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Justice in post-conflict settings : islamic law and muslim communities as stakeholders in transition / Corri Zoli, M. Cherif Bassiouni and Hamid Khan

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Abstract:	This essay identifies the underlying norms embedded in traditions of Islamic law as these apply to contemporary Muslim communities experiencing conflict. This endeavor draws upon comparative legal analyses, postconflict justice traditions, and empirical conflict studies to explore why Islamic legal norms are not often used as a resource for restraint and guidance in contemporary conflict settings. The authors make the case for strengthening commensurate Islamic and international conflict norms for complex conflicts and postconflict tradition. They also situate Islamic postconflict justice norms into contemporary problems of security policy and conflict prevention. They indicate the benefits of such a comparative approach for humanitarian and human rights practitioners trying to build pathways out of conflict. An additional benefit in excavating such shari'a norms is in providing the intellectual basis to counter politicized, extremist, and instrumentalist uses of Islamic law to justify extreme uses of political violence.
Keyword in French:	DIH CONFLIT ARME PREVENTION DES CONFLITS ISLAM DROITS DE L'HOMME RELIGION
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