

Anja Schoeller-Schletter [ed.]

# Constitutional Review in the Middle East and North Africa



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Edited by

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Prof. Dr. Georg Glasze,  
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Dr. Stephan Roll,  
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Volume 4

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## Acknowledgements

Looking across the banks of the river Nile some years ago, I discussed with my husband the lack of literature and substantive analysis of the current work of constitutional courts in the Middle East and North Africa. After many years in Egypt, observing two revolutions, analyzing two constitutions, and comparing them with constitutional developments in Latin America, Eastern Europe and even Asia, the idea of a research project to “map” constitutional review in the Middle East and North Africa was born. My subsequent position as Director of the Rule of Law Programme Middle East & North Africa of the Konrad-Adenauer-Stiftung offered me the opportunity to make this endeavor a “lighthouse” project of the programme. Grateful for the encouragement and backing from all sides, I am now presenting a selection of the many papers that resulted from the project, bringing it to a conclusion with the support of the Konrad-Adenauer Stiftung for printing this book.

The project could not have been undertaken without the close and unwavering cooperation of the constitutional courts and councils of the region. I owe them deep gratitude for their trust, for generously hosting the workshops, and to each of their members for participating with highly valuable contributions during the many rounds of discussion. I am especially indebted to Issam Sleiman, former President of the Constitutional Council of Lebanon, for reaching out to fellow institutions and thus for giving the project a productive start from the beginning. Deep thanks go to Adel Omar Sherif, Deputy Chief Justice at the Supreme Constitutional Court of Egypt, for his continuous backing of this research project, for decades of friendship, and a shared and unshakable passion for comparative constitutional law worldwide and for Egypt. To Yousef Jassim Al-Mutawaa, President of the Constitutional Court of Kuwait, I wish to express sincere gratitude for the honor of trust, and unrivalled hospitality; and to Justice Ali Bou Kmaz and Counsellor Faisal Al-Gharib for building a wonderful “bridge” to Kuwait. Continuous exchange on the Moroccan experience in and outside Morocco was made possible by Said Ihrai, President of the Moroccan Constitutional Court, and ties were deepened by the warm welcome by all members of the Constitutional Court of Jordan in Amman.

Special credit goes to Noha El-Mikawy and Malte Graßhof for their never tiring readiness to discuss the project and its progress, and for their

valuable comments throughout all phases of the project; to Zaid Al-Ali, for his unlimited willingness to open networks in support of comparative constitutional law in the region and for bringing the Arab Association for Constitutional Law into this project. He and Rainer Grote supported from the start my idea of an English-language Online Journal for Constitutional Law in the Middle East and North Africa, which is now complementing this volume with an easy access and international platform for publications in the field.

I would like to thank each and every one of the participants from the Middle East and North Africa, from Europe and beyond – I ask forgiveness for not mentioning all by name – for their willingness to travel, their wonderful spirit, and their valuable comments and contributions, all of which were essential to the success of this endeavor. And I express my sincere gratitude to the team of the Rule of Law Programme in Beirut, for years of hard work, enthusiasm for the cause, and relentless support. Robert Poll has been wonderful to work with, and I am deeply grateful to him for organizing the peer-review process of the papers published in this book.

Last but not least, my full admiration goes to Felix Arnold, my husband, for his never-ending backing, his share in bringing this project to publication, and for always accommodating the extraordinary task to make two careers and a family life compatible against all odds, with an incorruptible sense of values and justice.

Over the past three years, in my time as Director, the Programme has put considerable emphasis on fostering and linking thematic discussions of cross-cutting regional and international interest. In accordance with our aim of encouraging exchange of expertise and partnership on a peer-to-peer-level regionally and internationally, this publication marks just one step of an initiative dedicated to highlighting remarkable developments in constitutional law and practice in the MENA region and making insights accessible in English to the international research community. May all of them thrive and many others follow.

Madrid, December 2020

Anja Schoeller-Schletter

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