

Islamic Legal Studies Program

AT HARVARD LAW SCHOOL

ANNUAL REPORT

July 2014–June 2015



Contents

3 Program Overview

5 Report of Activities

5 Summary of the Academic Year 2014–2015

5 Executive Summary

5 Fellows, Events, Research, Projects, and ILSP Publications

6 *Overview*

7 *ILSP Visiting Fellows*

9 *Events*

10 *Research*

12 *Projects*

13 *ILSP Publications and Communications*

13 Contributions to the HLS Teaching Program

14 ILSP Student Participation

15 Faculty Participation

16 Other Contributions to the HLS Community

17 Connections with the Practice and the Profession

19 Collaboration with Other Schools and Departments at Harvard University

19 Plans for the Academic Year 2015–2016

19 Executive Summary

20 Fellows, Events, Research, Projects, and Publications

22 Contributions to the HLS Teaching Program

22 ILSP Student Participation

22 Faculty Participation

22 Other Contributions to the HLS Community

23 Connections to the Profession

23 Collaboration with Other Schools and Departments at Harvard University

The Program

Harvard Law School's Islamic Legal Studies Program (ILSP) is dedicated *to promoting research and providing resources to advance the academic study of Islamic law, with an emphasis on legal history, law and society, and comparative law.* The Program facilitates and sponsors individual scholarly research and collaborative research projects. It also sponsors lectures, workshops, conferences, and other events to both facilitate exchange among scholars and to educate the Harvard Law School (HLS), Harvard University, and broader intellectual communities. The geographic area of interest for ILSP includes the local, national, and global, spanning both Muslim-majority and Muslim-minority communities in regions that stretch from the Middle East, Asia, and Africa, to Australia, Europe, and the Americas. The Program is neither a religious nor an advocacy organization, but rather aims to foster excellence in the study of Islamic law in an atmosphere of open inquiry.

Beginning in 2014, the Program has been dedicated to facilitating and building three main academic fields of study: Islamic legal history and theory, Islamic law and society, and Islamic comparative law. Islamic legal history and theory includes the study of intellectual and social history, of any historical period—early, medieval, or modern. Islamic law and society includes anthropological, sociological, and political scientific approaches to the study of Islamic law and law in Muslim societies in contemporary times. Islamic comparative law refers to research that places

the study of legal doctrines, processes, and institutions in conversation with research on other legal systems, comparative legal history, comparative constitutional law, and other comparative approaches. In all three areas, the Program encourages interdisciplinary research as well as qualitative and quantitative empirical methodologies.

ILSP also supports the Islamic law collection in the Harvard Law School Library, and provides faculty, students, and visitors the opportunity to take advantage of Harvard's unparalleled library holdings. The Fellowship Program annually supports the work of junior and senior scholars of Islamic law, who are also able to access the Library's rich store of Islamic law materials. The Student Support Program provides scholarships and research grants for dozens of students at Harvard Law School each year.



Report of Activities

SUMMARY OF THE ACADEMIC YEAR 2014–2015

Executive Summary

The 2014–2015 academic year saw the full re-launch of ILSP. On September 1, 2014, Professor Kristen A. Stilt joined the faculty of Harvard Law School as a Professor of Law and joined Professor Intisar A. Rabb in the directorship of ILSP. Thus, ILSP now has two Faculty Directors, each with new ideas to invigorate the study of Islamic law for specialists and comparatists alike. To our knowledge, Harvard Law School is the only major law school in the United States with two tenured faculty members who have expertise in Islamic law. This fact demonstrates a significant commitment to Islamic law by HLS, and ILSP continues to work toward achieving the full potential of that commitment.

During this continuing time of transition and renewal, ILSP has worked to further define its strategy regarding its public face, its programs, and its projects. In terms of its public face, we completed renovations in Austin Hall; we designed and published a new Program newsletter and email, which we distributed electronically rather than on paper; and we launched a new website that has garnered praise from both users and the design community. In terms of programming, we hosted a slate of three new Fellows. We also have neared completion on a massive overhaul of the Program's contacts database, with an eye



toward galvanizing existing relationships and forging new ones with interested members of the Harvard Law School community, the wider University community, and colleagues at other academic and policy institutions. As for projects, SHARIASource, Professor Rabb's exciting new initiative designed to establish a global, online database of scholarly resources and analysis on Islamic law, had a soft beta launch this year, with a full public launch scheduled for next year. We hosted a major international workshop on Islamic family law under the leadership of Professor Stilt. We further have laid the groundwork for Professor Stilt's innovative new initiative on Animals, Law, and Religion.

Fellows, Events, Research, Projects, and ILSP Publications

The Program's support of research and scholarship on Islamic law is the defining character of its mission. The Program seeks to accom-



Rashid Alvi

Intisar Rabb

Ceallaigh Reddy

Kristen Stilt

modate the diverse nature of Islamic legal studies and the wide-ranging interests of its constituencies.

Overview

Each year the Program hosts Visiting Fellows, who reside at Harvard Law School and spend a term or the entire year conducting independent research and writing at the Program. During the 2014–2015 year, ILSP visiting fellows hailed from Germany and the United States.

ILSP events ranged from large public discussions on current events to smaller, targeted workshops for scholars. The Program endeavors to plan a wide variety of events to appeal to and attract its diverse constituencies.

ILSP continues to give high priority to building a renowned research collection in Islamic law and in the positive law of jurisdictions where Muslims form a majority of the population. To serve this goal, the Program

contributes considerable funds to the Law School Library, including substantial funding in support of the salary of the Librarian for Islamic Law and for procuring research tools necessary to support the ongoing research of fellows and faculty.

The Program has initiated several new projects. Each Director leads her own projects and also shares responsibility for common projects. Animals, Law, and Religion (ALR), Family Law, Judicial Procedure, SHARIAsource, and the Syllabi Project are each spearheaded by an ILSP Director, assisted by Program staff and research assistants.

Publication of Islamic Finance Program Forum proceedings, produced after each biennial event, was discontinued due to the closure of the Islamic Finance Project.

Details about the items in the preceding paragraphs of this section follow.

ILSP Visiting Fellows

Each year, following a formal application process, ILSP has chosen a group of Visiting Fellows to spend an academic year or semester pursuing innovative research projects of their own at HLS. During their stay they make use of the research facilities of the Law School and the University, and they participate in the intellectual life of the Program. Visiting Fellows receive HLS appointments, office space, and, usually, a stipend. They participate in all Program activities and are asked to present their ongoing work at some point during the academic year.

In 2014–2015, each Director selected one Visiting Fellow from a large pool of applicants. Meagan Froemming was the fellow chosen by Professor Intisar Rabb; Professor Kristen Stilt selected Dörthe Engelcke. M. Shahab Ahmed was selected jointly by both Directors. [Note: Sadly, M. Shahab Ahmed passed away on September 18, 2015 after a battle with leukemia. His book, completed at ILSP, has nevertheless been published by Princeton University Press this year.]

► **M. Shahab Ahmed**

Associate Professor of Islamic Studies, Harvard University

September 2014–May 2015

Research Topic: “Freedom of Expression and Ottoman Islam”

► **Dörthe Engelcke**

DPhil candidate, St. Antony’s College, University of Oxford

September 2014–May 2015

Research Topic: “Family Law Reform Processes in Morocco and Jordan: Legal and Societal Change and Continuity in Authoritarian Monarchies”

► **Meagan Froemming**

JD, New York University School of Law

September 2014–May 2015

Research Topic: “The Promise of Culturally-Specific Development: Using Islamic Finance to Grow Rule of Law in Afghanistan”

ILSP Visiting Fellows contributed greatly to the Program’s work this year and were involved in many and varied activities.

M. Shahab Ahmed’s work while at ILSP focused on completing his book manuscript, *What Is Islam? The Importance of Being Islamic*, a work published by Princeton University Press in December 2015. The book formulates a new conceptual language for analyzing Islam and presents a new paradigm of how Muslims have historically understood divine revelation. It also puts forward a new understanding of the historical constitution of Islamic law and its relationship to philosophical ethics and political theory. Ahmed also held the position of Lecturer on Law, teaching the year-long seminar, “Orthodoxy: Truth, Authority, Law.”

During her time at ILSP, **Dörthe Engelcke** completed her PhD dissertation, “Processes of Family Law Reform: Legal and Societal Change and Continuity in Morocco and Jordan,” at the University of Oxford. She then began working on a book proposal based on her dissertation. She participated in a workshop on child law in Islamic countries in Rabat. She completed an article on Jordan for Brill’s upcoming *Encyclopedia of Law and Religion* and presented three papers based on her dissertation. One of these was discussed during ILSP’s



M. Shahab Ahmed



Dörthe Engelcke



Meagan Froemming

Islamic family law workshop held in February 2015, which she co-organized with Professor Kristen Stilt. She also contributed to Professor Malika Zeghal's research workshop "Middle East Beyond Borders," presenting a paper on the evolution of the content of family law in Morocco and Jordan. She presented another paper on the application of family law in Morocco as part of the ILSP Workshop Series, which she submitted to a journal for publication. Engelcke also co-organized an ILSP movie night during which the award-winning documentary "Bastards" was screened, followed by a Q&A with film maker Deborah Perkin.

Meagan Froemming completed her long-standing research project on the use of Islamic finance to encourage sustainable rule of law development in Afghanistan. In April, she

presented her paper as part of the ILSP Workshop Series and plans to publish it. Over the course of the year, Meagan was interviewed on air by Al-Jazeera America about Islamic finance practice in the modern era and was extensively quoted in an article on the same for *Private Wealth* magazine. Meagan was a teaching assistant for Professor Rabb's Digital Islamic Law Lab course and worked closely with Professor Rabb and Deputy Director Rashid Alvi on developing the SHARIAsource portal and its component parts. She produced a number of short-form articles on FIFA and Qatari labor practices, an opinion piece on the regularization of Islamic finance markets, and a comparative analysis of Islamic finance practice and the Vatican banking system of the Roman Catholic Church. Meagan co-organized an ILSP movie night during which

the award winning documentary "Bastards" was screened. The screening was followed by a Q&A with film maker Deborah Perkin. She also hosted a movie night earlier in the year, showing "A Separation," a film on marriage and family life in Iran.

Events

In 2014–2015 the Program offered a diverse range of events, both singly and in collaboration with other units at the University.

► September 22, 2014

ILSP Open House

ILSP faculty, staff, and fellows welcomed HLS students and those from the wider Harvard University community to an open house and reception.

► October 9, 2014

Lecture by Nurfadzilah Yahaya

"A Question of Relative Need: British Colonial Legal Limitations of the Islamic Concept of Charity in Southeast Asia." Organized by the Harvard University Asia Center and co-sponsored with ILSP and the Prince Alwaleed Bin Talal Islamic Studies Program.

► October 23, 2014

Discussion with Deborah Amos and Noah Feldman

National Public Radio Correspondent Deborah Amos and HLS Professor Noah Feldman spoke on the Islamic State in Iraq and Syria (ISIS). ILSP Director Kristen Stilt moderated. Hosted by ILSP, and co-sponsored by the Prince Alwaleed Islamic Studies Program, the Nieman Foundation, the Center for Middle Eastern Studies, Harvard Law School's Human Rights Program, and the Harvard Kennedy School's Middle East Initiative.



Kristen Stilt, Deborah Amos, Noah Feldman. Photo by Jonathan Seitz, Neiman Foundation

► February 12–13, 2015

Workshop on Islamic Family Law

"Islamic Family Law: How Change is Advocated." ILSP brought together some 20 academics and lawyers who study and work in Muslim societies and in the Middle East and North Africa in particular to explore issues in Islamic family law.

► March 4, 2015

ILSP Fellows Workshop Series - Meagan Froemming

"The Promise of Culturally-Specific Development: Using Islamic Finance to Grow Rule of Law in Afghanistan." Meagan Froemming explored the use of Sharia-compliant finance as a means to encourage economic and rule of law development in emerging and post-conflict economies.

► March 4, 2015

Student Coffee Hour with Asma Jahangir

Asma Jahangir, Advocate of the Supreme Court of Pakistan, and Partner, AGHS Law Associates, who was at Harvard to deliver the 10th Annual Tsai Lecture, met with several HLS students at a special coffee hour hosted by ILSP.



- ▶ March 11, 2015
ILSP Fellows Workshop Series - Dörthe Engelcke
 “The Implementation of the 2004 Family Law in Morocco: The Limits of Authoritarianism and the Prevalence of Conflicting Narratives.” Dörthe Engelcke presented her paper on family law in Morocco.
- ▶ March 24, 2015
Graduate Student Coffee Hour
 ILSP held a special coffee hour for HLS graduate students, providing an opportunity for LLM and SJD students, faculty, staff, and Visiting Fellows to get to know one another and exchange thoughts, ideas, and information about their interests.
- ▶ April 7, 2015
ILSP Movie Night
 ILSP hosted a showing of “Bastards,” a documentary by award-winning film maker Deborah Perkin about a young Moroccan woman’s struggle to gain legal recognition for her illegitimate child. Following the film, a Q&A session was held with Perkin via Skype.

- ▶ April 15, 2015
Lecture by Ali Mihirig
 “On Anarchy and Government: The Arab Fall in Libya.” Dr. Ali Mihirig, former Libyan Minister of Electricity and Renewable Energy, gave a lecture. The discussion after the talk was moderated by Prof. Noah Feldman and Prof. Intisar Rabb.

Research

ILSP does not carry out research in its name. However, Visiting Fellows and ILSP Directors conduct scholarly research on a wide variety of topics. In 2014–2015, Directors and Fellows produced and published a substantial amount of scholarly work. For information on Fellows’ publications, please see the section “ILSP Visiting Fellows” beginning on p. 7. Research by the ILSP Directors follows.

INTISAR A. RABB

Publications

DOUBT IN ISLAMIC LAW: A HISTORY OF LEGAL MAXIMS AND INTERPRETATION IN ISLAMIC CRIMINAL LAW, *Cambridge Series in Islamic Civilization* (Cambridge: Cambridge University Press, 2015)

Reasonable Doubt in Islamic Law, 40 THE YALE JOURNAL OF INTERNATIONAL LAW 41–94 (2015).

Against Kadijustiz: On the Negative Citation of Foreign Law, 48 SUFFOLK UNIVERSITY LAW REVIEW 343 (2015). Harvard Public Law Working Paper No. 15–11.

Works in Progress

Society and Propriety: The Cultural Construction of Defamation and Blasphemy as Crimes in Islamic Law, ACCUSATIONS OF UNBELIEF (Hassan Ansari, Sabine Schmidtke et al. eds., forthcoming Brill 2016)

Papers, Presentations, Conferences

“Against Kadijustiz: On the Negative Citation of Islamic Law as Foreign Law,” sponsored by the Federal Judicial Conference, convened at Harvard Law School in Cambridge, MA (April 2015)

“Doubt in Islamic Law,” book talk, sponsored by the Harvard Law School Library at Harvard Law School in Cambridge, MA (April 2015)

“Reasonable Doubt and Islamic Criminal Procedure,” lecture to the Brunei Bar Association at the Solicitor General’s Office in Brunei (April 2015)

“Causes and Consequences of Iran’s New Criminal Law Code,” at the Center for Law, Humanities, and Culture at the University of Southern California in Los Angeles, CA (February 2015)

“Reform of Islamic Law by 1000 Amendments: The Story of Legislative Reform in Iran as a Challenge to Tunisian Exceptionalism,” at the Middle East Legal Studies Seminar on *The Exceptionalism of Tunisia?* in Venice, Italy (January 2015)

“Digital Islamic Law,” workshop presentation at *Digital Islamic Humanities Workshop* at Brown University in Providence, RI (October 2014)

KRISTEN A. STILT

Publications

Contextualizing Constitutional Islam: The Malaysian Experience, INTERNATIONAL JOURNAL OF CONSTITUTIONAL LAW 13 (2): 407–433 (2015)

Works in Progress

Strategies of Muslim Family Law Reform (with Swathi Gandhavadi)

Constitutional Animals

Papers, Presentations, Conferences

“Animal Welfare and the Egyptian Constitution,” Opening Address, Human-Animal Studies Fellowship Program, Wesleyan University (June 1, 2015)

“Constitutional Animals: Promoting Animal Welfare through Constitutions in India, Germany, and Egypt,” Federal Judicial Conference, Harvard Law School (April 14, 2015)

“Constitutional Animals,” Middle East Beyond Borders Workshop (convened by Professor Malika Zeghal), Harvard University (February 17, 2015)

“Strategies for Muslim Family Law Reform,” ILSP workshop on Islamic Family Law, Harvard Law School (February 13, 2015)

Roundtable on Environmentalism and Animal Law, University of Illinois School of Law (February 6–7, 2015)

“Islamic Law and the Problem of Live Exports,” New York University Law School, Environmental Law Seminar (convened by Professor Dale Jamieson) (October 1, 2014)

“Debates about Religion in the Making of the Egyptian Constitution,” The Graduate Institute, Geneva, Conference on Secularisms (September 25–27, 2014)

Projects

ILSP Directors have initiated several new Projects. In various stages of development, these Projects allow a variety of topics to be explored by the Directors under the Program’s auspices.

Animals, Law, and Religion (ALR), spearheaded by Kristen Stilt, is an interdisciplinary and comparative project that works at the intersection of religious laws and practices, and animal welfare and rights. The project focuses on both the academic study of how religious laws and practices deal with animals and on the practical implications of such laws and practices in communities around the world. As such, participants in the project’s activities include academics, religious leaders, and advocates. ALR includes significant attention to Islam and Islamic law; as a comparative project, its interests span all religions. Natalie Prosin, a research assistant, has been working with Professor Stilt since spring 2015. Next year’s Visiting Fellows, Febe Armanios and Boğaç Ergene, will work with Professor Stilt to host an event in spring 2016, discussed below, and Professor Stilt is also working with HLS SJD student Jessica Eisen on a workshop on animals, religion, and constitutional law.

Islamic Family Law, another initiative led Professor Stilt, focuses on family law, and



family law reform in particular, in the Muslim world. In February 2015, Professor Stilt and Visiting Fellow Dörthe Engelcke organized a major workshop, “Islamic Family Law: How Change Is Advocated.” ILSP brought together some twenty academics and lawyers from the Middle East and North Africa, Europe, and the United States to explore issues in Islamic family law reform in recent decades. The exchange between activists and academics was particularly fruitful as it highlighted theoretical issues as well as practical concerns that are at stake during processes of family law reform. Overall, the comparative approach proved particularly productive as it allowed for a systematic assessment of the variations and commonalities of Islamic family law reform across the Muslim world.

Much progress was made in developing SHARIAsource, the portal designed to house sources of Islamic law and commentary about

it. Led by Professor Rabb, SHARIAsource became a joint project of ILSP and the Berkman Center for Internet & Society. Additionally, the Cyberlaw Clinic, which is housed in the Berkman Center, will provide legal advice on intellectual property issues. SHARIAsource organizers have also been working with student contributors at Harvard, scholar contributors at the Australian Catholic University, and guest editors from all over the world to build initial content for the portal in the lead up to its soft beta launch this year and its full launch next year. SHARIAsource was featured in the May/June issue of *Harvard Magazine*. Late in June 2015, SHARIAsource received a generous grant of \$400,000 from the Henry R. Luce Foundation. In October 2015, we were pleased to announce the award of \$425,000 from the MacArthur Foundation.

Another ILSP initiative, the Islamic Law Syllabus Project, is underway and likely to launch in the fall of 2015. This database is the culmination of an initiative begun by Intisar Rabb in 2012, through which the Program has developed an online resource for teaching Islamic law, available via the ILSP website. The hope is that the materials presented will be useful for educators to enrich the teaching of Islamic law in law schools. The relevance of each contributed syllabus to Islamic law is construed broadly. Examples include: “Islamic Law and Society,” “Introduction to Islamic Law,” “Islamic Legal Institutions,” “Islamic Legal History,” and so on. The syllabi will be used and shared by scholars teaching Islamic law in law schools and various social science departments, primarily in North America.

ILSP Publications and Communications

Newsletter

In late September 2014, the Program disseminated an update of Program news and events. In December, we distributed the second issue of our newsletter, covering the Fall semester. In May, we distributed another edition covering the Spring semester. We distributed this electronic newsletter to the Harvard Law School community, the Harvard University community, and to institutions and individuals in our contacts database and via our website.

Website

As part of the program re-launch, in May 2014 ILSP contracted with Point Five Design, an outside vendor, to redesign the program’s website. The process of redesigning the website was completed and refined in 2014–2015. ILSP’s website is kept up-to-date with event notices; a listing of faculty, staff, and fellows; and various announcements. Newsletters from previous years and Occasional Publications are available online in PDF format.

Contributions to HLS Teaching Program

In keeping with ILSP’s mission to both educate and promote original scholarship, the Program’s Directors taught a broad range of courses relating to Islamic law. In the Fall Semester, Professor Rabb co-taught with Professor Bill Alford the “International and Comparative Law Workshop,” which had a significant presence of Islamic and compara-



tive law papers; as well as “Introduction to Islamic Law” and “Islamic Law and Society: Historians, Biographers, and Judges,” co-taught with Professor Roy Mottahedeh in the History Department and cross-listed with the Law School. In the Spring, her course offerings included “Digital Islamic Law Lab,” a workshop dedicated to promoting original student research to be published on SHARIA-source. In the Spring Semester, Professor Stilt taught “Islamic Law and Human Rights,” which focused on the most pressing issues at the intersection of international human right law and Islamic law. She also taught “Animal Law,” which included a section on the ways in which religious laws and practices affect the lives and interests of animals.

ILSP Student Program/Participation of HLS Students in Program Activities

ILSP has consistently supported Harvard students in their academic endeavors and considers doing so an important priority.

The Program encourages students to take advantage of opportunities to conduct Islamic law-related research and create Islamic law-related programming with the support of ILSP funding resources. We also welcome and encourage student participation in the ILSP scholarly community.

Student Participation at ILSP Events

In the fall of 2014, ILSP once again hosted a Program Open House, geared toward students. Dozens of attendees, mostly students from both HLS and the University at large, enjoyed a reception that featured welcoming remarks, a summary of program activities, and presentation of opportunities for student travel grants and student group-funding awards by Directors Intisar Rabb and Kristen Stilt. The event also included introductions to the year’s group of ILSP Visiting Fellows.

On March 4, Asma Jahangir, Advocate of the Supreme Court of Pakistan, and Partner, AGHS Law Associates, who was at Harvard to deliver the 10th Annual Tsai Lecture, met with several HLS students at a special coffee hour hosted by ILSP. The group had a wide-ranging discussion on human rights in Pakistan, application of Islamic law and its intersection with women’s rights, Jahangir’s career, and strategies for advocates.

Travel Grants and Internships

The Program awarded its first student travel grant in January of 1996, and since, we have facilitated the research of many students at the Law School—including candidates for the JD, LLM, and SJD degree programs—and occasionally Harvard University graduates students researching topics on or related to Islamic law. Students submit proposals for

research trips for work experiences or for the study of Islamic law. All projects associated with Islamic law or with the legal systems of Muslim countries qualify, internships included. In 2014–2015, ISLP awarded a student travel grant to Paul Lee, a Harvard Law School third-year student. Lee traveled to Dubai to research Islamic securities regulation during the January 2015 term.

ILSP Writing Prize

This year, ILSP established the Islamic Legal Studies Program Writing Prize on Islamic Law, an annual prize of \$1,000, to be given to the Harvard Law School student writing the best paper in the field of Islamic law or on the intersection between other religious legal traditions and Islamic law. The winner of the inaugural prize was Marzieh Tofighi Darian (LLM ’15), for her paper, “Jurisprudential Differences in Sunnī Law and Shī’ī Law and Their Impact on Constitutional Drafting and



Travel Grant Recipient Paul Lee

Design.” The competition was stiff, with many excellent submissions.

Tuition Assistance

In 2014–2015, the Program provided financial aid for six SJD candidates and eight LLM students from the Muslim world in an amount totaling approximately \$375,000.

Mentoring and Guidance

ILSP Directors and Visiting Fellows are a resource for HLS and Harvard University students interested in the field of Islamic law. ILSP encourages active participation by students in program activities and provides opportunities to work with the Program in developing these events.

Professor Rabb engaged Katherine Gonzales (JD’17), Casey Holzapfel (JD’15), Michael Perloff (JD’17), Rauvin Johl (JD’17), Aya Saed (JD’17), Marzieh Tofighi (LLM’15), and Pamela Yaacoub (JD’17), as research assistants to work on projects related to digital Islamic law. She also worked with Michelle Ha (JD’16) on the Islamic Law Teaching Syllabus Project. Michelle Ha (JD’16), Zahra Aboutalebibi (SJD), Miryam Abaei (LLM’15), and Han Hsien Liew (PhD Candidate, History/Middle East Studies) worked with Professor Stilt on her article “Constitutional Animals” and assisted with the preparation of materials for her Islamic Law and Human Rights course.

Faculty Participation

ILSP Faculty Affiliates

In Spring 2015, ILSP initiated its Faculty Affiliate program. ILSP Faculty Affiliates are members of a broader community of schol-

ars at Harvard with interest and expertise in issues related to Islamic law. These scholars offer a wealth of knowledge and expertise and participate regularly in events and classes on Islamic law, adding richly to the student and scholarly communities. Current Faculty Affiliates are William Graham (Murray A. Albertson Professor of Middle Eastern Studies, Faculty of Arts and Sciences, and University Distinguished Service Professor), Baber Johansen (Professor of Islamic Religious Studies, HDS), Ousmane Kane (Prince Alwaleed Bin Talal Professor of Contemporary Islamic Religion and Society, HDS), Asim Ijaz Khwaja (Sumitomo-Foundation for Advanced Studies on International Development Professor of International Finance and Development, HKS), Tarek Masoud (Sultan of Oman Associate Professor of International Relations, HKS), and Malika Zeghal (Prince Alwaleed Bin Talal Professor in Contemporary Islamic Thought and Life, Department of Near Eastern Languages and Civilizations, FAS).

Other Contributions to the HLS Community

Support for HLS Library

The Library's research collection of Islamic and Middle Eastern law materials is very important to ILSP and its mission of promoting research and resources to advance the academic study of Islamic law. To this end, ILSP substantially contributes to the salaries of Law Library personnel and to funding collection needs. Harvard Law School Library's Islamic



and Middle Eastern law collection is one of the most important in the world, and it is constantly being enhanced by the work of the Library staff, often advised by ILSP Directors and affiliates. ILSP and its Faculty Directors heavily rely on the Islamic law collection and the titles acquired each year for teaching, research, and program activities, and anticipate that such reliance, especially on newly acquired titles, will grow.

The position of Librarian for Islamic Law, two-thirds of which is funded by ILSP, is critical to the Harvard Law School Library's collection of Islamic law materials. The Librarian for Islamic Law is supported by the Islamic Acquisitions Assistant, whose duties include ordering and cataloging.

The HLS Library collects legal materials pertaining to Islamic law as well as the juris-

ditional laws of Muslim-majority countries and the Middle East from the Middle East, Central Asia, and the Caucasus in the languages of each of these regions. These materials currently number approximately 25,000 monographs plus major serials, databases, and electronic resources related to the subject, with some 1,000 new resources added each year. The collection contains materials in Arabic, Persian, Turkish, English, and French, among other languages, and includes a wide range of resources covering both classical Islamic law and the current jurisdictional law of countries with predominantly Muslim populations.

The library staff, at the request of ILSP and SHARIAsource and with ILSP's help, undertook a major project to identify and sort the Islamic and Middle Eastern law collection at the HLS Library. Existing library systems were inadequate for the task, and after several makeshift attempts, the project was completed using a new program developed by Paul Deschner, LibraryCloud. LibraryCloud operates as a metadata hub that makes the included data openly available for use by applications and websites at Harvard and beyond, and enables easier management of the data flowing among the Library's various systems. Professor Rabb worked closely with library staff to formulate the inquiries necessary to run the search to identify Islamic Law materials on LibraryCloud. In addition to access to the results for research purposes and to inform

efforts at digitization, the results will be displayed on SHARIAsource using StackLife, a new way of organizing the holdings that provides a different browsing experience.

Other Contributions

Both ILSP Directors provided service to the HLS Graduate Program and the HLS Selection Committee for Salzburg Cutler Fellows. On February 11, Professor Kristen Stilt, with Professor Matthew Stephenson, provided commentary for a talk by Sarah Chayes on her new book, *Thieves of State: Why Corruption Threatens Global Security*.

Connections with the Practice and Profession

The Program receives many requests each year to share its expertise on aspects of Islamic law and law of the Muslim world from law firms, academics, authors, human rights practitioners, government agencies, international organizations, and the media, and provides answers and assistance as appropriate. ILSP Directors Intisar Rabb and Kristen Stilt participated in a variety of activities and meetings in which they shared their knowledge of the field.

INTISAR A. RABB

Editorial Positions and Boards

Cambridge Series in Islamic Civilization, Editorial Board, 2014–Present

Journal of Islamic Law and Culture, Editorial Board, 2014–Present

Journal of Islamic Law and Society, Advisory Board, 2011–Present

Journal of Middle East Law and Governance, Board Member, 2010–Present

External Peer Reviews (for article, book, and grant submissions relating to Islamic law and history)
Journal of Law and Society

Journal of Near Eastern Studies

Law, Culture and the Humanities

Cambridge University Press

Professional Associations

American Association of Law Schools

Comparative Law Section, Secretary-treasurer, 2012–2013; Chair-elect, 2013–2014, Chair, 2014–2015; member, 2015–2016

Criminal Law Section, member, 2010–Present

Islamic Law Section, member, 2010–12; executive board member, 2012–2015; chair-elect, 2015–2016

Law and Religion Section, member, 2011–Present

Legislation Section, member, 2011–Present

American Constitution Society

American Society of Comparative Law

American Society for Legal History

Program Committee for 2013 Annual

Meeting, co-chair, 2012–2013

International Society for Islamic Legal Studies

Law and Society Association

Islamic Law and Society Collaborative Research Network (co-founder), 2012–Present

Middle East Studies Association

Executive Board Nominating Committee (elected member), 2012–2013

National Association of Criminal Defense Lawyers

KRISTEN A. STILT

Editorial Positions and Boards

Law and History Review

External Peer Reviews

Journal of Law and Religion

Law and Social Inquiry

Law and Society Review

The University of Chicago Press

Oxford University Press

Professional Associations

American Association of Law Schools

American Bar Association

American Society for Legal History

International Society for Islamic Legal Studies

Law and Society Association

Middle East Studies Association

Collaboration with Other Schools and Departments at Harvard University

Students from many of the schools and departments of Harvard University frequent our courses and participate in our workshops and lecture programs—including faculty and students from HLS, FAS, HKS, and HBS. Both Professor Rabb and Professor Stilt are members of various University boards and committees—through which we continue to foster connections between ILSP and other parts of the University. Each Director's participation is listed below.

INTISAR A. RABB

Steering Committee, Center for Middle Eastern Studies

Faculty Member, Department of History

Susan S. and Kenneth L. Wallach Professor, Radcliffe Institute for Advanced Study

KRISTEN A. STILT

Faculty Member, Harvard Animal Studies Program

Steering Committee, Center for Middle Eastern Studies

Advisory Board, Al-Waleed Islamic Studies Program

Steering Committee, South Asia Institute

Affiliate Faculty Member, Department of History



PLANS FOR THE ACADEMIC YEAR 2015–2016

Executive Summary

In the academic year 2015–2016, ILSP will continue its mission of promoting research and providing resources to advance the academic study of Islamic law, with an emphasis on legal history, law and society, and comparative law. ILSP intends to collaborate with other programs and professors at Harvard Law School, the wider Harvard University community, and the broader academic world on ILSP programs and projects. Additionally, ILSP is eager to create opportunities for students and scholars to engage in ILSP projects, workshops, and conferences.

With two Faculty Directors fully on board, ILSP will continue in 2015–2016 to expand its

activities and initiatives. Under a new governance structure, the Program will house Projects led by each Director. Professor Stilt work focuses on Animals, Law, and Religion (ALR) and Islamic family law; Professor Rabb's work concentrates on SHARIAsource as well as on Islamic judicial procedure, and Islamic law teaching.

Under Professor Rabb's leadership, SHARIAsource is well underway and promises continued growth, supported by a grant from the Henry R. Luce Foundation and MacArthur Foundation, and with the support of the Berkman Center for Internet and Society as well. Plans to hire an Executive Director for the Project in 2016 will ensure the project will take off toward launch later that year. Professor Rabb is organizing a major event on judicial procedure, to be held in Spring 2016. We expect to launch the Islamic Law Teaching Syllabus Project in the academic year 2015-2016 as well.

Professor Stilt will continue to focus on the intersection of Islamic law and human rights, Muslim family law, and animals in Islamic law and the laws of other religious traditions. Several events are planned for the Animals, Law, and Religion (ALR) Project. The hiring of Natalie Prosin as Project Manager for ALR will greatly facilitate the expansion and coordination of this project. Stilt has also begun discussions with faculty in the HLS Human Rights Program on a collaborative project on the topic of child marriage.

ILSP continues to raise its profile via a more active and dynamic web presence, with an actively managed website and increased use of social media.

Fellows, Events, Research, Projects, and Publications

Visiting Fellows

The fellowship program includes the possibility, depending on the preference of the supervising Director, that the Fellow spend time working on ILSP projects, and that their own research be related to one of three research streams: Islamic Law and Legal History, Islamic Law and Society, or Islamic Law Themes in Digital Humanities. Due to budgetary limitations, the Fellows Program will remain small. The program received some 60 applications for the one or two available fellowships for 2015-2016. Each Director was able to select one Fellow for the academic year. Professor Stilt used this amount of funding to host two Fellows, who are co-authoring a book, for the Fall semester. Professor Rabb offered a fellowship to Adel Gamar, who is working on Islamic law in Libya. Fellows will be in residence and will be expected to participate in ILSP activities. Fellows for the coming year are:

► **Febe Armanios**

Associate Professor of History, Middlebury College, September 2015-December 2015

► **Boğaç A. Ergene**

Associate Professor of History, University of Vermont, September 2015-December 2015



Febe Armanios

Boğaç Ergene

Adel Gamar

► **Adel Gamar**

Harvard Kennedy School 2015, September 2015-May 2016

Armanios and Ergene will work on a joint book project (under contract with Oxford University Press) exploring the evolution of halal food dictums and practices in the Islamic tradition, including how Muslim jurists—from medieval to modern periods—have negotiated and reinterpreted understandings of halal to address a variety of internal and external challenges. They will also organize with Professor Stilt a conference in spring 2016 on the treatment of animals consumed for food in Islamic law and comparative religious laws. Adel Gamar will conduct research on Islamic law in Libya.

Events

The Program will continue the ILSP Workshop Series, in which each ILSP fellow workshops a paper on his or her research topic. We also expect to host a number of talks or panel discussions on current events involving Islamic law or law in the Muslim world.

Professor Rabb and Adel Gamar, organized a kick-off workshop in September 2015 at which SHARIAsource leadership together with the Berkman Center for Internet and Society outlined project goals and solicited guidance from a select group of participants—which included academics, journalists, and policy experts.

With her Fellows, Armanios and Ergene, Professor Stilt will host an event on animals, law, and religion, and with HLS S.J.D. student Jessica Eisen, she will also organize a workshop on the intersection of animals, religion, and constitutional law, such as the provision in the new Egyptian constitution requiring the state to provide for animal welfare.

ILSP Publications

The ILSP newsletter and the ILSP website are ongoing projects. Given continuing interest in the existing books in the Harvard Series in Islamic Law published by the Harvard University Press, we are investigating reviving this series with the publication of another volume. We are also considering the possibility of reviving the ILSP's Occasional Papers series.

Contributions to the HLS Teaching Program

Kristen Stilt will teach two Spring semester courses related to Islamic law. *Islamic Law: Human Rights Advocacy in the Muslim World* will address difficult questions at the intersection of human rights law and some interpretations of Islamic law. *Animal Law* will introduce students to the broad range of laws that affect non-human animals, and will include significant attention to the laws of other countries and to international law. Professor Intisar Rabb was awarded a Radcliffe Professorship and will be on teaching leave as the Susan S. and Kenneth L. Wallach Professor at the Radcliffe Institute for Advanced Study in academic year 2015–2016.

Participation of HLS Students in Program Activities

HLS students will be invited and encouraged to participate in conferences and other events organized by the Program. Over the last few years, we have observed a growing interest on the part of HLS students in matters of Islamic law, and we expect this to continue to increase over the next academic year as students increase their engagement with Professors Rabb and Stilt via courses and work on ILSP projects.

Faculty Participation

For the academic year 2015–2016 we will continue to encourage HLS and Harvard University faculty participation in ILSP events, as topics explored in Program activities are of ongoing concern and interest to faculty from a wide range of disciplines. World events, some of which relate to issues of Islamic law, are likely to continue to yield topics for a variety of events of interest to ILSP.

Other Contributions to the HLS Community

ILSP continues to collaborate with HLS faculty, programs, and student groups and will contribute by participating in and cosponsoring various programs and events.

Connections to the Profession

ILSP maintains contacts and connections with professionals inside and outside of the United States, and will continue to do so through participation in conferences and workshops.

Collaboration with Other Schools and Departments at Harvard University

We expect students from many of the schools and departments of Harvard University to frequent our courses and participate in our workshops and lecture programs—including faculty and students from HLS, HKS, FAS, and HBS. Both Professor Intisar Rabb and

Professor Kristen Stilt are members of the Steering Committee of the Center for Middle Eastern Studies, and either jointly appointed faculty (Rabb) or affiliate faculty (Stilt) in the Department of History. In addition Professor Stilt is a Faculty member of the Harvard Animal Studies Project and on the Advisory Board of the Al-Waleed Islamic Studies Program and the Steering Committee of the South Asia Institute, and Professor Rabb is the Susan S. and Kenneth L. Wallach Professor at the Radcliffe Institute. Stilt will join Malika Zeghal as the co-convenor of the Middle East Beyond Borders graduate student workshop series. Through these connections we expect to garner an increasingly robust relationship between FAS and ILSP.



PHOTOGRAPHY: Brooks Kraft, pages 3, 5, 14, 16, 23

EDITORIAL: Ceallaigh Reddy

DESIGN: Ethan Thomas

