 303, 305
 Constitution 24, 26, 56, 62, 77–78, 82–83, 153, 161, 163–164, 178, 205, 209, 212, 285–288, 311
 Contemporary scholars 155, 161
 Corruption/non-approachability 14, 90, 126, 204, 212, 221–222, 229, 234, 299
 Court 2, 7, 11–12, 36, 41, 54–55, 57–58, 70, 77–78, 83, 85, 89–91, 103, 105, 110–111, 113, 116, 118, 125–126, 135, 137, 140, 143–144, 146, 162, 164–165, 168–169, 174 n. 64, 179, 181–189, 191–193, 197, 199, 200–201, 205 n. 2, 207–213, 215–216, 218–222, 224, 226–228, 230, 232–233, 238–239, 241–243, 246–250, 252, 254–257, 259–262, 264–265, 267–268, 270, 273, 284, 286, 294–295, 298, 300–301, 303–307, 309–310
 Courthouse(s) 11–12, 14, 54–55, 70, 83, 102, 125, 129–131, 135, 137, 140–141, 143–144, 199, 211, 222, 226–227, 233–234, 238–241, 243–244, 246–250, 252, 254–255, 259, 263–265, 269, 280
 Court of Cassation 146, 179, 183, 185–187, 189, 191–192, 201, 252, 254, 257, 284, 294–295, 298, 309
 Courtroom 54, 57–58, 101–102, 108, 110–114, 116–119, 121, 181, 184–185, 187, 189–190, 192, 194–196, 198, 202–203, 222, 254, 260–262, 296, 299–301
 Criminal Court(s) 11, 27, 39–40, 81, 166, 184, 205–206, 229, 237–238, 242–246, 253–256, 264–265, 292, 294–296
 Critical legal Studies 180
 Critical mass 29
 Culture 14, 44, 51, 60, 124, 170, 230, 238 n. 4, 239, 246–247
 Custodial disputes 157
 Custody 9, 11, 27, 38, 42, 63, 79, 114, 156–157, 165, 167–168, 174, 179, 199, 260–261, 302
 Customary norms/practices 204, 206, 233
 Damages 184–187, 189, 191, 193, 195, 197, 201
 Damascus 11, 17, 237–238, 240–244, 246–248, 250–255
 Damascus countryside 238, 246
 Dar'a 238 n. 5
 Day-care facility for children 232
 Decision-making 4–5, 30, 41, 56, 78, 80, 125–126 n. 4, 129, 136, 149, 151, 174, 181, 219, 223, 225, 253, 274 n. 24
 Deir Ez-zor 238, 241
 Development politics 24
 Difference 4–6, 10, 25, 29–31, 33–34, 36–37, 42, 58, 92–93, 112, 117, 123–126, 130, 137, 140–141, 149, 155, 167, 172, 174, 180–181, 190, 192, 195, 204, 211–212, 217, 222, 229, 231, 238, 251, 273, 276, 290, 298–299, 309
 Difference theorists 31
 Discretion 129, 147, 179–180, 183, 186, 189, 195, 215, 229, 256, 294, 302, 305, 309
 Divorce 4, 9–11, 16–19, 34, 37–38, 42, 46, 61, 63, 73–74, 78–79, 84–85, 97, 112–113, 115–116, 120–121, 124, 129–131, 138, 146, 148, 150, 152–153, 157, 162, 165, 168, 174, 180–201, 203, 214, 217–220, 253, 257, 260–262, 302–303, 307–311, 313–316
 Dorp, van, Elisabeth (Elise) 67, 69
 Dower 16, 214, 261, 307–309
 Dowry 220
 Dress code 224, 227–228, 233
 Dual legal system 153
 Duke
 Duke approach (ethic of justice) 13, 8, 39, 125–128, 143, 148–149, 307
 Portia approach (ethic of care) 3, 8, 16, 37, 39, 42, 284, 290, 302, 305, 310
 Economy 27
 Economic court 284, 295, 299–300, 304, 310
 Education 4–7, 25–28, 31, 33, 43–44 n. 38, 51, 56, 58–67, 70–75, 77, 79, 84, 87, 91, 93, 102, 108, 119, 124, 135, 140–141, 149, 161, 169, 171, 207–208, 218, 224, 226, 241, 275, 293
 Educational reform 59
 Effects of feminization 31
 Egypt 1, 4–7, 9, 13–16, 18–19, 42, 51, 54–58, 60–65, 67, 70, 72, 74–80, 82, 87, 90–93, 128 n. 10, 134 n. 21, 156, 239, 241–242, 266, 274, 284–285, 287–294, 296–305, 307, 310–311 n. 55
 Emotion 83, 105, 173–174, 196, 198–199, 210, 219–220, 262, 273, 295, 299–300, 303–305

- Emotional disputes 157
- Empathy 3, 27, 32, 35, 37, 40–42
- Empowerment 11, 114–115, 137 n. 24, 139 n. 27, 185 n. 16, 239
- Ennahda 178
- Equality 1, 3, 8, 10, 23–24, 26, 28 n. 11, 36, 45, 58, 77–78 n. 38, 92, 102, 109, 124, 137 n. 24, 139 n. 27, 153 n. 5, 163, 168, 178, 274 n. 24, 285–288, 292, 302
- Ethics 32, 39, 284, 287
- Ethic of care 3, 8, 16, 37, 39, 42, 149, 284, 290, 302, 305, 310
- Ethic of justice 3, 8, 39, 125, 140–149, 307
- Europeanization 44 n. 39
- Family 2, 9, 12, 14, 16, 39 n. 28, 40, 42, 45 n. 42, 58–59, 63, 73, 78 n. 37, 81, 93, 105, 116, 126, 130, 134, 137, 143, 179, 182–187, 189–196, 198–199, 214 n. 22, 216, 218–219, 224, 226, 229, 231, 242, 247, 259, 262, 264–265, 268, 270, 287, 295–297, 299–302, 304–310
- Family breakdown 308
- Family chamber 179–183, 187–190, 192–194, 196–198, 200
- Family Code 178–179, 182, 186, 189–190
- Family court 2, 7, 9, 12, 14, 42, 81, 126 n. 4, 143–144, 156, 173, 224, 229, 233, 242, 259, 262, 264–265, 270–271, 284, 292, 295–297, 299–310
- Family law 2, 4, 6–7, 9–12, 38, 41–42, 44, 56 n. 7, 58, 63, 77–78 n. 37, 85, 91, 101, 107, 123–126, 128–130, 136–138, 145, 147–149, 157, 165–166 n. 42, 168, 170, 172, 178–179, 181–182, 184–185, 190–191, 193–195, 197, 199–200, 205, 210, 219, 229, 242, 259, 284, 298, 302–304, 310
- Family litigation 156
- Farooq Rooshna, Jameela, see *first female judges*
- Federal Shari'a Court 12, 14, 205, 206, 207–210
- Female judges 35, 41, 43, 84, 101–102, 106–120, 130, 174, 181, 184, 194, 205–206, 213–214, 219, 223, 226–228, 231, 293–296, 299, 301, 304, 307, 309
- Female judgeship 155, 158–160, 163, 171
- Female judges lower courts 167, 173, 204–207, 210–211, 213, 233, 239, 269
- Female litigants 3, 8–9, 12, 41, 55, 102, 112–114, 119, 127–128, 130, 154, 158, 162, 170, 173, 186, 195, 197, 200, 204, 211–212, 217, 302, 304, 309
- Femininity 33, 58, 60, 227–228, 286, 298, 310
- Feminism 25, 31, 181, 187 n. 21, 303
- Feminization 25, 31, 181, 187 n. 21, 303
- Feudal values 224
- First female judges
- Abdul Razak, Rafidah (Malaysia) 162
- Abd al-Razzaq, Zaynab (Morocco) 123
- Abd al-Razzaq, Amina (Morocco) 123
- Chairi, Arifiyah (Indonesia) 35, 107
- Farooq Rooshna, Jameela (Afghanistan) 10
- Al-Gebali, Tehani (Egypt) 16, 79–80, 284, 291–292, 310–311 n. 54
- Hudig, Johanna Clementine (Netherlands) 83–84
- Murād, Ghāda (Syria) 11, 237, 239–240, 243
- Prayitno (Indonesia) 87, 107
- Ramli, Suraya (Malaysia) 162
- Rashid Khan, Khalida (Pakistan) 206
- Al-Zahri, Khulud (United Arab Emirates) 15
- First World War 26
- Formal and informal legal systems 212
- French revolution 23, 56, 58, 66
- Gender 3, 7, 8, 10, 13, 51, 62, 86, 114–116, 124, 126, 149, 167, 198, 200, 264, 269, 285, 293, 303, 306, 310
- Gender-coded cases 43, 181, 195, 200
- Gender effect 38, 43
- Gender equality 1, 3, 8, 23, 26, 28, 36, 45, 101–102, 124, 137, 139, 178, 287
- Gender issues 25, 38, 112–113, 117
- Gender perception 28
- Gender prejudice 26, 32, 35–36, 119, 158, 180 n. 10
- Gender sensitivity 114–115, 117, 119
- Gender training 36, 42
- Gilligan, Carol 2, 3, 29–31, 37, 39, 43, 124–125, 148, 284, 298, 302
- In a Different Voice* 2, 29, 124, 148
- Globalization 44
- Groningen 66–67

- Hakam 154
Hama 238
Harm 63 n. 14, 78, 140, 182, 184, 186–189,
191–195, 197–198, 200–201, 307–309
Hassan, Hanim Muhammad 78, 286
High Constitutional Court 79–80, 284–285,
291–292, 311 n. 54
Homs 238 n. 5, 241, 248, 250, 252
Household 63, 68, 80, 84, 86, 91, 124, 135, 160,
191, 194, 199, 214 n. 21, 231–232, 252, 255
Housewife 27, 69
Hudig, Johanna Clementine, see *first female
judges*
Human resources 28, 103
Human rights 2, 10, 13, 32, 38, 79, 211, 266,
274–276, 302
Hussein, Taha 61–62
- Ideology 26–27, 216, 276, 280, 286, 305
Idlib 238, 241, 248–249
Impartial 86, 155, 253, 299
Income level 185, 271
Indonesia 2, 4–10, 24, 51, 54–57, 60, 71,
73–76, 87–92, 101–114, 117–119, 160
Inheritance 12, 114–115, 129, 133, 136, 138, 149,
165, 209, 212, 214–216
Interest of children
Adoption (*tabanni*) 131–133, 150
Desired 134
Fictive kinship ties 133
Financial compensation (*ta'wid*)
148–149
Illegitimate 126, 131–134, 138, 142, 145,
147–150
Medical care 130 n. 16, 136, 226
Polygamy 135–136
Undesired 132, 133
- International donors 79
Interpretation of family law
‘Bouche de la loi’ 125, 128, 147, 180
Codification 71, 76, 123, 128–130, 156
Codified law 31, 71, 137, 129, 222
Discretion 129, 147, 179–180, 183, 186, 189,
195, 215, 229, 256, 294, 302, 305, 309
Flexibility 127–129, 210 n. 13, 213, 233
Non-legal considerations 127
Rigidity 128, 175
Social reality 126–127, 130–131, 137
Uniformity 169
- International Women's Year 239
Islam 89 n. 44, 116, 133, 143–144, 158 n. 19,
159, 204, 209, 210 n. 13, 212, 216, 227, 234,
262, 286, 289–290, 297
Islamic court 8, 71, 76, 87, 88, 90, 101–104,
106–114, 117–119, 168
Islamic courts law 76, 88
Islamic jurisprudence 11–12, 63 n. 14, 74 n. 31,
87, 101, 105, 128–130, 138, 154–155, 170,
172, 209–210 n. 13, 213, 287, 306, 310
Islamic rule 24
Islamism 208, 262–263
- Jacobs, Aletta 66
Jakarta 72, 75 n. 32, 90, 105, 110 n. 10, 111 n. 12
Java 71–73, 88, 91, 102, 105, 107–108, 117, 119
Judges 1–16, 23–46, 51–58, 68, 70–71, 75–77,
79–93, 101–120, 123–131, 134–137,
139–150, 153–175, 178–201, 204–215,
217–234, 238–239, 242–257, 259,
262–275, 278–279, 281, 284–285,
287–290, 292–312
Judges' appointment 1–2, 5–15, 51, 54–58,
62, 68–69, 71, 75–84, 87–88, 92, 140,
153–155, 157–164, 166–169, 171–173,
175–178, 204, 206, 207–210, 222–226,
228–229, 233, 237–246, 251, 254–256,
273, 284–285, 289–295, 298, 310–311
Judges' Club 80–81, 289–290, 293
Judgment 3, 12, 117, 155–156, 161, 173, 179,
183–184, 187, 192, 209–210, 213, 234, 243,
273, 306
Judicial body 239, 273
Judicial system 45, 108, 119, 154, 160, 175, 188,
206–207, 221, 237, 246, 257, 285, 300
Judicial training 3, 15
Judiciary 1–3, 5–8, 10, 12–16, 23–25, 28,
32–39, 41–42, 44–46, 51, 54–57, 66 n. 18,
70–71, 76, 79–80, 82–86, 89–93, 101–106,
109–111, 115–117, 119, 127, 153–155, 159–161,
162 n. 31, 163–164, 167–175, 178–179, 181,
195, 200–201, 204–211, 217, 221 n. 27, 223,
226, 230 n. 32, 231–233, 237–245, 249,
251, 254, 255–257, 263–264, 266,
268–270, 273–274, 276, 278–281,
284–286, 288–294, 296, 298–312
Judiciary/legal profession
Admission to 6, 24, 26, 54, 57, 91–92, 225,
298, 312

- Appointment to 6–7, 9, 167, 207, 237 n. 3,
240, 242, 244–245, 251 n. 39, 255,
285 n. 2
- Entry into 56, 80, 239, 241–242
- Inclusion in 1–3, 6, 10 n. 8, 13, 54, 83,
109, 112, 127, 162, 204, 207–211, 233, 291,
310
- Jurisprudence 11 n. 9, 12, 63, 74 n. 31, 78, 87,
101, 105, 128–130, 138, 146, 149, 154–155,
159, 170, 172, 179, 183, 189, 209, 210 n. 13,
213, 256, 287, 294, 306, 309–310
- Justice 8, 26, 91, 124, 149, 155, 204, 219, 224,
243, 274
- Khabwa* 290
- Khul'* 16, 185 n. 15, 291 n. 17, 307–309
- Kaḍīb, Salwā 241, 252
- Kohlberg, Lawrence 30
- Kok, Adolphine 69, 84 n. 41
- Lack of intellectual capacity 9, 161
- Lady judges 204, 211, 213, 217–219, 223–232,
234
- Lashin, Fatma 78
- Lattakia 238 n. 5, 241, 249
- Law faculties 24–25, 57, 65, 71, 92, 268
- Law School (faculty of law) 32, 44, 57, 60,
65, 72, 75–76, 82, 91–92, 96, 208, 225,
242, 285, 288, 302 n. 36, 312
- Cairo Law School 60
- Establishment 56–57
- Leiden University 67, 69, 72
- Rechtsschool 72
- Rechtshogeschool 72
- University of Groningen 66–67
- Lawyers 4, 12–14, 18, 25–27, 29, 32–37, 40,
45–46, 55–59, 61, 63, 67–68, 69 n. 24, 70,
72, 80, 82, 86, 92, 124, 127, 156–158, 162,
171, 173, 182, 196–197, 204, 207, 211, 213,
223–224, 228–230, 233–234, 238 n. 6,
239, 240 n. 9, 241 n. 17, 244, 250,
253–254, 259–260, 262–272, 275,
277–282, 296, 299–301
- Legal aid 12–13, 165 n. 36, 259–260, 265,
267 n. 10, 268, 278–279, 281
- Legal authority 52, 59, 123
- Head of household 124
- Housewives 26, 41, 58–59, 62, 74, 85–86
- Legal incapacity 69, 84
- Mothers 10, 26, 34, 45, 58–59, 61–63,
74–75, 77, 85–86, 89, 91, 115, 132, 134,
137–139, 144–147, 149–150, 174, 226, 232,
243, 245, 295, 297
- Obedience 51, 59, 63, 77–79, 89, 91,
123–124, 192, 194, 302, 304
- Legal interpretation 117, 153, 180
- Legal notion 112
- Legal opinions
- Legal education 4–7, 25–26, 28, 33, 56–57,
60–61, 64, 70–72, 75, 87, 91
- Legal system 11, 13, 51–52, 56, 58, 76, 113, 130,
153–154, 163, 169, 204–205, 212–213, 221,
237, 242, 263–268, 274–277, 281, 285
- Legislation 2, 11, 15, 24, 45, 56 n. 7, 71, 77,
78 n. 38, 91, 128, 167 n. 48, 175, 182, 206,
213, 260, 267, 272–273, 276 n. 29, 278,
286–287, 305, 308 n. 48
- Leiden 66–67, 69, 72, 264 n. 5, 293 n. 23
- Lengthy litigation process 158
- Libya 6, 12, 260, 262 n. 3, 263–266, 268–269,
274–277, 279–281
- Local culture 14, 230
- Logic of care 30
- Logic of justice 30
- Lustration 262, 272
- Mainstream 31
- Maintenance 42, 63, 78, 116, 136, 138, 140, 149
153 n. 6, 156, 165, 174, 182, 186, 187 n. 23,
191–193, 195, 197, 201, 218, 260–261,
302–304, 306, 308 n. 48
- Malaysia 4, 6, 9–10, 14, 24, 88, 90, 108, 121,
128 n. 10, 153, 156 n. 16, 157, 158 nn.
20–21, 159–162, 165 n. 36, 168–173
- Male domination 4, 23, 28–29, 33, 36, 64, 90,
92, 223–224, 227, 239, 301
- Male lawyers 14, 46, 223–224, 229–230, 234,
260
- Male profession 28, 67
- Management of domestic affairs
- Marital home 77, 182, 192–195, 197, 199, 201
- Marriage
- Engagement 130, 138–140, 143–145, 147,
Fatiha 130, 135, 140
- Informal 126, 134–135, 137, 139, 140, 142,
145
- Proof of marriage (*thubut al-zawaj*) 137,
142–143

- Marriage (cont.)
 Registration 130, 135, 137, 260
 Secret 126, 132–133, 139–140, 142, 145
Shubha 138–139, 143, 146
 Underage 131, 140, 142–143
Zina' (fornication or adultery) 117, 136,
 139–142, 189, 267 n. 8
- Menkel-Meadow, Carrie 29, 43, 124, 125 n. 3,
 298, 301
- Middle class 26, 211, 215, 224
- Minangkabau 73–75, 88, 115
- Ministry of Justice 13, 29, 83, 103, 123 n. 1,
 129, 136, 237–240, 249, 255, 259,
 264–267, 269, 276–277, 280, 295, 298
- Modernization 7, 44, 60, 64, 66, 73, 128
- Modesty 59, 251, 254
- Morocco 2, 4, 6, 8–10, 14, 24, 55, 79, 123–127,
 129–131, 133, 136, 141 n. 28, 143–144, 149,
 262, 290, 304
- Mother 10, 26, 34, 45, 58–59, 61–63, 73–75,
 77, 79, 85–86, 89, 91, 111, 114–115, 130,
 132–134, 136–150, 157, 174, 193–195,
 198–199, 201, 216, 225–226, 231–232, 243,
 245, 261, 295, 297, 301
- Movement for independence of judiciary
 14, 204, 207
- Mubarak, Hosni 292
- Mubarak, Suzanne 291–292
- Mudawwana al-Ustra 123–124, 130, 132,
 136–137, 139, 149,
- Muqoddas, Djazimah 90–91
- Murād, Ghāda, *see first female judges*
- Naguib, Fathi 291
- national independence 6–7, 10 n. 8, 24, 55,
 61–62, 66, 72–73, 75, 87–89, 92, 102–103,
 106–107, 129, 266
- Nationalist movement 61, 72–74
- Official Gazette 243 n. 21
- Ordinary court(s) 241 n. 17, 284, 292, 311
- Padang 70, 83, 88, 108
- Pakistan 1, 6, 12, 14, 18, 25 n. 5, 38 n. 27, 90,
 160, 204–208, 209 nn. 10–12, 210–212,
 214, 216, 218, 221–222, 226–227, 230,
 232–233
- Parallel systems of justice 213, 237, 279, 281
- Participation 12, 24–25, 29, 38, 40, 45, 75, 77,
 88, 93, 112, 170 n. 53, 207, 239, 262 n. 3,
 263, 272, 274 n. 24, 278, 280–281, 286,
 289, 296, 310
- Paternity
 Abortion 133–134
 DNA 134, 138, 143–150
 Filiation 130 n. 16, 133, 137–138, 142
Iqrar (acknowledgement by father)
 138–139, 143
 Inheritance 133, 136, 138, 149, 209
 Lineage (*nasab*) 126, 136–140, 143,
 145–149
 Maintenance by father 136, 138, 140,
 149
 Surname 136
Shubha (sexual relationships by error)
 138–139, 143, 146
Al-walad li l-frash (conjugal bed) 138–
 139, 145–148
 Witnesses 143–145, 147, 138, 146
- Penal 133, 181, 186–190, 192, 195–197, 201, 205,
 275
- Personal status code 10, 291, 302
- Personal status law 11, 15, 57–58, 60, 62–63,
 74, 76–80, 84, 92, 153, 160, 165, 184,
 302–304, 310
- Persons' act 24
- Plural legal realities 204
- polygamy 74, 112, 114, 116–118, 131, 135–136,
 214, 306
- Portia
 Duke-approach (ethic of justice) 3, 8, 39,
 125, 148–149, 307
 Portia-approach (ethic of care) 3, 8, 16,
 37, 39, 42, 149, 284, 298, 302, 305, 310
- Post, Anna 70
- Post-conflict transition 264, 274
- Prayitno, *see first female judges*
- Preconceived opinion 32
- Prestige 44–45, 65, 75, 86, 89, 92, 206, 225,
 230 n. 32, 239
- Prosecutors 11, 23, 25 n. 7, 26–29, 32, 33 n. 17,
 35–40, 71, 167 n. 48, 237–239, 241–242,
 244–251, 253–257, 265–268, 271, 273,
 279, 289, 292
- Public controversy 2, 8, 51, 62, 69, 79, 88,
 124, 163, 204, 209, 307

- Public debate 2, 9, 15, 51, 57, 79, 85–86, 124, 154, 156, 163, 208, 210, 212, 219, 284, 292
- Public discourse 57, 76
- Public prosecution 77, 186 n. 20, 237–238, 242–244, 247–248, 254–255, 262, 270, 289–290, 292–294, 296, 312
- Public prosecutor(s) 11, 25 n. 7, 29, 186 nn. 19–20, 192 n. 27, 237–257, 266–268, 271, 279–280, 286 n. 4, 289, 292,
- Punishment 11, 40, 41 n. 33, 85, 153, 160, 165, 229, 273, 294
- Qadhafi 12–13, 259–260, 262, 265–268, 271–274, 277, 279–282
- Qualifications for appointment 160
- Quneitra 238 n. 5
- Race 27, 32 n. 14, 64, 84, 115, 180, 218, 275
- Radical Islamism 208
- Ramli, Suraya, see *first female judges*
- Rashid Khan, Khalida, see *first female judges*
- Ratib, Aisha 76–77, 78, 82, 285–286, 288
- Reconciliation session(s) 182–185, 187–188, 193–194, 196–199
- Religious court(s) 6–9, 14, 87–91, 101–103, 105, 107–109, 112, 114–115, 117–119, 154, 242
- Religious interpretations 15, 206, 273, 284
- Rotterdam 69, 84
- Routine 183–185, 192, 196–197, 231, 290, 308
- ‘Rule of law’ programmes 274
- Run-away brides 216
- Santoso, Maria Ulfah 72–73
- School of Islamic jurisprudence/school of law
 Hanafi 63, 74 n. 31, 82, 128 n. 9, 155, 160, 172, 287, 294
 Hanbali 128 n. 9, 155, 287
 Maliki 63, 74, 128 n. 9, 128–130, 287
 Shafi’i 74, 87, 101, 105–106, 114, 128 n. 9, 155, 159, 170–172, 287
- Second World War 5, 23, 26 n. 8, 27, 38 n. 26
- Security threats 265
- Sensitivity 34–35, 38–39, 114–115, 117, 119, 204, 211–212, 216, 233
- Sentence 11, 26 n. 8, 32, 37 n. 25, 38–41, 51, 53, 85, 186–190, 192, 195–197, 201, 256, 267 n. 8, 304
- Sex 31, 41, 59, 125, 134, 139, 180, 212, 230, 242 n. 19, 248, 253–254, 285 n. 1, 312
- Shari’a 1–2, 4, 6 n. 5, 7, 10–11, 15, 24, 56 n. 7, 60, 76, 78 n. 38, 79, 89, 108, 110, 124, 128–129, 136, 144, 155, 160–165, 167–169, 172, 284, 286–287, 289–290, 292 n. 22, 293 n. 23, 302–303, 310
- Shari’a court(s) 4, 8–9, 12, 14, 60, 77, 108, 115–116, 127–128, 153–154, 156–167, 169–173, 175, 205–210
- Shari’a judiciary 159–160, 167–168, 170–171, 175
- Sisterhood 180 n. 10
- Socialist movement 23
- Social network 221–222
- Socialist Party 240
- Soft justice 204, 217, 220
- Solidarity 178–181, 183–185, 187–188, 191, 195–197, 200–201, 270
- State Council 76–78, 80, 82, 237 n. 3, 241 n. 17, 285–288, 292, 294, 311
- State Fatwa Committee 156, 158–159
- State law 166, 213, 240 n. 9
- Statistics 28, 75, 136 n. 23, 154, 162–163, 186, 189, 208 n. 9, 238 n. 6, 295 n. 27
- Status 3, 10–11, 13, 15, 27 n. 9, 31, 40, 43–44, 57–58, 60, 62–63, 68 n. 21, 73–74, 76–80, 83–84, 89, 92, 103, 112, 130, 153, 160, 165, 169, 184, 206, 218, 239, 241–242, 247, 250, 251 n. 39, 263, 265, 277, 287, 291, 302–304, 308, 310, 312
- Stereotype 42
- Succession 179 n. 9, 267, 278
- Sulh officers 162, 167 n. 48, 168, 171
- Supreme Court 15, 45 n. 42, 70, 83, 103–104, 106, 111, 205–206, 210–211, 221 n. 26, 222, 227, 267, 273–274, 280
- Supreme Judicial Council 77 n. 33, 268, 273, 292
- Sympathy 37 n. 22, 39, 41, 187–188, 192, 311
- Syria
 Administrative Court(s) 77–78, 82, 89, 103, 237 n. 3, 240 n. 9, 241 n. 17, 271, 284, 286–288
 Assize Court 246–247, 252
 Attorney-General 237
 Chief public attorney 238 n. 5, 244–245, 247, 254

- Syria (cont.)
- Civil Court(s) 6–9, 12, 14, 87–88, 90 n. 45, 102, 106–111, 153, 163–164, 165 n. 36, 166, 171, 174, 205–206, 228, 238, 244–245, 247–248, 255–257, 308
 - Civil jurisdiction 165, 174–175, 244, 245, 255, 257
 - Courthouse(s) 11–12, 14, 54–55, 70, 83, 102, 125, 129, 130–131, 135, 137 n. 23, 140–141, 143–144, 199, 211, 222, 226–227, 233–234, 237–241, 243–244, 246–250, 252, 254–255, 259, 263–265, 269, 280,
 - Criminal Court(s) 11, 27, 39–40, 166 n. 42, 184, 205–206, 229, 237–238, 242–246, 254–256, 264–265, 292 n. 20, 294–296,
 - Criminal court judge(s) 11, 206 n. 6, 237–238, 243, 246, 254, 256
 - Criminal jurisdiction 165, 244–246, 251, 253–257
 - Examining judges 248, 250–252
 - High Judiciary Council 239, 244–245, 255
 - Indictment Division 246, 252–253
 - Institute of Judicial Studies 238 n. 6, 255
 - Juvenile court(s) 11, 15, 237, 241–243, 252, 254–256
 - Ministry of Justice 13, 29, 83, 103, 123 n. 1, 129, 136, 237–240, 249, 255, 259, 264–267, 269 n. 15, 276–277, 280, 295, 298
 - National Judicial Examination 240
 - Official Gazette 243 n. 21
 - Ordinary court(s) 241 n. 17, 284, 292, 311
 - Ordinary judiciary 237, 240 n. 9, 285, 292
 - Public prosecutor(s) 11, 25 n. 7, 29, 186 nn. 19–20, 237–257, 265–268, 269 n. 13, 271, 279–280, 286 n. 4, 289, 292
 - Public prosecution service 77, 237–238, 244, 247–248, 254–255, 290, 292–293, 312
 - Regional court(s) 250–251, 255
 - Women's General Union 240 n. 10
 - Young Offenders' Act 242 n. 20
 - Talaq* 60 n. 14, 74, 261, 306
 - Tartus 238 n. 5, 248–249
 - Technical assistance 263, 274–277
 - The Egyptian Center for Women's Rights 289
 - Trustworthy 155
 - Tunisia 2 n. 1, 6, 9–10, 14, 24, 42, 55, 79, 123, 128 n. 11, 178–179, 181–183, 186 n. 18, 187 n. 21, 188, 189 n. 26, 195–196, 200–201, 241, 290
 - Urf* (customary law) 71, 129, 206, 212–213, 215–216, 221, 233
 - Victim 11 n. 9, 40–41, 85, 153 n. 5, 186 n. 20, 247–251
 - Violence 40–41, 44, 57, 116, 118–119, 181, 184, 186–191, 192 n. 27, 193, 195–201, 214, 217–218, 221, 265, 280
 - West-Sumatra
 - Padang 70, 73, 83, 88, 108
 - Minangkabau 73–75, 88, 115
 - Matrilineal 73, 88
 - Wilaya* 63, 286, 304
 - Women 1, 3–16, 23–46, 51–52, 54–65, 67–78, 80–93, 101–102, 104 n. 6, 105–115, 118–119, 123–128, 131–134, 139–150, 153–163, 165–175, 178–184, 186, 188–195, 198, 200–201, 204, 206–234, 237–257, 259–260, 262–266, 269–270, 272–274, 277–282, 284–299, 301–304, 306–312
 - Women's movement 25, 29, 44, 69–70, 73–75
 - Women's rights 9, 11, 13, 24, 44, 51, 73–74, 76–77, 92, 109, 124, 128, 142, 144–145, 162, 167, 178, 198, 200–201, 211, 239, 266, 287, 289, 291 n. 17
 - Workload 28, 35, 110, 195, 197–198, 201, 228, 245, 255, 270–271
 - Yogyakarta 75 n. 32, 91, 110 nn. 10–11, 114
 - Al-Zahri, Khulud, see *first female judges*