

LAW IN THE MUSLIM WORLD
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Arcachon, France
Summer 2019

This two-unit version of the Law in the Muslim World course will survey a selection of the various types of laws existing in the nearly 60 countries of the Muslim world. The subjects will include Islamic law, unwritten customary law, civil law – including constitutional and criminal law, international human rights law – particularly women's rights and a case study on the right to self-determination, and public international law relating to terrorism. We will emphasize recent developments in the Middle East since spring 2011 as well.

TEXT

The photocopied supplement is the main text.

COURSE EVALUATION – this class is not on the Iowa curve

1. There will be a take home open book essay exam distributed at the end of the course, which will count for 30% of the final grade. The exam will be typed.
2. There will be a simulation that will count for 30% of your grade. It will involve a role-play concerning a timely issue in the Muslim world.
3. Class participation will count for 30% of the final grade. It includes regular timely class attendance and preparation, as well as active contribution to class discussion. Comments should evidence a mastery of the readings.
4. Each student will sign up to present two substantive questions for class discussion based on one hour's reading. If there is more than one student is assigned for an hour, it is okay to discuss potential questions together as long as each person submits separate questions. The questions should be emailed to me before the class begins for the day. This assignment is worth 10% of your final grade. **STUDENTS SHOULD REVIEW THE SYLLABUS BEFORE CLASS STARTS AND BE PREPARED TO SIGN UP FOR HRS 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18.**

THE SYLLABUS WILL BE CIRCULATED PRIOR TO THE START OF CLASS.

5. Any student needing accommodations to comply with the requirements or examination for this course should contact me.

LEARNING OUTCOMES

Students should be able to do the following:

1. Read, understand, articulate, and contextualize basic principles regarding law in various Muslim world countries;
2. Engage in class discussion regarding these principles;
3. Synthesize material to create questions for class discussion;
4. Express themselves clearly and effectively in a variety of oral and written formats;
5. Apply relevant concepts to suggest legal and policy reform; and
6. Work collaboratively with classmates to prepare an oral and written group presentation extrapolating from material raised in the above items.

ASSIGNMENTS

The hours listed for each reading are approximate. You should definitely be prepared for that hour, even though we might not discuss the reading assigned until several hours later, depending on the flow of class commentary.

Hour 1-4 Introductory material, Introduction to Islamic Law, Islam and Power

Introduction to the course Elements of a Legal system

Membership list of The Organization of Islamic Conference Member States, Supp. pg. 1

Islam-guide.com: What is the Quran about? Supp. pg. 5

Who is the Prophet Mohammed? Supp. pg. 6

What are the Five Pillars of Islam? Supp. pg. 8

Islamic jurisprudence sources, Islamic schools Islamophobia

Hour 5 Constitutional Law and Democracy

Syria 2012 Constitution – pick out provisions to discuss in advance, compare to the US constitution, Supp. pg. 12

Hour 6

Human Rights Watch, Syria (2019), Supp. pg. 38

Hour 7 Criminal Law

Ele Pawelski, *Defining Justice in Afghanistan: Development of a National Legal Aid System*, 27

WINDSOR REV. LEGAL & SOC. ISSUES 185 (2009) Supp. pg. 47

Human Rights Watch, Afghanistan (2019), Supp. pg. 65

Hour 8 International Human Rights: General – please review and pick out selected provisions to discuss

Universal Declaration of Human Rights (1948), Supp. pg. 72

Cairo Declaration on Human Rights in Islam (1990), Supp. pg. 78

Arab Charter on Human Rights (2004), Supp. pg. 83

Hour 9

Human Rights Watch, Iraq (2019), Supp. pg. 105
Human Rights Watch, Egypt (2019), Supp. pg. 113
Human Rights Watch, Turkey (2019), Supp. pg. 123

Hour 10 & 11 International Human Rights: Women

Leland Ware, *Color-blind Racism in France: Bias against Ethnic Minority Immigrants*, 46 WASH. U. J. L. & POL'Y 185 (2015),
http://openscholarship.wustl.edu/law_journal_law_policy/vol46/iss1/11, Supp. pg. 131

Hour 12

Adrien K. Wing, *Arab Fall: Future of Women's Rights*, 18 UC DAVIS J. INT'L L. 445 (2012),
Supp. pg. 174

Hour 13 International Human Rights: Minorities

Khaled Beydoun, *Islamophobia: Towards a Legal Definition and Framework*, 116 COLUM. L. REV. ONLINE 108 (2016), Supp. pg. 191
Alexandra Harrington, *Resurrection from Babel: The Cultural, Political and Legal Status of Christian Communities in Lebanon and Syria and their Prospects for the Future*, 13 TULSA J COMP. & INT'L L. 217 (2006), Supp. pg. 207

Hour 14 International Human Rights: The Right of Self Determination

Human Rights Watch, Israel/Palestine (2019), Supp. pg. 232

Hour 15

Adrien Wing, *A Truth & Reconciliation Commission for Palestine/Israel: Healing Spirit Injuries*, 17 TRANSNAT'L L. & CONTEMP. PROB. 139 (2008), Supp. pg. 241

Hour 16

Adrien Wing & Hisham Kassim, *The Future of Palestinian Women's Rights: Lessons from a Half Century of Tunisian Progress*, 64 WASH. & LEE. L. REV. 1551 (2007), Supp. pg. 266
Human Rights Watch, Tunisia (2019), Supp. pg. 284

Hour 17

Adrien Wing & Hisham Kassim, *Hamas, Constitutionalism, and Palestinian Women*, 50 HOW. L. J. 479 (2007), Supp. pg. 289
Nadera Shalhoub-Kevorkian & Adrien Wing, *Violence Against Palestinian Women in the West Bank*, in COMPARATIVE PERSPECTIVES ON DOMESTIC VIOLENCE (Leigh Goodmark et al. eds., Oxford Press 2015), Supp. 316

Hour 18 Public International Law: Terrorism

Islam-guide.com, What does Islam say about Terrorism, Supp. pg. 328
United Nations Treaty Collection - Treaty Event - Multilateral Treaties on Terrorism, Jan. 2002, Supp. pg. 331
Convention of the Organisation of the Islamic Conference on Combating International Terrorism, Jan. 2002, Supp. pg. 337

Hour 19 & 20

Finish readings, presentations

Hour 21-24

Simulation

Hour 25 & 26

Finish simulation

Review for final, further questions

Course evaluations

Distribute take home final exam