

LAW IN THE MUSLIM WORLD

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Arcachon, France

Summer 2024

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; a case study on the right to self-determination; rights of minorities; rule of law; and public international law relating to terrorism.

UNIVERSITY REQUIREMENTS

The link provides the university requirements for all syllabi: <https://provost.uiowa.edu/student-course-policies>.

TEXT

The photocopied supplement is the main text.

COURSE EVALUATION – this class is not on the Iowa curve

1. There will be a simulation that will count for 30% of your grade. It will involve a role-play concerning timely issues in the Muslim world. Most of the readings have been picked because they will help you with the simulation. You will do an oral presentation and submit a powerpoint.
2. 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, and be done on an anonymous basis. It will be based directly on the simulation. The exam must be typed. You will have two hours for the one hour exam.
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, and does not presume that you have had prior knowledge of the material.
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 HOURS 5-18.
5. Any student needing accommodations to comply with the requirements or examination for this course should contact Dean Carin Crain at carin-crain@uiowa.edu.

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 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. Please note that the readings average less than 20 pages per hour, but you have no reading for hours 19-26, and very little reading for hours 1-4. This means the reading is concentrated in hours 5-18. Also note that many articles have endnotes for several pages, meaning the reading length is less than it appears.

June 5 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

June 6 Hour 5 Islamophobia

Khaled Beydoun, *Islamophobia: Towards a Legal Definition and Framework*, 116 COLUM. L.

REV. ONLINE 108 (2016), Supp. pg. 12

Hour 6 & 7 Constitutional Law and Democracy

Egypt Constitution 2019 – prior to class, pick out provisions to discuss, compare to the US Constitution, Supp. pg. 28

Hour 8 & (June 7) 9 International Human Rights: General

– **prior to class, please review and pick out selected provisions of the below to discuss**

Universal Declaration of Human Rights (1948), Supp. pg. 76

Cairo Declaration on Human Rights in Islam (1990), Supp. pg. 82

Arab Charter on Human Rights (2004), Supp. pg. 87

Hour 10 & 11 International Human Rights: Muslim Minorities/Women

Leland Ware, *Color-blind Racism in France: Bias against Ethnic Minority Immigrants*, 46 WASH. U. J. L. & POL'Y 185 (2015), Supp. pg. 109

Hour 12 Women

Ratna Kapur, *Feminist Approaches to International Law: "The First Feminist War in All of History:" Epistemic Shifts and Relinquishing the Mission to Rescue the "Other Woman,"* 116 AM. J. INT'L L. UNBOUND 270 (2022), Supp. pg. 152

Karima Bennoune, *Feminist Approaches to International Law: Multi-Directionality and Universality: Global Feminism and International Law in the Twenty-First Century*, 116 AM. J. INT'L L. UNBOUND 275 (2022), Supp. pg. 157

June 10 Hour 13 International Human Rights: Women continued, The Right of Self Determination

Adrien Wing & Hisham Kassim, *Introduction*, in FAMILY LAW & GENDER IN THE MIDDLE EAST & NORTH AFRICA: CHANGE AND STASIS SINCE THE ARAB SPRING 1 (2023), Supp. pg. 163

Hour 14

Amnesty International, *Middle East & North Africa* (2024), Supp. pg. 185

International Court of Justice, *Provisional Measures* (January 2024), Supp. pg. 197

Hour 15

Adrien Wing, *A Truth & Reconciliation Commission for Palestine/Israel: Healing Spirit Injuries*, 17 TRANSNAT'L L. & CONTEMP. PROB. 139 (2008), Supp. pg. 201

Hour 16 International Human Rights: Christian Minorities

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. 226

June 11 Hour 17 Rule of Law

David Shakes, *Legal Anthropology on the Battlefield: Cultural Competence in US Rule of Law Programs in Iraq*, 10 WAKE FOREST J. L. & POL'Y 217 (2020), Supp. 239

Hour 18 Public International Law: Terrorism

United Nations Treaty Collection - Treaty Event - Multilateral Treaties on Terrorism, Jan. 2002, Supp. pg. 266

Convention of the Organisation of the Islamic Conference on Combating International Terrorism, Jan. 2002, Supp. pg. 272

Hour 19 & 20 Finish readings, presentations, work on simulation

June 12 Hour 21-24

Simulation

June 13 Hour 25 & 26

Finish simulation

Review for final, further questions

Course evaluations

Distribute two hour take home final exam

