

**CFP: Courts and Judicial Procedure in Early Islamic Law**  
**A Workshop at Harvard Law School**  
**6 May 2016**

***Call for Papers***

Much attention has long been accorded to substantive rulings in early Islamic contexts, and recent work has highlighted social histories surrounding courts. But few of those studies place particular emphasis on judicial procedure. Answers to questions of procedure are essential for rounding out the picture of any legal system beyond the four corners of the pages framing the law in the books or the unbounded conception of law as it affects society. Procedure informs both inquiries.

By bringing together scholars of Islamic law from different periods, this conference seeks to uncover the inner workings of courts and the administration of justice in medieval Islamic lands, **700-1250 AD**. Paper presenters are expected to provide papers ready for publication in an edited volume that asks specific questions with respect to one to three cases or controversies. The resulting book will draw on interdisciplinary methods of legal history scholarship to produce a collected account of Islamic practices of judicial procedure in early Islamic societies, east and west.

Some questions for consideration include the following: How is the administration of justice affected by considerations like access to courts, social status, political context, and prosecutorial discretion? Reflexively, how do those considerations affect how laws are made, modified, and play out in courts? In addition, other more specific topics of focus may include:

- sources and methods of studying early Islamic courts and judicial procedure
- judicial training; use of judicial manuals
- references to substantive law in judicial decision-making
- references to legal maxims in judicial decision-making; legal maxims as procedural default rules
- witnesses and other forms of evidence, burdens of proof
- extralegal considerations, equity
- court organization: *qāḍīs* and other personnel, appeals
- court jurisdiction: distinctions and overlaps between “*qāḍī* courts” and other venues
- relationship between judges, jurists, other experts
- judicial independence and pay; relationship between judges and government officials

Other suggestions for topics and areas of specific focus are welcome.

### **Submissions and Due Dates**

Proposals are due **December 15, 2015**. They should consist of a 1-page abstract (up to 750 words and a CV). Papers from accepted proposals will be due March 1, 2016. These papers, which are to be the first drafts of the chapter for the conference edited volume, will be edited for content and style and returned within two weeks. Near-final drafts will be due April 15, 2016. Following the conference, there will be a final opportunity for minor revisions and edits to the paper in preparation for publication, on a schedule to be determined.

**To submit your abstract, please fill out the form and upload your documents via the online system at <http://ow.ly/UHNXx>.**

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