
Islamic Legal Studies Program: SHARIAsource

Annual Report
July 2016 – June 2017

Harvard Law School

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The Program

Harvard Law School's Islamic Legal Studies Program: SHARIAsource (ILSP: SHARIAsource) is dedicated to providing *content and context on Islamic law in a way that is accessible and useful*. Working with a global team of editors, we provide a platform to house primary sources of Islamic law, organize the people to critically analyze them, and promote research to inform academic and public discourse about Islamic law. Our research portal (beta.shariasource.com) is our flagship project, and offers a home for wide-ranging sources and analysis of Islamic law. Other projects and special events serve academics, lawyers, students, and other generally interested readers, and we disseminate information and cutting-edge commentary as well as engage conversation through our blog (shariasource.blog), newsletter (shariasource.blog/archives/), [social media](#) outlets, and special events. The SHARIAsource portal includes sources and scholarly commentary on Islamic law from the earliest periods of Islam to the modern era, covering both Muslim-majority and Muslim-minority contexts. SHARIAsource adheres to common principles of academic engagement including attention to diverse perspectives, peer-reviewed analysis, and the free and open exchange of ideas.

ILSP: SHARIAsource was developed with support from ILSP endowment funds, the Berkman Klein Center for Internet and Society at Harvard University, and from the Luce and MacArthur Foundations. Since 2014, ILSP, and then ILSP: SHARIAsource, has facilitated three main academic fields of study—with its overall mission to promote research and provide resources to advance the academic study of Islamic law, with an emphasis on 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 early modern. Islamic law and society includes anthropological, sociological, and political 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 legal systems, comparative legal history, comparative constitutional law, and other comparative approaches. In all three areas, the Program encourages interdisciplinary research as well as inquiry that uses qualitative and quantitative empirical methodologies.

The Program also facilitates individual scholarly research and collaborative research projects. It also sponsors lectures, workshops, conferences, and other events to both advance exchange among scholars and to educate the Harvard Law School (HLS), Harvard University, and broader intellectual communities. The geographic areas of interest for ILSP: SHARIAsource include

local, national, and global topics, 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.

Finally, ILSP: SHARIAsource supports other Islamic law-related initiatives at Harvard. With support to the Islamic law collection at the Harvard Law School Library, we provide faculty, students, and visitors with the opportunity to take advantage of Harvard's unparalleled library holdings. Through our Fellowship Program we annually support 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. Finally, via the Student Support Program ILSP: SHARIAsource provides scholarships and research grants for dozens of students at HLS each year.

Part One: Report of Activities

A. Summary of the Academic Year 2016–2017

1. Executive Summary

The 2016–2017 academic year inaugurated a new split structure for ILSP, with the development of ILSP: SHARIAsource under Professor Intisar Rabb as a separate entity from ILSP: Law and Social Change under the directorship of Professor Kristen Stilt. Each Faculty Director brings new ideas to invigorate the study of Islamic law for specialists and comparatists alike. To our knowledge, HLS remains the only major law school in the US with two tenured faculty members who have expertise in Islamic law.

During this time of development, ILSP: SHARIAsource expanded its general mission to provide research and resources on Islamic law, and its specific mission to provide access to information on Islamic law through expanding the portal's content and research tools, research and publications, and the fellowship program and events. Public programs included HLS events featuring lectures from leading scholars, collaborative events at HKS with the Gold Star father Khizr Khan, and a policy roundtable with a range of government representatives in Washington DC, convened in conjunction with USIP. We also hosted a slate of three new fellows including a first ever Law and Policy Fellow. As for projects, Professor Rabb and the SHARIAsource team continued to build the SHARIAsource portal, which successfully launched in December 2016 to wide acclaim. For publications, a weekly newsletter, bi-weekly and daily social media posts, thousands of portal documents, and a number of policy briefs constitute some highlights.

SHARIAsource has completed two phases of development and is in the midst of a third. The first phase was conceptual and exploratory, which Professor Rabb developed from her research and teaching in consultation with a team of other legal scholars and historians, internet and technical experts, and librarians. The second phase consisted of platform-building and site-launching for the proof of concept. In this phase, we launched the beta portal (beta.shariasource.com) in December 2016. The third phase involves increased **(1) content aggregation** (primary sources, and peer-reviewed scholarly analysis from the growing team of global editors), and **(2) library collection digitization** (identifying and beginning to digitize the extensive holdings from the Harvard Law School Library Islamic law collection), and **(3) research tools** to understand and organize the data in a way that makes it more accessible and useful (including building a program for Arabic optical character recognition for digitized material, data visualization timelines and social network-mapping of laws and medieval judges and jurists, and other AI or big data applications for best analyzing big data using “distant reading” on Islamic law sources).

Because our work cannot exist without the help and support of many dedicated colleagues, it is worth mentioning a note of appreciation to the very important people and organizations without whom ILSP: SHARIAsource would not be possible. The SHARIAsource core team—staff, editors, and students—continues to produce amazing research, programs, and innovative mechanisms for advancing the discussion of Islamic law near and far. Faculty colleagues at HLS offer insightful guidance, and I want to especially note the support that Bill Alford made to our work through a small grant from the East Asian Legal Studies program, which made possible the Mandarin translation of some portal documents. Close colleagues in HLS administrative centers have made our daily work possible: HLS office of Finance, HR, Communications, the Development Office and Alumni Center, the Dean’s Office; and the Harvard University Center for Middle Eastern Studies, Department of History, Police Department, and Office of Sponsored Programs. Finally, our funders, the Luce and MacArthur Foundations, our global team of editors, our panel of senior faculty members, and other contributors are essential to keeping our content fresh and exciting. We could not do our work without the help of all these individuals and addresses.

2. Activities

Advancing access to research and resources on Islamic law is at the core of ILSP: SHARIAsource. In reflecting the diverse nature of Islamic legal studies and the students, fellows, and scholars who engage it, the Program executed a variety of events. Our events in 2016-2017 ranged from public

lectures and student lunches to a policy roundtable in Washington DC. Online, the program provided opportunities for cross-continent engagement in research through global editor meetings and discussions. In addition, we give high priority to maintaining and expanding a renowned research collection on Islamic law and the positive law of jurisdictions with Muslim-majority populations. To serve this goal, the Program contributes significant funds to the Law School Library, including substantial funding to support the salary of the Librarian for Islamic Law and for procuring research tools necessary to aid the ongoing research of fellows and faculty.

Visiting Fellows

Each year, following a formal application and review process by a faculty committee, SHARIAsource chooses a group of Visiting Fellows to spend an academic year or semester pursuing cutting-edge research at HLS. During their stay, Visiting Fellows make use of the research facilities at HLS and the University, and participate in the intellectual life of the Program. They receive HLS appointments, office space, and, usually, a stipend. They are also invited to participate in all Program activities and to share their work with the intellectual community at HLS at some point during the academic year.

During the 2016–2017 year, ILSP: SHARIAsource hosted three visiting fellows:

A. Sohaira Siddiqui (Assistant Professor of Theology, Georgetown University, School of Foreign Service in Qatar) was appointed as a Law and Policy Fellow during the spring 2017 semester. Her research focuses on how Islamic law impacts jurists' understandings of the relationship between law, politics, and society in medieval and colonial times. During her fellowship year, she examined ways in which Islamic law is codified in a variety of global locations and the rise of Islamic constitutionalism. Toward sharing her research more widely, she will publish the following analyses on Anglo-Muhammadan Law to the SHARIAsource portal:

- “On the Birth of Anglo-Muhammadan Law”
- “On the Creation of Anglo-Muhammadan Law”
- “Court Case—Right of Pre-Emption”
- “Court Case—Right of Custody Overturned”
- “Court Case—On the Inheritance of Minors”
- “Court Case—On the Legitimacy of Sons”
- “Court Case—On Post-Death Gift and Inheritance”
- “A Few Notes on Anglo-Muhammadan Law”

B. Maribel Fierro (Director, El Centro de Ciencias Humanas y Sociales in Madrid, Spain), who is a leading Islamic law scholar globally, served as a Senior Research Fellow at ILSP: SHARIAsource, as

well as a Visiting Researcher at the Center for Middle Eastern Studies in Spring 2017. Her research focuses on the operation of Andalusian Islamic courts, for which she focused her time at HLS on “The Judges of al-Andalus: Prosopography, Practices, Priorities and Predicaments.” During her fellowship tenure, she finished a book chapter—to be published by ILSP—on procedure in early Islamic courts, contributed her analysis of related court cases from al-Andalus to the SHARIASource portal, and delivered the prestigious CMES Gibb Lecture Series as well as other lectures in and around Harvard and other U.S. academic institutions:

- “Scholars and Rulers in al-Andalus: Averroes’ ‘Disgrace’ in Context,” CMES Gibb Lecture, Harvard University (7 March 2017)
- “Scholars and Rulers in al-Andalus: A Christian Emperor for the Muslims?,” CMES Gibb Lecture, Harvard University (9 March 2017)
- “The Trial of a Heretic: Muslim Toledo, 11th Century: Judicial Procedure and Political Context,” ILSP: SHARIASource, Harvard Law School (27 March 2017)
- “Why Did Ibn Hazm Become a Zahiri?,” Real Colegio Complutense. Symposium New Perspectives on al-Andalus: Agents and Objects in the Field of Cultural Production, Harvard University (7 April 2017)
- “The Political Mystics of al-Andalus,” Mediterranean Seminar Mysticism and devotion, University of Colorado at Boulder (21-22 April 2017)
- “Codifying the Law: The Case of the Medieval Islamic West,” Shari`a Workshop, Columbia University (27 April 2017)
- “Christian Relics in al-Andalus,” with Luis Molina, The Medieval Iberian Treasury in the Context of Muslim-Christian Interchange, Princeton University (19-21 May)
- “Narrating Translation into Arabic in al-Andalus,” Advanced School in the Humanities on Judaism, Christianity, and Islam: Religious Communities and Communities of Knowledge, Institute for Advanced Study, Princeton (12-15 June)

C. Mubasher Hussain (Fulbright Research Scholar, Assistant Professor of Islamic Law; Head, Sirah Unit, Islamic Research Institute, International Islamic University, Islamabad, Pakistan)

was the third Visiting Fellow, with a fellowship period stretching over the Spring and Fall 2017 semesters. While at HLS, he is examining the life and legacy of Shah Waliullah al-Dihlawi and his impact on traditional Islamic thought and Islamic law. Professor Hussain is also preparing to publish documents on woman-initiated divorce (*khul'*) on the Portal, drawn from the advisory opinions (*fatwās*) from a group called the Ahl-i Hadith Ulama of Pakistan. His presentations included the following:

- “Shah Waliullah Dehlawi and His Neglected Views on Islamic Law,” ILSP: SHARIASource, Harvard Law School (17 April 2017)

- “A New Hermeneutical Approach to the Study of Islamic Law,” IJAS Conference for Social Sciences and Humanities, Harvard University (24 May 2017)
- “Family Law Reform in Pakistan: Recent Juristic Opinions (*Fatwās*) Favoring Women-Initiated Divorces,” ILSP: SHARIASource, Harvard Law School (TBD September 2017)

Events

The 2016–2017 slate of events were convened both singly and in collaboration with other units at the University, HLS, and beyond. Of our total of 31 events, a highlight was Professor Intisar Rabb moderating an [HKS Forum event](#) with Khizr Khan on 15 February that attracted hundreds in person, and many more online. Our events—both sponsored and co-sponsored—served over 1050 in-person participants and many more who watched online. Below are details about the events we supported during the year.

COMMUNITY OUTREACH AND PROGRAMMING

SEPTEMBER 14, 2016: TABLING AT HARVARD LAW SCHOOL

Participation in HLS school-wide advertisement to students and faculty of Program initiatives and opportunities to be involved.

SEPTEMBER 21, 2016: SHARIASOURCE OPEN HOUSE

SHARIASource hosted its annual open house where it presented its portal and blog to a crowd that included current JD and LLM students, scholars in related fields, HLS librarians, and members of the wider public with a general interest in Islamic law. Professor **Intisar Rabb** introduced 2016-2017 executive director **Paul Beran**, fellows, and staff. Particularly emphasized was the open nature of SHARIASource—not only is Austin 102 meant to be an open work space for all those affiliated with SHARIASource, but the portal is designed to be virtual headquarters housing all relevant resources and research, and hosting open academic debate.

OCTOBER 6, 2016: DELEGATION VISIT :: RULE OF LAW AND JUDICIAL REFORM II

Executive Director **Paul Beran** met with a visiting delegation of judicial scholars and practitioners from various countries in the Middle East. The delegation of eight was part of the Rule of Law and Judicial Reform track of the International Visitor Leadership Program of the Office of International Visitors of the Bureau of Education and Cultural Affairs of the US Department of State. Composed of representatives from Morocco, Jordan, Lebanon, Saudi Arabia, and Egypt the delegation included academics, scholars, and government officials.

NOVEMBER 17, 2016: SHARIASOURCE MESA RECEPTION

Reception for MESA attendees.

DECEMBER 13, 2016: POLICY ROUNDTABLE :: UNDERSTANDING SHARĪ‘A: IMPLICATIONS FOR POLICY AND CONFLICT RESOLUTION

Panelists included: **Intisar Rabb**, HLS Professor and ILSP: SHARIASource Director and Founding Editor in Chief; **Leila Mooney**, Senior Program Officer, Center for Governance, Law and Society,

USIP; **Palwasha Karkar**, Senior Program Officer, Religion and Inclusive Societies, USIP; and **Manal Omar**, Associate Vice President, Center for Middle East and Africa, USIP. This event capped a semester-long engagement with policymakers in Washington, providing a policy briefing on Islamic law for a range of agency and congressional staffers.

PANELS AND PUBLIC LECTURES

SEPTEMBER 27, 2016: BERKMAN KLEIN CENTER FOR INTERNET AND SOCIETY AT HARVARD UNIVERSITY: POWER AND PARTICIPATION IN THE NETWORKED PUBLIC SPHERE

Panelists included: **Yochai Benkler**, Berkman Klein Co-Director and HLS Professor; **Intisar Rabb**, HLS Professor and ILSP: SHARIAsource Director and Founding Editor in Chief; **Zeynep Tufekci**, Berkman Klein Faculty Associate, Associate Professor at the University of North Carolina, Contributing Opinion Writer at the New York Times; **Jonathan Zittrain**, Berkman Klein Faculty Chair and HLS Professor; **Catherine Bracy**, Berkman Klein Affiliate, Co-Founder and Managing Director of TechEquity Collaborative; **John Palfrey**, Berkman Klein Co-Director, Head of School at Phillips Academy. Professor **Intisar Rabb** spoke about her role in and the compelling reasons for forming SHARIAsource, which immediately garnered the support of the Berkman Klein Center. She pointed to the need for an academic and public understanding of what sharī'a is and is not. With collaborations facilitated in part by Berkman Klein colleagues, the project has taken up several questions that seek to make academic information on Islamic law accessible and useful to specialists and non-specialists alike: How can we collect sources on Islamic law and organize vast quantities of information in a way that provides a viable research tool on par with US and other legal databases? How can we ensure that the diversity of Islamic law is maintained even as we seek to facilitate scholarly and public engagement about particular pressing problems of the day? Organized by the Berkman Klein Center to celebrate its renaming with a gift from Michael Klein, the event attracted approximately 100 people in Wasserstein Hall, including Mr. Klein, and was followed by a reception and dinner at the Harvard Art Museums.

OCTOBER 19, 2016: MLTALKS SERIES :: INTISAR RABB AND MANAL OMAR IN CONVERSATION WITH ETHAN ZUCKERMAN

Ethan Zuckerman, Associate Professor of the Practice in Media Arts and Sciences and Director, Center for Civic Media at MIT, moderated a conversation with **Intisar Rabb**, HLS Professor and ILSP: SHARIAsource Director and Founding Editor in Chief, and **Manal Omar**, Associate Vice President, Center for Middle East and Africa, USIP. Zuckerman framed the discussion as fitting within a larger approach of the MIT Media Lab, which is to engage in solution-making discussions from a techno-social perspective. In that vein, the discussion covered issues of Islamic law, American society and politics, and US-based foreign policy and assistance to Muslim majority countries. When asked about the role of sharī'a in educational and policy contexts, **Rabb** provided a framework for approaching discussions of Islamic law both online and offline—in ways that track the major inspiration and mission of SHARIAsource in its design to provide content and context on Islamic law. Namely, she stressed the need to consider a large number of source materials, cultural contexts, and political realities when approaching any analysis of the meaning and application of Islamic law. **Omar** provided insights on how humanitarian aid and development activities benefit from implementing strategies that incorporate religious literacy and the moral authority of religious leaders who appeal to sharī'a as a working knowledge set.

NOVEMBER 17, 2016: FROM TEXT TO MAP: ARABIC BIOGRAPHICAL COLLECTIONS AND GEOSPATIAL ANALYSIS

This colloquium highlighted new tools for online digital research, led by **Maxim Romanov**, Research Fellow at Alexander von Humboldt-Lehrstuhl für Digital Humanities, Institut für Informatik, Universität Leipzig.

FEBRUARY 6, 2017: PUBLIC LECTURE :: EGYPT: UNFINISHED REVOLUTION?

Jack Shenker, journalist and author, *The Egyptians: A Radical History of Egypt's Unfinished Revolution* and, **Khaled Fahmy**, Shawwaf Visiting Professor of Modern Middle Eastern Studies at Harvard University, Professor of History, American University in Cairo, SHARIASource Faculty Affiliate discussed the Arab uprisings that began in 2010. SHARIASource co-sponsored this event.

FEBRUARY 15, 2017: FORUM AT HKS :: A CONVERSATION WITH KHIZR KHAN

Panelists included: **Khizr Khan**, lawyer and constitutional rights advocate; **Intisar Rabb**, HLS Professor and ILSP: SHARIASource Director and Founding Editor in Chief. **Khizr Khan** spoke at the Harvard Kennedy School's JFK Jr. Forum, co-sponsored by ILSP: SHARIASource. Khan recounted for the crowd his experience leading up to the Democratic National Convention and its aftermath. Moderated by **Intisar Rabb**, this recounting turned into an impassioned lecture on the importance of integrity and giving meaning to the Fourteenth Amendment.

MARCH 7, 2017: GIBB LECTURE :: SCHOLARS AND RULERS IN AL-ANDALUS: AVERROES' DISGRACE IN CONTEXT

Speaker: **Maribel Fierro**, Senior Research Fellow, ILSP: SHARIASource; Visiting Researcher, CMES; Director, El Centro de Ciencias Humanas y Sociales (CSIC) Director, El Centro de Ciencias Humanas y Sociales (CSIC) in Madrid, Spain. Co-Sponsored by SHARIASource.

MARCH 9, 2017: GIBB LECTURE :: SCHOLARS AND RULERS IN AL-ANDALUS: AVERROES' DISGRACE IN CONTEXT

Speaker: **Maribel Fierro**, Senior Research Fellow, ILSP: SHARIASource; Visiting Researcher, CMES; Director, El Centro de Ciencias Humanas y Sociales (CSIC) Director, El Centro de Ciencias Humanas y Sociales (CSIC) in Madrid, Spain. Co-Sponsored by SHARIASource.

LUNCH TALKS

SEPTEMBER 16, 2016: "FROM BIG LAW TO PUBLIC SERVICE IN THE WHITE HOUSE" WITH RAHEEMAH ABDULALEEM

Raheemah Abdulaleem, Associate General Counsel in the Executive Office of the President in Office of Administration at the White House, spoke to current HLS students about her first years as a newly barred lawyer and her path to the White House. Facilitated by Professor **Intisar Rabb**, the conversation discussed advocacy both as a profession and skill that would benefit young lawyers' careers.

NOVEMBER 7, 2016: RESEARCH METHODS :: USING CORPUS ANALYSIS TO STUDY MEDIA DISCOURSE: COMPARING DISCUSSIONS OF ISLAMIC MARRIAGE REFORM IN INDIA AND PAKISTAN

Panelists included: **Ali Hashmi**, independent data scientist, **Sharon Tai**, SHARIASource research editor; and **Osama Siddique**, Henry J. Steiner Visiting Professor in Human Rights at HLS. The panel provided a research demonstration of an emerging research tool for the SHARIASource portal, based

on the Media Cloud at MIT. The tool that allows users to identify gaps in narratives told by journalists and other reporters through an algorithm that provides sentiment analysis on a selected textual corpus (all of a newspaper's articles, court cases, etc.) within a defined time frame. The tool then returns three visual and quantitative breakdowns of the data, allowing researchers to identify journalistic gaps.

FEBRUARY 17, 2017: LUNCH DISCUSSION :: PROSECUTING RADICALIZATION

Professor **Amna Akbar**, Assistant Professor of Law, The Ohio State University provided a series of research findings from her study of counter-radicalization efforts by US law enforcement against Muslims, who may be prosecuted for estimations about their beliefs about sharī'a, among others. Drawing on her experience as a clinical professor and legal practitioner, Akbar highlighted the impact of these efforts on social cohesion and community building,, and she also situated Obama administration policies within larger contexts of policing and marginalized communities.

APRIL 14, 2017: LUNCH TALK WITH SHAHZAD BHATTI

HLS graduate, **Shahzad Bhatti**, director of Axiom Learning, talked with Muslim students about being a Muslim attorney in the United States who is sometimes called upon to identify aspects of Islamic law in his role as a practicing attorney.

MAY 4, 2017: RESTORING THE ORIGINAL IDEOLOGY OF ISLAM: FREEDOM AND EQUALITY

Christina Jones-Pauly, independent consultant, discussed varied understandings of freedom and equality in classical Islamic legal philosophy.

WORKSHOPS

SEPTEMBER 12, 2016: LOOKING FOR LAW IN ALL THE WRONG PLACES

Intisar Rabb presented at the Medieval Studies Program meeting at Harvard University on a panel with four other scholars.

SEPTEMBER 16, 2016: ACTIVISM, ADVOCACY, AND SCHOLARSHIP ON ISLAM IN THE DIGITAL REALM, PARDEE SCHOOL OF GLOBAL STUDIES, BOSTON UNIVERSITY

Intisar Rabb and **Paul Beran** presented on SHARIAsource as part of the digital humanities panel at Boston University.

SEPTEMBER 21, 2016: ISLAMIC LAW'S DUTY TO FIGHT: CLAIMING JURISDICTION OVER JIHAD

Adnan Zulfiqar, Sharswood Fellow, University of Pennsylvania Law School presented at the International and Comparative Law Workshop, convened by HLS Professors **Intisar Rabb** and **William Alford**, Henry L. Stimson Professor of Law, and co-sponsored by ILSP: SHARIAsource.

SEPTEMBER 21, 2016: COMPARATIVE LAW WORKSHOP: RALF MICHAELS

Ralf Michaels, Duke University Law School. Comparative Law Workshop, presented the International and Comparative Law Workshop, convened by HLS Professors **Intisar Rabb** and **William Alford**, Henry L. Stimson Professor of Law, and co-sponsored by ILSP: SHARIAsource.

SEPTEMBER 30, 2016: THE OTHER PAKISTAN: SPECIAL LAWS, DIMINISHED CITIZENSHIP, AND THE GATHERING STORM; WORKSHOP SUMMARY WITH OSAMA SIDDIQUE

Osama Siddique, Henry J. Steiner Visiting Professor in Human Rights at HLS presented at the International and Comparative Law Workshop, convened by HLS Professors **Intisar Rabb** and **William Alford**, Henry L. Stimson Professor of Law, and co-sponsored by ILSP: SHARIAsource.

NOVEMBER 16, 2016: DIGITAL ISLAMIC LAW AND HISTORY: RESOURCES AND METHODS

SHARIAsource sponsored a workshop with **Maxim Romanov**, Research Fellow at Alexander von Humboldt-Lehrstuhl für Digital Humanities, Institut für Informatik, Universität Leipzig to walk through methods of annotating Arabic text for a collaborative research environment.

NOVEMBER 17, 2016: COMPARING AND SHARING DIGITAL ARCHIVAL PROJECTS AND METHODS

SHARIAsource sponsored a methods discussion with **Maxim Romanov**, Research Fellow at Alexander von Humboldt-Lehrstuhl für Digital Humanities, Institut für Informatik, Universität Leipzig and **Intisar Rabb** to discuss means of converting Arabic texts to visual maps.

FELLOWS LECTURES

MARCH 27, 2017: THE TRIAL OF A HERETIC: MUSLIM TOLEDO, 11TH CENTURY: JUDICIAL PROCEDURE AND POLITICAL CONTEXT

Maribel Fierro, Senior Research Fellow, ILSP: SHARIAsource; Visiting Researcher, CMES; and Director, El Centro de Ciencias Humanas y Sociales (CSIC) Director, El Centro de Ciencias Humanas y Sociales (CSIC) in Madrid, Spain discussed her current documentary research on a major judicial figure in al-Andalus: Ibn Sahl (d. 486/1070), who began his judicial career as secretary of the judge of Toledo.

APRIL 17, 2017: SHAH WALIULLAH DEHLAVI AND HIS NEGLECTED VIEWS ON ISLAMIC LAW

Mubasher Husain, Fulbright Visiting Fellow at ILSP: SHARIAsource; Assistant Professor of Islamic Law and Head, Sirah Unit, Islamic Research Institute, International Islamic University, Islamabad, Pakistan discussed the life and works of Shah Waliullah al-Dihlawi, whom he characterizes as an overlooked contributor to Islamic law works as a prolific writer of the 18th century.

APRIL 25, 2017: THE TRANSFORMATION OF ANGLO-MUHAMMADAN LAW: MUSLIMS ON BRITISH BENCHES

Sohaira Siddiqui, Policy Fellow at ILSP: SHARIAsource and Assistant Professor of Theology and Islamic Studies at Georgetown University School of Foreign Service in Doha, Qatar discussed the rise and implementation of Anglo-Muhammadan law in British India. She concluded that the dynamics between Islamic law, Anglo-Muhammadan Law, and British law were altered with the appointment of Indian Muslims as High Court judges, beginning with the appointment of Justice Syed Mahmood.

Research

This year, we announced three new areas of research focus with the launch of the SHARIAsource portal in December 2016: Civil Rights Sharī'a, Islamic Criminal Law, and Islamic Constitutionalism and Courts. Within them we developed new content and research resources on the portal: a collection of Islamic Law in US Courts, The Islamic Law Teaching Project (collecting syllabi from courses around the US and Canada), and country profiles of states with elements of Islamic law in their legal systems.

These research initiatives were facilitated by a broad expansion of opportunities for students to conduct research under the direction of Professor **Intisar Rabb** and other scholars working on primary source examination. These students included both HLS JD and Graduate Students: **Katherine Gonzalez** (JD '17), **Helena Swanson-Nystrom** (JD '19), **Alicia Daniel** (JD '18), **Julian Jiggetts** (JD '19), **Clare Duncan** (JD '19), **Nadia Sayed** (LLM '17), **Cem Tecimer** (LLM '17), **Zainab Samantash** (LLM '17), and **Opeyemi Rabiya Akande** (SJD Candidate). Harvard College Students (most of whom were also Radcliffe Research Partners) included **Faiq Habash**, **Allison Piper**, **Bushra Hamid**, **Anastasia Carney**, and **Hannah Hess**. Graduate students included **Shireen Hamza** (Department of the History of Science), **Lispeth Tibbits-Nutt** (NELC), and **Kevyn Yusuf Lenfest** (Divinity). Visiting Fellows Maribel Fierro, Mubasher Hussain, and Sohaira Siddiqui contributed a number of writings as well for online publication. Other HLS staff and SHARIAsource team members played an instrumental role in the production of research. **Aslihan Bulut** (Librarian and Program Coordinator for Foreign, Comparative, and International Law, Harvard Law Library) who serves as the Library Editor and directed the country profiles project as well as the digitization effort. **Matin Modarressi** served as a digital law editor. And staff members **Paul Beran**, **Ashley Davis**, **Darrick Northington**, and **Sharon Tai** helped shepherd the process, in addition to helping with uploads of relevant original research conducted by **Professor Intisar Rabb**, as follows.

INTISAR A. RABB

PUBLICATIONS

Books

Justice and Leadership in Early Islamic Courts, edited by Intisar A. Rabb and Abigail Krasner Balbale (Cambridge, MA: Islamic Legal Studies Program / Harvard University Press, forthcoming 2017)

"Land and Leadership in Early Islamic Societies: The Curious Case of Bughaybigha," in *Justice and Leadership in Early Islamic Courts*, edited by Intisar A. Rabb and Abigail Krasner Balbale (Cambridge, MA: Islamic Legal Studies Program / Harvard University Press, forthcoming 2017)

“Introduction” (with Abigail Balbale and Hossein Modarressi) to *Justice and Leadership in Early Islamic Courts*, edited by Intisar A. Rabb and Abigail Krasner Balbale (Cambridge, MA: Islamic Legal Studies Program / Harvard University Press, forthcoming 2017)

Articles & Book Chapters

Society and Propriety: The Cultural Construction of Defamation and Blasphemy as Crimes in Islamic Law, ACCUSATIONS OF UNBELIEF IN ISLAM: A DIACHRONIC PERSPECTIVE ON TAKFİR 434-64 (Sabine Schmidtke, Camila Adang, & Hassan Ansari eds., Leiden: Brill 2016)

Encyclopedia Articles

Damages, in ENCYCLOPAEDIA OF ISLAM, THREE (David Powers et al. eds., Brill: Leiden, forthcoming 2017)

Confessions, in ENCYCLOPAEDIA OF ISLAM, THREE (David Powers et al. eds., Brill: Leiden, 2016)

Legal Maxims, in OXFORD ENCYCLOPEDIA OF ISLAM AND LAW (Jonathan Brown et al. eds., Oxford: Oxford University Press, 2016)

Works in Progress

Legal Maxims in Islamic Law, in ROUTLEDGE HANDBOOK OF ISLAMIC LAW (Khaled Abou El Fadl & Ahmad eds., Routledge forthcoming 2017)

Islamic Law in Literature (with Bilal Orfali), in ARABIC LITERARY CULTURE: TRADITION, RECEPTION, AND PERFORMANCE (Margaret Larkin et al. eds., Wiesbaden: Harrassowitz forthcoming 2017)

Sharī‘a, in OXFORD ENCYCLOPEDIA OF RELIGION (Tamara Sonn et al. eds., Oxford: Oxford University Press, in progress)

Dynamic Islamic Law: Property Takings and Procedure in Early Islamic History (in progress)

The Substantive Pull of Procedure on Early Islamic Law (in progress)

Papers, Conferences, Presentations

“Islamic Law Teaching in the 21st Century Global Law School,” Chair of the Islamic Law Section Panel at the American Association for Law Schools Annual Meeting in San Francisco, CA (January 2017)

“Digital Evaluation and Incentivizing Digital Scholarship in Middle East Studies,” Thematic Conversations, at the Middle East Studies Association Annual Meeting in Boston, MA (November 2016)

“Borderlands of Islamic Law: The Ottoman Empire and its Neighbors,” Session Chair at the Annual Meeting of the American Society in Legal History (ASLH) in Toronto, Canada (October 2016)

“Judges in Early Islamic Courts,” Presentation on the “History is Everything” Panel at Harvard University in Cambridge, MA (September 2016)

“Law in Islamic Literature,” Presentation at Panel on “Looking for Law in All the Wrong Places: Medieval Legal History and the Problem of Sources,” at Harvard University History Department in Cambridge, MA (September 2016)

Other staff research and presentations included the following:

PAUL D. BERAN

Papers, Presentations, Conferences

“Critiques of Sovereignty from Parts of the Middle East,” at the *Rule, Resistance and the State/s: Perspectives from Islamic International Law and International Relations* workshop at the University of Helsinki (May 2017)

“Prosecuting Radicalization,” introduction to presentation by Amna Akbar at Harvard Law School in Cambridge, MA (February 2017)

“Arab Comics and Muqtatafat,” presentation at the Center for Arab Culture in Somerville, MA (January 2017)

“Creativity Against Crisis: Arab Political Cartoons,” presentation at Tufts University (November 2016)

“SHARIAsource,” Presentation with Intisar Rabb, at the *Islamic Law Online, Activism, Advocacy, and Scholarship on Islam in the Digital Realm: Prospects, Progress, and Challenges* conference at Boston University in Boston, MA (September 2016)

SHARON TAI

Conferences and Workshops

“Finding Gaps in Media Narratives,” presentation at the *Covering Islam & Muslims: A Workshop for Journalists*,” at Princeton University in Princeton, NJ (April 2017)

“Research Methods :: Using Corpus Analysis to Study Media Discourse: Comparing Discussions of Islamic Marriage Reform in India and Pakistan,” panel presentation with **Ali Hashmi**, independent data scientist, and **Osama Siddique**, Henry J. Steiner Visiting Professor in Human Rights at HLS at Harvard University in Cambridge, MA (November 2016).

Projects

The SHARIAsource team met a major milestone this past year with the build out and launch of a highly successful online beta research portal in December 2016. The portal design and architecture was created by a top design firm in New York working in close coordination with Professor **Intisar Rabb** and other subject-matter experts as well as **Sebastian Diaz** and other Berkman Klein Center technical experts. The portal features elegant simplicity that takes the complex nature of the material into account in a way that dynamically relates content to context. This platform is designed to eventually accommodate millions of uploaded documents and images and an intelligent system of metadata tagging to organize and link them. It already contains a robust search engine, and is daily being built out by developers at the Berman Klein Center for Internet and Society in collaboration with researchers from the SHARIAsource team.

The site provides a range of entry-options and resources tailored to the needs of its users. One future feature in development includes audience-specific landing pages. For example, academics and lawyers will be able to search by date or legal issue, and comparative law scholars or generally interested readers can navigate to guides for understanding sharī'a in recent cases and current events. Other planned features include a built-in capacity for data visualization, comparative analytics, and other innovative tools for research and analysis to supplement static content. Hosting video that is tagged and integrated into the collection will allow further build-out of services and functionality.

In addition to collecting and curating primary sources we have also developed several resources that help make Islamic law accessible to academics, policymakers, and journalists. Some of these emerging tools include an Islamic Law Lexicon (breaking down complex terms to simple definitions based on the expert analysis of senior scholars), an Islamic Law Primer (breaking down complex concepts or episodes in Islamic legal history by providing “plain English” summaries of senior scholars’ works), the Islamic Law Teaching Project (collecting syllabi from courses around the US and Canada), and Islamic Law Country Profiles (providing resources on every country, together with information on the status of Islamic law in their legal systems). This basket of resources will help bridge the divide between research among Islamic law specialists and comparatists or other generally interested readers.

Publications and Communications

Research Publications: Books and Occasional Papers

ILSP: SHARIAsource completed and submitted a book manuscript for publication in June 2017 for the volume called *Justice and Leadership in Early Islamic Courts*, which was edited by **Intisar A. Rabb** and **Abigail Krasner Balbale** (Cambridge, MA: Islamic Legal Studies Program / Harvard University Press, 2017). We expect publication to come in Fall 2017 as a part of the Harvard Series in Islamic Law.

We also published one policy brief (as an occasional paper) during the 2016-2017 year including one by Nathan Brown (Professor of Political Science and International Affairs; Director, Institute for Middle East Studies; Director, Middle East Studies Program, Elliott School of International Affairs, The George Washington University) titled “Comparing the Religion-State Divide in the Arab World: Constitutions.”

Portal

We regularly publish primary sources, with summaries, as well as short articles and analysis from Islamic law scholars—all of which go through a rigorous process of peer review.

Blog

We regularly publish commentary on the blog, which is subject to staff editorial view and less so to stringent peer review. We also use the blog as a place to publish information on up-to-the-minute developments in Islamic law cases and research worldwide. Our blog has now reached readers in over 112 countries (See Appendix, “SHARIAsource Blog Posts, 2016-2017.”) One feature that we have launched is online symposia of multi-part analysis of new research in Islamic law. An example is the September 2016 five-part symposium, authored by **Matthew Erie**, at Oxford University, on, “The Legal Basis for Female Clerics among Chinese Muslims.”

Newsletter

The ILSP: SHARIAsource online [newsletter](#) issued 38 editions between July 2016 and June 2017 with readership engagement (opens) ranging between 30 and 37%. We are delighted to report that over 500 people were reading each edition. The newsletter has allowed us to feature innovative peer-reviewed research from around the world, paired with primary sources. Newsletters from previous years and Occasional Publications are all available online in PDF format.

Website

The website is kept up-to-date and, with a planned re-design, will become our online hub through which to provide information about the program. Currently, details on past events, fellows, and students are available on the site’s archive pages. The website is being revised to complete the separation agreement between ILSP’s two parts. Planning for this took place with other colleagues at HLS and work will begin on the redesign in 2017-2018.

Social Media

With the launch of beta.shariasource.com in December 2016 we expanded our social media push with a particular focus on Twitter and Facebook (including SlideShare). Between January and June 2017, we generated nearly 30,000 unique interactions on Twitter, quite a return on roughly 153 tweets. On Facebook during this same period we generated over 125,000 unique views of content posted to our page. Typically, we use these platforms to feature events and case analyses.

3. Contributions to HLS Teaching Program

ILSP: SHARIAsource is committed to using its research and technology tools to contribute to stellar teaching and dynamic student engagement. During the fall semester of 2016, Professor Intisar Rabb co-taught the *International and Comparative Law Workshop* convened with William Alford, Henry L. Stimson Professor of Law at HLS, which had significant comparative Islamic law content. In addition, Professor Rabb contributed to mentoring students conducting primary and secondary-source research, advised students on academic and professional paths, and provided students with recommendation letters and referrals. She was on teaching leave during the spring semester of 2016–2017 as a fellow at the Radcliffe Institute for Advanced Study.

4. Student Program/Participation of HLS Students in Program Activities

ILSP: SHARIAsource has consistently supported Harvard students in their academic endeavors and considers this a priority for its work. The Program encourages students to take advantage of opportunities to conduct Islamic law-related research and to create Islamic law-related programming with the support of ILSP: SHARIAsource funding resources and administrative know-how. We also welcome and encourage student participation in the ILSP: SHARIAsource scholarly community. For the first time, in 2016-2017 SHARIAsource had a table to use to reach out to students at the fall HLS Student Fair. In addition, we held a community open house as we have in the past. A number of students participated directly in our work during the year including: **Opeyemi Rabiati Akande** (SJD Affiliate), **Alicia Daniel**, (JD '18), **Clare Duncan** (JD '19), **Katherine Gonzales** (JD'17), **Julian Jiggetts** (JD '19), **Zainab Samantash** (LLM '17), **Nadia Sayed** (LLM '17), **Helena Swanson-Nystrom** (JD '19), **Cem Tecimer** (LLM '17), and **Aya Saed** (JD' 17). These contributors served as research assistants to support projects related to the SHARIAsource platform on digital Islamic law, and the SHARIAsource conference on judicial procedure held in May 2016.

Student Participation in Events

In the fall of 2016, SHARIAsource once again hosted an open house geared towards students that reached 32 people. It featured welcoming remarks by Intisar Rabb, a summary of program activities, and information on opportunities for student travel grants and student group-funding awards. During the year, some 110 attendees, mostly students from both HLS and the University at large, attended five lunch-time talks by noted scholars and practitioners. These events were designed to provide students with ready access to legal practitioners working in areas of the legal profession that concern Islamic law. The lunches consisted of a presentation, formal question and answer period, and an informal networking and mentoring time.

Travel Grants and Internships

The Program awarded its first student travel grant in January 1996. Since then it has facilitated the research of many students at HLS—including candidates for the JD, LLM, and SJD degree programs—and occasionally Harvard University graduate students researching topics on or related to Islamic law. To receive awards, 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 2016–2017, no student travel grants were awarded. We view funding for research travel as important and have increased the funding for it in our 2017–2018 budget.

ILSP Student Writing Prize

In 2014–2015, ILSP established the Islamic Legal Studies Program Writing Prize on Islamic Law, an HLS-dean granted annual prize of \$1,000 given to the HLS 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 last year’s prize was Zeeshaan Hashmi (LLM ’16) for his paper, “Unconstitutional Constitutional Amendments or Amending the Unamendable? A Critique of District Bar Association Rawalpindi v. Federation of Pakistan.” The prize this year was awarded to **Katherine Gonzalez** (JD ’17) for her paper “Unconstitutional Corporal Punishment.” The competition was stiff, with many excellent submissions. We have allocated funding for a prize in our 2017–2018 budget.

Tuition Assistance

In 2016–2017 ILSP (including SHARIAsource) provided significant financial aid (\$375,000) for SJD candidates and LLM students—as listed below, together with the countries and programs to which they were affiliated: **Aaima Asad** (Pakistan, LLM), **Guley Bor** (Turkey, LLM), **Nilsun Gursoy** (Turkey, LLM), **Ahmed Sadik** (Canada/Iraq, LLM), **Zainab Samantash** (Pakistan, LLM), **Nadia Sayed** (USA/Canada, LLM), **Sana Moeen Warraich** (Pakistan, LLM), **Zahra Aboutalebi** (Iran, SJD), **Doaa Abu Elyounes** (Israel, SJD), **Opeyemi Akande** (Nigeria, SJD), **Rana Elkahwagy** (Egypt, SJD), **Mohammad Hamdy** (Egypt, SJD), **Roozbeh Jabbarizadeh** (Iran, SJD), **Fady Khoury** (Israel, SJD), **Farida Mortada** (Egypt, SJD), and **Marzieh Tofighi Darian** (Iran, SJD).

Mentoring and Guidance

ILSP: SHARIAsource Director **Intisar Rabb** and Visiting Fellows **Maribel Fierro**, **Mubasher Husain**, and **Sohaira Siddiqui** are intellectual resources for HLS and Harvard University students interested in the study of Islamic law. ILSP: SHARIAsource encourages active participation by students in Program activities and provides opportunities for them to work with the Program in developing these events. Professor Rabb and the SHARIAsource team engaged a number of students in research

and mentoring over the course of the year, including **Halah Ahmad** (Harvard College), **Opeyemi Rabiati Akande** (SJD Affiliate), **Alicia Daniel** (JD '18), **Clare Duncan** (JD '19), **Katherine Gonzalez** (JD '17), **Julian Jiggetts** (JD '19), **Sarah Mokh** (Harvard College), **Anwar Omeish** (Harvard College), **Aya Saed** (JD '17), **Zainab Samantash** (LLM '17), **Nadia Sayed** (LLM '17), **Helena Swanson-Nystrom** (JD '19), and **Cem Tecimer** (LLM '17). These students served as research assistants on projects related to the SHARIAsource platform for digital Islamic law, and before that the SHARIAsource conference on judicial procedure held in May 2016. Professor Rabb also worked with Harvard College students **Anastasia Carney**, **Faiq Habash**, **Bushra Hamid**, **Hannah Hess**, and **Allison Piper** through the Radcliffe Student Research Partnership Program.

5. Faculty Participation: Faculty Affiliates

ILSP: SHARIAsource continued its Faculty Affiliate program, initiated in spring 2015, during the 2016-2017 year. Faculty Affiliates are members of a broad community of scholars 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. Faculty Affiliates enjoy a range of benefits by participating with SHARIAsource including publicizing their lectures, courses, or programs, and providing opportunities for co-sponsorship of relevant events. Current Faculty Affiliates include **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), **Malika Zeghal** (Prince Alwaleed Bin Talal Professor in Contemporary Islamic Thought and Life, Department of Near Eastern Languages and Civilizations, FAS), **Khaled Fahmy** (Shawwaf Visiting Professor of Modern Middle Eastern Studies at Harvard University; Professor of History, American University in Cairo), and **Nadia Marzouki** (Andrew Carnegie Centennial Fellow at the Ash Center, HKS; research fellow, Middle East Initiative, Belfer Center, HKS).

6. Other Contributions to the HLS Community

Support for the Harvard Law School Library

The HLS Library's collection of Islamic and Middle Eastern law materials is essential to the mission of Harvard Law School as the leading global law school and to the related mission of ILSP:

SHARIAsource to promote research and resources to advance the academic study of Islamic law. To this end, ILSP: SHARIAsource substantially contributes to the salaries of Law Library personnel and to funding collection needs. The HLS 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 Librarian for Islamic Law and other library staff, often assisted and influenced by the ILSP: SHARIAsource Director and affiliates. ILSP: SHARIAsource and its Faculty Director 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 was recently filled by **Gayle Fisher**. This position, two-thirds of which is funded by ILSP, is critical to the Harvard Law School Library's collection of Islamic law materials. The Librarian is supported by **Eve Lauria**, Islamic Acquisitions Assistant.

The Harvard Law Library collects legal materials pertaining to Islamic law as well as the jurisdictional laws of Muslim-majority countries 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 works 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: SHARIAsource, undertook a major project to identify and sort the Islamic and Middle Eastern law collection. Existing library systems were inadequate for the task, and after several makeshift attempts the project was completed using a new program, LibraryCloud, developed by **Paul Deschner** (Web Developer, Harvard Law Library). 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 with library staff to formulate the inquiries necessary to run the search to identify Islamic Law materials on LibraryCloud. Additionally, in order to access the results for research purposes and 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. To that end, Paul Deschner also built an Islamic Law library on StackLife, which will be available on SHARIAsource. StackLife has received recognition for its merit as a visual digital library from the Stanford University Libraries.

Aslihan Bulut worked closely with Intisar Rabb and the SHARIASource team during 2016-2017 and will again do so in 2017-2018 on country profiles (featuring Islamic laws by country), training and overseeing students on uploading of constitutions to SHARIASource, facilitating access to Islamic law materials in the Harvard Law School Library collection for digitization, quality control on search results from LibraryCloud to ensure they are related to Islamic law, and digitization itself, together with use of the in-progress software for Arabic Optical Character Recognition (OCR).

Other Contributions

ILSP: SHARIASource Director **Intisar Rabb** provided service to the HLS Graduate Program, the HLS Selection Committee for Salzburg Cutler Fellows, the Department of History, and the University Librarian's Advisory Committee.

7. Law Reform and Advocacy (not applicable)

8. Connections with Practice and the 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: SHARIASource Director **Intisar Rabb** participated in a variety of activities and meetings in which she shared her knowledge of the field.

INTISAR A. RABB

EDITORIAL POSITIONS AND BOARDS

Law and History Review (ed., Gautham Rao, American University), Editorial Board, 2017–2020

Cambridge Series in Islamic Civilization (ed. Chase Robinson, The Graduate Center, at CUNY), Editorial Board, 2014–Present

Journal of Islamic Law and Culture (ed. Aminah Beverly McCloud, DePaul University), Editorial Board, 2014–Present

Journal of Islamic Law and Society (ed. David S. Powers, Cornell University), Advisory Board, 2011–Present

Journal of Middle East Law and Governance (ed. Anver Emon, University of Toronto Law School), Board Member, 2010–Present

PROFESSIONAL ASSOCIATIONS

American Association of Law Schools

American Society of Comparative Law
American Society for Legal History
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
National Association of Criminal Defense Lawyers

9. Collaboration with Other Schools and Departments

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, GSAS, and HBS. Professor Rabb is a member of various University boards and committees—through which we continue to foster connections between ILSP: SHARIAsource and other parts of the University, as well as other institutions. During the 2016-2017 year, SHARIAsource partnered on programs with the Center for Middle Eastern Studies (FAS), Near East Languages and Civilizations (NELC), Center for Geographic Analysis (CGA), Berkman Klein Center for Internet and Society, Human Rights Program (HLS), Carr Center for Human Rights Policy (HKS), Charles Hamilton Houston Institute for Race and Justice (HLS), East Asian Legal Studies (HLS), and, outside of Harvard, the US Institute of Peace (Washington, DC).

During the 2016-2017 year we constituted a fellowship review board, composed of a range of senior scholars from Harvard and other institutions. The board includes: **Nathan Brown** (Professor of Political Science and International Affairs; Director, Institute for Middle East Studies; Director, Middle East Studies Program, Elliott School of International Affairs, The George Washington University), **Russell Powell** (Associate Provost for Global Engagement, Professor of Law, Seattle University School of Law), **Asifa Quraishi-Landes** (Associate Professor, University of Wisconsin Law School), and **Intisar Rabb** (HLS).

In addition, ILSP: SHARIAsource formed an editorial board to review book and paper manuscripts. The members of this group include: **Khaled M. Abou El Fadl** (Omar and Azmeralda Alfi Professor of Law, UCLA Law), **Asli Ü. Bâli** (Professor of Law, UCLA Law), **Maribel Fierro** (Senior Research Fellow, ILSP: SHARIAsource and Director, El Centro de Ciencias Humanas y Sociales), **Cemal Kafadar** (Vehbi Koç Professor of Turkish Studies, Harvard University), **Hossein Modarressi** (Bayard Dodge Professor of Near Eastern Studies, Department of Near Eastern Studies, Princeton University), **Roy Mottahedeh** (Gurney Professor of Islamic History, Emeritus, Harvard University), **Intisar A. Rabb** (HLS), **Mathieu Tillier** (Professeur d'histoire de l'islam médiéval, Université Paris-

Sorbonne), and **M. Qasim Zaman** (Robert H. Niehaus '77 Professor of Near Eastern Studies and Religion Chair, Department of Near Eastern Studies, Princeton University).

B. Plans for the Academic Year 2017–2018

1. Executive Summary

In academic year 2017–2018, ILSP: SHARIAsource will continue its double-mission of (1) collecting and organizing information on Islamic law in a way that is accessible and useful, and (2) 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: SHARIAsource plans to collaborate with other programs and professors at HLS, the wider Harvard University community, and the broader academic world.

The goal of the Project remains constant and we made significant strides in 2016-2017 in pursuing our mission to organize the world's information on Islamic law in a way that is accessible and useful. The major event of 2016-2017 for this effort was our launch of the SHARIAsource beta portal in partnership with the Berkman Klein Center for Internet and Society. We also launched and/or continued to produce a blog, newsletter, and robust social media presence on Facebook and Twitter, all while increasing our on and off-campus programming. This activity accompanied a growth in content and context sharing on each platform, as well as engagement with multiple user groups. Finally, we interacted with media and policy circles through policy briefings, policy briefs, and regular outreach to journalists.

Notwithstanding these successes, we have had to face the reality that the political climate has changed with the result of creating a serious risk of danger for those engaged in the study of Islamic law. We take these threats seriously, even though we do not plan to alter the fundamental core of our mission. These realities coincide with more intense focus on acquiring and making accessible research and resources on Islamic law, in a way that makes the resources more widely accessible to the scholarly community and mitigates risk. With this increased need to build up the backbone of the project, the 2017-2018 year will see a shift away from more public-focused aspects of the work toward building the portal backbone: content and context acquisition, digital resource creation, and source digitization. The shift in focus will entail some staffing changes: Paul Beran and Darrick Northington, who were focused more on outreach and publicity, have moved to other Programs at Harvard; and the Program has new opportunities to hire team members who are oriented to research and digital tool development.

2. Activities

Visiting Fellows

Fellows for the 2017-2018 year will provide new sources for engagement by the HLS community on topics related to Islamic law. Our call for applications generated 39 applications from scholars in 20 countries. Our fellows next year include: **Ahmed El Shamsy** (Associate Professor of Islamic Thought, Department of Near Eastern Languages and Civilizations, University of Chicago); **Ebrahim Afsah** (Associate Professor of Public International Law, Faculty of Law, University of Copenhagen); and Izzul Mohammed (Tufts Graduate). In addition to these new arrivals, **Mubasher Husain** (Fulbright Fellow ILSP: SHARIAsource; Assistant Professor of Islamic Law and Head, Sirah Unit, Islamic Research Institute, International Islamic University, Islamabad, Pakistan) will remain on campus with SHARIAsource into Fall 2017. And we have funded History Fellow Rodrigo Adem to also be a SHARIAsource fellow.

Events

The Program plans to continue with its slate of regular events on campus: fellows' talks, co-sponsorships of talks on related items, student-oriented lunch talks and other gatherings.

Research

The three streams of research that commenced in 2016-2017, Civil Rights Sharī'a, Islamic Criminal Law, and Islamic Constitutionalism and Courts, will continue in 2017-2018. Within them content for the portal organized around projects started last year will be developed. These areas include: Islamic Law in US Courts, Islamic Law Teaching Project, the Nigerian Papers Project (on sharī'a implementation in Northern Nigeria), and the Brava Document Project. Research support for these efforts will again be sought, as it was successfully in 2016-2017, from HLS and Harvard College students.

Projects and Portal

We will continue to develop the SHARIAsource portal to make the interface of it with users more streamlined and to enhance the scope and use of the documents housed on the site. Among the updates planned include: tools for data visualization, geographic mapping of all documents, timeline mapping, network mapping (i.e. documenting how an idea has historically traveled), Arabic Optical Character Recognition (OCR), and digitization.

Publications and Communications

We expect to publish our bound book, *Justice and Leadership in Early Islamic Courts*, edited by Intisar A. Rabb and Abigail Krasner Balbale (Cambridge, MA: Islamic Legal Studies Program / Harvard University Press, forthcoming 2017), along with an online companion featuring the primary sources

noted in the book on the portal in Fall 2017. We will continue to publish our regular publications—including the ILSP: SHARIAsource newsletter, website, and social media output. Other publications include occasional papers (policy briefs and other long-form papers). In addition to the policy briefs completed during the 2016-2017 year including, we already have agreements to publish a number of papers in the coming year:

- a paper by **Will Smiley** (Assistant Professor of History, Reed College) on anti-sharī'a legislation in the states;
- two papers by **Nadia Marzouki** (Andrew Carnegie Centennial Fellow, Ash Center, HKS; research fellow, Middle East Initiative, Belfer Center, HKS) on anti-sharī'a legislation in the US and on the formation of the 2014 Tunisian constitution.
- a paper by **Abed Awad** (Partner, Awad and Khoury, LLP) on family law in the U.S.
- papers by **Muhammad Zubair Abbasi** (Visiting Assistant Professor, Department of Law, School of Global Affairs & Public Policy, American University in Cairo) on the judiciary in the Federal Shariat Court of Pakistan
- papers by **Sohaira Siddiqui** (Assistant Professor of Theology, Georgetown University, School of Foreign Service in Qatar) on changes to Anglo-Muhammadan law,
- a paper by **Malileh Zare** (JSD candidate, NYU School of Law) on elements of corporate law, Islamic finance, and intellectual property; and
- a paper by **Asifa Quraishi-Landes** (Associate Professor, University of Wisconsin Law School).

3. Contributions to the HLS Teaching Program

In 2017-2018, Professor Intisar Rabb will co-teach with Professor **William Alford** a workshop on Comparative and International Law—which will contain a significant component of Islamic comparative law; as well as a course on **Islamic Law**; and a seminar called **Digital Islamic Law Lab**. As a Radcliffe Professor, she will be on teaching leave in Spring 2018 while she serves as a fellow at the Radcliffe Institute for Advanced Study.

4. 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 increase over the academic year as students engage with Professor Rabb via courses and work on ILSP: SHARIAsource projects.

5. Faculty Participation

For the academic year 2017–2018 we will continue to encourage HLS and Harvard University faculty participation in ILSP: SHARIAsource events, as topics explored in Program activities are of ongoing concern and interest to faculty from a wide range of disciplines. Research conducted along the lines of our three focus areas, and other smaller programs, may also be of interest. Relationships with the Center for African Studies and their focus on religion in Africa will be strengthened to support the ongoing research area, Nigerian Papers (on *sharī'a* implementation in Northern Nigeria).

6. Other Contributions to the HLS Community

ILSP: SHARIAsource continues to collaborate with HLS faculty, programs, and student groups and will contribute by participating in and cosponsoring various programs and events. Mentoring students and providing opportunities to conduct research on primary and secondary source materials for use on the SHARIAsource portal will be available. These possibilities provide an unparalleled chance to work with researchers, technology, and Islamic law.

7. Law Reform and Advocacy (not applicable to ILSP: SHARIAsource)

8. Connections to the Profession

ILSP: SHARIAsource maintains contacts and connections with professionals inside and outside of the US, and will continue to do so through participation in conferences and workshops, as well as work in the legal profession.

9. Collaboration with Other Schools and Departments

We expect students from many of the schools and departments of Harvard University to frequent our courses—including faculty and students from HLS, Harvard Kennedy School (HKS), Faculty of