

Workshop on Constitutions, Religion, Clergy and the State: The renewal of religious discourse in Egypt and Tunisia

Faculté de Droit et des Sciences Politiques de Sousse, Tunisia

20 December 2019

09:00 am- 05:00 pm

“We are all negligent and afraid of renewal” (Al-Tayyib¹, 2017)

The fast growing modern society and continuous misuse of religious notions pushed governments in Muslim countries to renew the religious discourse “*tajdeed*”. However, there is no consensus on the necessary changes and how they are to be implemented.

For example, the Tunisian parliament is currently discussing a draft bill of a new inheritance law, which no longer relies on Sharia and the Quran. The Egyptian President Abdel Fattah El Sisi called for renewing the religious discourse and modifying legal rules that misinterpret the Quran and Sunnah.

In this workshop, we will discuss the challenges and opportunities of amending legal texts based on Sharia in Muslim countries. The economic, legal and the political aspects will be addressed.

¹ Imam Ahmad al-Tayyib, the Grand-Imam of al-Azhar. He has been in office since 2010. He witnessed 3 consequent presidential phases



Agenda:

Welcome Note: Host University: Professor Lotfi Tarchouna 09:00 am – 09:30 am

Session 1: 09:30 am – 11:30 am

State and Religion: What does academic research tell us?

Chair: Prof. Dr. Hassan Abdelhameed, Professor of Law, Faculty of Law, British University in Egypt (BUE), Egypt.

- **“The Rule of Law and Islam” (in English)**, Stefan Voigt; Professor of Economics, Institute of Law and Economics, Faculty of Law, University of Hamburg, Germany.

- **“Dilemmas of Attempts at Reforming Religious Discourse” (in English)**, Mazen Hassan; Professor of Political Science, Faculty of Economics and Political Science, Cairo University, Egypt.

- **“The Constitution and the Religious Question (in Arabic)”**, Montassar Wardi, Professor of Public Law, Faculty of Law and Political Science, Sousse, Tunisia.

Coffee Break: 11:30 am – 12:00 pm.

Session 2: 12:00 pm – 02:00 pm

The Difficulties of the Renewal of the Religious Discourse

Chair: Prof. Dr. Mohamed Rashwan

- **“Religion and the state in Eastern-Muslim-Countries” (French/Arabic)**; Hassan Abdelhameed, Professor of Law, Faculty of Law, British University in Egypt (BUE), Egypt.

- **“Obstacles to the renewal of religious discourse in Tunisia” (in Arabic)**, Atef Rouatbi, Research Associate, Faculty of Law and Political Science, University of Sousse.

- **“Burqa Bans and Human Rights: A Comparative Analysis of Conflicting Decisions of the European Courts of Human Rights and the UN Human Rights Committee on the French Burqa Ban” (in English)**, Stefan Oeter, Professor of Economics, Institute of Law and Economics, Faculty of Law, University of Hamburg, Germany

Lunch: 02:00 pm – 03:00 pm.



Session 3: 03:00 pm – 05:00 pm

Clergy and Law Making Process

Chair: Prof. Dr. Mazen Hassan, Professor of Political Science, Faculty of Economics and Political Science, Cairo University, Egypt.

-**“Difference of Religion as an impediment to marriage and succession in Tunisian Law”** (in English), Imen Gallala-Arndt, Senior research fellow in the Max Planck Institute for Social Anthropology in Halle, Department Law and Anthropology, Germany.

-**“The economic situation and the equality in inheritance between males and females-the case of Egypt”** (in English/Arabic), Mr. Abdelgaber Mohamed Abdelgaber; Assistant Lecturer on Islamic Law, Faculty of Law, British University in Egypt (BUE).

- **“Why do some Tunisians choose stricter religious rules?”**, Maleke Fourati, Post-Doctoral fellow in economics, University of Geneva.