

BIBLIOGRAPHIE

Législation

Charte canadienne des droits et libertés, partie I de la *Loi constitutionnelle de 1982*, constituant l'annexe B de la *Loi de 1982 sur le Canada* (R.-U.), 1982, c.11.

Code civil du Québec.

Code Criminel, L.R.C. 1985, c. C-46.

Commercial Arbitration Act, R.S.B.C. 1996, c. 55.

Constitution Act, 1867 (U.K.) 30 & 31 Vict., c.3, s. 92, reprinted in R.S.C. 1985, App. II, No. 5.

Loi de 1991 sur l'arbitrage, L.O. 1991 c.17

Loi portant réforme du droit de l'enfance, L.R.O. 1990, c.C.12

Loi portant réforme du droit des successions, L.R.O. 1990, c. S.26.

Loi sur l'arbitrage commercial international, L.R.O. 1990, c. I.9.

Loi sur le divorce, L.R.C. 1985, c.3, (2nd Supp.).

Loi sur le droit de la famille, L.R.O. 1990, c.F.3.

Loi sur l'équité en matière de l'emploi, 1995, L.C., c. 44.

Loi sur la protection du consommateur, L.O. 2002, c.30.

Législation et traités internationaux

La Constitution du 4 octobre 1958 (France).

Loi du 9 décembre 1905 concernant la séparation des Églises et de l'État (France).

Resolution, *Declaration on the Elimination of Violence Against Women*, G.A. Res. 48/104, UN GAOR, 1993, Supp. No. 49, UN Doc. A/48/49 (1993).

Jurisprudence

Canadian Foundation for Children, Youth and the Law v. Canada (A.G.) [2004] 1 S.C.R. 76.

Dagenais v. CBC [1994] 3 S.C.R. 835.

Duguay v. Thompson-Duguay, [2000] O.J. No. 1541, 7 R.F.L. (5th) 301 (Sup. Ct.).

Eldridge v. British Columbia (A.G.) [1997] 3 S.C.R. 624.

Hartshorne v. Hartshorne [2004] 1 S.C.R. 550.

Hercus v. Hercus, [2001] O.J. No. 534 (Sup.Ct.).

Hill v. Church of Scientology [1995] 2 S.C.R. 1130.

McKinney v. University of Guelph [1990] 3 S.C.R. 229.

Miglin v. Miglin [2003] 1 S.C.R. 303.

N.S. (AG) v. Walsh [2002] 4 S.C.R. 325.

R. v. Big M Drug Mart [1985] 1 S.C.R. 295.

RWDSU v. Dolphin Delivery [1986] 2 S.C.R. 530.

Slaight Communications v. Davidson [1989] 1 S.C.R. 1038.

Stoffman v. Vancouver General Hospital [1990] 3 S.C.R. 483.

Vriend v. Alberta [1998] 1 S.C.R. 493.

Sources secondaires

Addis, Adeno, 'On Human Diversity and the Limits of Toleration' in Ian Shapiro and Will Kymlicka eds., *Ethnicity and Group Rights* (New York: New York University Press, 1997).

Ali, Syed Mumtaz, 'Islamic Institute of Civil Justice and Muslim Court of Arbitration' (Muslim Society of Canada, 2003).

Ali, Syed Mumtaz, News Bulletin, (Canadian Society of Muslims, août 2004).

Ali, Syed Mumtaz, 'Oh! Canada—Whose land? Whose dream?'(The Canadian Society of Muslims, 1991, en ligne: <<http://muslim-canada.org/oceanada.pdf>>.

Ali, Syed Mumtaz and Rabia Mills, 'The beginnings of Muslim Civil Justice System in Canada' en ligne: <<http://muslim-canada.org/DARLQADAform2andhalf.html>>.

Armstrong, Sally, 'Criminal Justice' *Chatelaine* (novembre 2004) 152.

Attorney General of Ontario, Request for Proposals for Family Mediation and Information Services at the Family Court of the Superior Court of Justice (décembre 2003).

Australian Law Reform Commission, *Multiculturalism and the Law: Report No. 57*, (Australian Law Reform Commission, 1992).

Behiery, V. A., A.M. Guenther, *Islam: Its Roots and Wings*, (Mississauga: Conseil canadien de femmes musulmanes, 2000).

British Columbia Law Reform Commission Report on Arbitration (British Columbia Law Reform Commission, 1982).

Canadian Panel on Violence Against Women, *Final Report, Changing the Landscape: Ending Violence~Achieving Equity* (Canadian Panel on Violence Against Women, 1993).

'First girls expelled over French headscarf ban' CBC News Online, en ligne: <http://www.cbc.ca/stories/2004/10/20/world/france_headscarves041020>.

Gee, Marcus, 'Secular France, uncovered' *The Globe and Mail* (19 décembre 2003) A2.

Goundry, S.A. et. al., *Family Mediation in Canada: Implications for Women's Equality* (Ottawa: Condition féminine Canada, 1998).

Hughes, Patricia, 'Recognizing Substantive Equality as a Foundational Constitutional Principle' (1999) 22:2 Dal. L.J. 1.

Hogg, P.W., *Constitutional Law of Canada*, (Toronto: Thomson Carswell, 2003).

Hurst, Lynda, 'Ontario Shariah tribunals assailed' *The Toronto Star* (2 May 2004), en ligne: <www.thestar.com>.

Hurst, Lynda, 'Protest rises over Islamic law in Toronto' *The Toronto Star* (8 June 2004), en ligne: <www.thestar.com>.

Islamic Institute of Civil Justice, Brochure, en ligne: <<http://muslim-canada.org/brochure.htm>>.

Johns Hopkins School of Public Health, and Centre for Health and Gender Equity, 'Issues in World Health' in XXVII:4 *Population Reports: Ending Violence Against Women* (Baltimore: Johns Hopkins School of Public Health, Center for Health and Gender Equity, 1999).

Joseph, Norma Baumel, Evelyn Beker Brook, Marilyn Bicher, ' 'Untying the Bonds' Jewish Divorce: A GET Education Video and Guidebook' (The Coalition of Jewish Women for the Get, 1997).

Kepel, Gilles, *Jihad: The Trail of Political Islam* (Harvard University Press, 2002).

Krauss, Clifford , 'When the Koran speaks, will Canadian law bend?' *The New York Times* (4 août 2004) A4.

Kutty, Faisal, 'Canada's Islamic Dispute Resolution Initiative Faces Strong Opposition' Washington Report on Middle East Affairs (May 2004) 70, en ligne: <http://www.wrmea.com/archives/May_2004/0405070.html>.

Kutty, Faisal and Ahmad Kutty, 'Shariah courts in Canada: myth and reality' *The Law Times* (31 mai 2004) 7.

Kymlicka, Will *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Clarendon Press, 1995).

Magnan, Pierre 'La Justice Minoritaire et le Mensonge du Plus Froid des Monstres Froids: Perspectives Libérales sur la Reconnaissance des Droits Minoritaires' (2000) 25 Queen's L. J. 549.

Magnet, Joseph Eliot, *Constitutional Law of Canada: cases, notes and materials*, 8th ed. vol. 2 (Edmonton: Juriliber, 2001).

Manji, Irshad, *The Trouble With Islam: A Wake-Up Call for Honesty and Change* (Toronto: Random House Canada, 2003).

Monahan, Patrick, *Constitutional Law*, 2nd ed. (Irwin Law Inc., 2002).

'More than 100 girls defy France's headscarf ban' CBC News Online, en ligne: <<http://www.cbc.ca/story/world/national/2004/09/08/headscarves040908.html>>.

Ontario, *Report of the Commission on Systemic Racism in the Ontario Criminal Justice System*, (Queen's Printer for Ontario, 1995) (Co-présidents: David Cole and Margaret Gittens).

Rudner, Martin, 'Challenge and Response: Canada's Intelligence Community and the War on Terrorism' (2004) 11:2 Canadian Foreign Policy 17.

Shachar, Ayelet, 'Group Identity and Women's Rights in Family law: The Perils of Multicultural Accommodation' (1998) 6:3 The Journal of Political Philosophy 285.

Shachar, Ayelet, *Multicultural Jurisdictions: Cultural Differences and Women's Rights* (Cambridge: Cambridge University Press, 2001) p. 73.

Shachar, Ayelet 'Reshaping the Multicultural Model: Group Accommodation and Individual Rights', (janvier 1998) 8 Windsor Review of Legal and Social Issues 83.

'Sharia debate rages on in Canada' *Pakistan Daily Times* (23 août 2004).

'Some Canadians may use Shariah law' *AlJazeera.net*, en ligne: <<http://english.aljazeera.net>>.

Statistics Canada, *CANSIM Table 202-0102* (Ottawa: Statistiques Canada, 2004), en ligne: <<http://www.statcan.ca/english/Pgdb/labor01a.htm>>.

Stolzenberg, Nomi Maya, 'A Tale of Two Villages' in Ian Shapiro and Will Kymlicka eds., *Ethnicity and Group Rights*, (New York: New York University Press, 1997).

Stopler, Gila, 'Countenancing the oppression of women: How liberals tolerate religious and cultural practices that discriminate against women' (2003) 12:1 *Columbia Journal of Gender and Law* 154.

Taylor, Charles, 'The Politics of Recognition' in Amy Gutman, ed., *Multiculturalism and the Politics of Recognition* (Princeton: Princeton University Press, 1994).

Trevelyan, Laura, 'Will Canada introduce Shariah law?' *BBC News*, en ligne: <<http://newsvote.bbc.co.uk>>

Uniform Law Conference of Canada *Proceedings of the Seventy-First Annual Meeting* (Uniform Law Conference of Canada, 1989), en ligne: <<http://www.ulcc.org/ulcc/proceedings/1989.pdf>>.

Uniform Law Conference of Canada *Uniform Arbitration Act* (Uniform Law Conference of Canada, 1990), en ligne: <<http://www.ulcc.ca/en/us/arbitrat.pdf>>.

Valiante, Wahida, 'Domestic Violence – An Islamic Perspective' (Introductif, London Centre and Mosque June 26, 2004).

Van Rhijn, Judy, 'First steps taken for Islamic arbitration board' *The Law Times* (24 novembre 2003).

Van Rhijn, Judy, 'First steps taken for Islamic arbitration board' *The Toronto Star* (25 novembre 2004), en ligne: <www.thestar.com>.

Vitta, Eduardo, 'The Conflict of Personal Laws' (1970) 2 Israel Law Review 170.

Weisbrod, Carol, 'Family, Church and State: An Essay on Constitutionalism and Religious Authority' (1988) 26:4 Journal of Family Law 741.

Women Living Under Muslim Laws, *Knowing Our Rights: Women, family, laws and customs in the Muslim World*, (London: Women Living Under Muslim Laws, 2003).