

# Curriculum Vitae

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Käte Hamburger Kolleg "Recht als Kultur"  
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## Research Interests

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- The image of the Other. Cross-referenced histories of Islam in Europe from the Middle Ages until today
- Living together in multicultural Europe
- *Convivencia* in Medieval Spain. Rereading the normative histories of living together between Muslims, Christians, and Jews
- The law of the Other. The impact of Islamic legal cultures on European legal history
- New and old sources of the law: *Geltungskulturen* (validity cultures)
- Conceptualization of 'law' and 'normativity' for the purpose of comparative analysis
- Developing a deeper understanding of Islamic legal cultures that benefits from the analytical tools of cultural science legal studies
- Clashes of legal cultures in Europe, particularly with regard to the permanent tension with traditions influenced by or imagined through Islam / conflict resolution regulation
- The influence of Islamic law on processes of transition in the Islamic world
- Processes of legal transition and transitional justice

## University Degrees

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- Doctorate degree from the Université Panthéon-Assas Paris II. Thesis entitled "Sources doctrinales du Code des obligations et des contrats tunisien" was an inquiry into the multiple European, Roman, and Muslim sources for this codification. The legislative technique employed by this code is an unprecedented model of synthesis between various legal systems compared. This piece likewise researched France's legislative policy towards countries under its protectorate and can be regarded as a critical examination of the possible integration of Muslim law in a modern codification.

This dissertation, which was awarded the Sorbonne Prize in 2004, later formed the basis for the publication *Au croisement des cultures de droit*. The book was edited by Stephan Conermann, published in the *Bonner Islamwissenschaftliche Studien*, and received the Annemarie Schimmel Foundation Award.

- Diplôme d'études approfondies (DEA) in General Private Law (1998) Thesis in Arabic entitled: "Atta'cil al-fiqhi li-kanoun al-amwal. Min Taknin 1885 ila majalat 1965" (Doctrinal and Muslim Origins of the Basic Law. From Codification under the French Protectorate of 1885 to that of 1965)
- Diplôme d'études approfondies (DEA) in Private Law and Criminology (1996, graduated first in class)
- Licencié in Private Law from the Faculty of Law and Political Science, University of Tunis (1995)
- Diplôme d'études universitaires générales (DEUG) in Law from the Faculty of Law and Political Science, University of Tunis (1993, graduated first in class)

## Professional, Teaching, and Research Activities

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- Winter Semester 2018: Taught the course "*Convivencia: A Model for Living Together?*" in conjunction with NYU Abu Dhabi in Madrid ([Course Description](#))
- 2015-2018: Associate Researcher at the Max Planck Institute for European Legal History in Frankfurt; coordination of the research group "Convivencia: Iberian to Global Dynamics, 500-1750" together with Thomas Duve (joint project by the Max Planck Institute for European Legal History in Frankfurt, the Kunsthistorisches Institut in Florence, the Max Planck Institute for the History of Science in Berlin, and the Max Planck Institute for Social Anthropology in Halle/Saale)
- Since October 2014: Member of the Scientific Council of the Observatoire Tunisien de la Transition Démocratique (OTTD), Tunis
- September 2014: Research stay at Max Planck Institute for European Legal History, Frankfurt
- From December 2012 to July 2015: Project Director of Academic Programs at the Käte Hamburger Center for Advanced Study in the Humanities "Law as Culture", Bonn
- Since 2012: Rapporteur for the Revue Droit & Société
- Since 2010: Scientific Coordinator at the Käte Hamburger Center for Advanced Study in the Humanities "Law as Culture", Bonn; decisive involvement in the Center's development and structure from project planning to fundraising to implementation
- Since 2010: Member of the DAAD Selection Committee for the post-doctoral stipend program for students with a doctoral degree in the humanities and/or social sciences at Maison des Sciences de l'Homme
- 2009-2010: Fellow at the Collegium Helveticum/Zentrum für Religion, Wirtschaft und Politik, Basel (interdisciplinary research group working on the subject "Legitimacy and Religion")
- 2007-2009: Taught courses at the Institute for Political Science and Sociology at the University of Bonn (together with Prof. Dr. Werner Gephart) on the basic elements of Islamic law, particularly in regard to a critical image of the tendency of commingling law and religion as instructed by Max Weber
- 2004-2006: Researcher and Teaching Assistant at Université Paris II (Panthéon-Assas); Taught courses on topics such as French Civil Law (droit des contrats; introduction au droit; droits des sociétés)
- 2001: Conducted research at the diplomatic archives in Nantes (Ministry of Foreign Affairs, CADN)
- 2000-2001: Conducted research at the archives of the Ministry of Foreign Affairs, Quai d'Orsay, Paris
- 1998-1999: Conducted research at the National Archives of Tunisia

## Awards, Memberships, and Grants

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- Clemens Heller Post-Doctoral Stipend from the FMSH and Thyssen Foundation (2008)
- Grant from the Annemarie Schimmel Foundation for the publication of the book *Au croisement des cultures de droit occidentale et musulmane: Le pluralisme juridique dans le Code tunisien des Obligations et des Contrats* (2007)
- Member of GRIC (groupe de recherches islamo-chrétien – Paris chapter) (2006-2008)
- Prize for best thesis awarded by the Université Panthéon-Assas (Paris II) (2004)
- Member of the Société de législation compare (since 2003)
- Stipend from the Max Planck Institute for European Legal History, Frankfurt (August 2003)
- Stipend from the Max Planck Institute for European Legal History, Frankfurt; Research focused on the pandectists, 19<sup>th</sup> Century German legal doctrine, and codification of the *Bundesgesetzgebung* (2001)

## Languages

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- French (native speaker)
- Arabic (native speaker)
- German
- English
- Spanish (proficient in reading and writing)
- Italian (proficient in reading)

## Publications

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- La Co-narration religieuse du Corona (23.04.2020), in: The Corona Crisis in Light of the Law-as-Culture Paradigm (<http://www.recht-als-kultur.de/de/aktuelles/>)
- The Aesthetics of Convivencia: Visualizing a Mode of Living Together in Al-Andalus, in: C. Delage, P. Goodrich, M. Wan (eds.), *Law and New Media. West of Everything*, Edinburgh University Press 2019, pp. 31-55.
- Thomas Duve/Raja Sakrani: Introduction: Convivencia(s), in: *Rechtsgeschichte – Legal History* 26/2018, p. 92-94, <http://rg.rg.mpg.de/de/Rg26>.
- The Dhimmī as the Other of Multiple Convivencias in al-Andalus. Protection, Tolerance and Domination in Islamic Law, in: *Rechtsgeschichte – Legal History* 26/2018, pp. 95-138, <http://rg.rg.mpg.de/de/Rg26>.
- Cultures de droit judaïque et islamique: Un regard durkheimien, in: W. Gephart/D. Witte (eds.), *The Sacred and the Law: The Durkheimian Legacy*, Frankfurt am Main 2017, pp. 93-11.
- Convivencia: Reflections about its ‘Kulturbedeutung’ and Rereading the Normative Histories of Living Together, Max Planck Institute for European Legal History Research Paper Series No. 2016-02.
- Identité et Religion. Ce que fait la foi dans la ‘communauté’ (Gemeinsamkeitsglaube) dans le monde arabe, in: X. Philippe/N. Danelciuc-Colodrovschi (eds.): *Religions et Transitions. Quels défis après les révolutions arabes?*, LGDJ, Institut Universitaire Varenne, coll. Transition & Justice, vol. 4, 2015, pp. 23-35.
- From the Revolutionary ‘Sacred’ to Transitional Justice: How is Sharia referenced?, in: *Rechtskulturen im Übergang/Legal Cultures in Transition*. W. Gephart, R. Sakrani, J. Hellmann (eds.), Frankfurt am Main 2015, pp. 185-199.

- Raja Sakrani/Werner Gephart: Revolution, law and the transition towards a democratic society in Tunisia: Several ethnographic observations, in: Rechtskulturen im Übergang/Legal Cultures in Transition. W. Gephart, R. Sakrani, J. Hellmann (eds.), Frankfurt 2015, pp. 15-29.
- Je suis français, je suis juif, je suis musulman. Je suis Charlie. On the trail of Convivencia, Statement on the current events in France, January 2015, <http://www.recht-als-kultur.de/de/aktuelles/diskurs/January%20Seven/>.
- The Law of the Other. An unknown Islamic chapter in the legal history of Europe, in: Rechtsgeschichte – Legal History 22/2014, pp. 90-118, <http://dx.doi.org/10.12946/rg22/090-118>.
- Review about: Nathalie Bernard-Maugiron/Baudouin Dupret, Ordre public et droit musulman de la famille en Europe et en Afrique du Nord, in: Droit et Société 87, 2014, pp. 514-518.
- Religion als Legitimation einer Geltungskultur? Islamische Rechtskulturen in Europa im Wandel, in: Religions - Politik I. A. Heit/G. Pfeleiderer (eds.), Nomos Verlag, Zurich, 2013, pp. 375-426.
- Die Präsenz islamischer Traditionen im öffentlichen Raum. Widerstreitende Konzepte von 'privatem' und 'öffentlichem' Raum, in: Religions - Politik II. Zur pluralistischen Religionskultur in Europa. A. Heit/G. Pfeleiderer (eds.), Nomos Verlag, Zurich, 2012, pp. 187-226.
- Das Verbot von Zinsnahme und Risikogeschäften. Theorie und Praxis islamischer Finanzethik, in: Wirtschaftsethik Kontrovers. Positionen aus Theorie und Praxis. G. Pfeleiderer/P. Seele (eds.), Nomos Verlag, Zurich, 2012, pp. 181-195.
- Raja Sakrani/Werner Gephart: 'Recht' und 'Geltungskultur'. Zur Präsenz islamischen Rechts in Deutschland und Frankreich, in: Rechtsanalyse als Kulturforschung. W. Gephart (ed.), Vittorio Klostermann, Frankfurt, 2012, pp. 103-137.
- Des ordres normatifs fragmentés à l'hybridité juridique: le cas du Maghreb colonial, in: Rechtsanalyse als Kulturforschung. W. Gephart (ed.), Vittorio Klostermann, Frankfurt, 2012, pp. 231-265.
- Religion und Recht im Islam. Historisch-komparative Zugänge im Lichte der Weberschen Rechtssoziologie, in: Die politische Aufgabe von Religion. Perspektiven der drei monotheistischen Religionen. I. Dingel/C. Tietz (eds.), Vandenhoeck & Ruprecht, Göttingen, 2011, pp. 91-101.
- Au croisement des cultures de droit occidentale et musulmane: Le pluralisme juridique dans le Code tunisien des Obligations et des Contrats (p. 321). This book benefited from sponsoring by the Annemarie Schimmel Foundation and appeared in the series of the Le livre a bénéficié du parrainage de la Fondation Annemarie Schimmel et paru dans la série de Institute of Oriental and Asian Studies of the University of Bonn under the direction of Prof. Stephan Conermann: Bonner Islamstudien (BIS) – EB-Verlag, Hamburg, 2009.
- Le jeu d'échange inter-normatifs. Droit, Morale et Religion dans les cultures de droit occidentales et musulmanes, in: RRJ, (Revue de la recherche juridique Droit prospectif) 2008 – n°4.
- Codifier la morale? La morale dans les codes civils français et tunisien, in: RIDC (Revue Internationale de Législation comparée) 2008 – n° 2, pp. 461-485.

## Lectures

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- A Passion for the Law? The Case of Islamic Normativities. Law and Emotion: Some Reflections on Passion and Dispassion of Law in Different Legal Cultures, 2019: Bonn, November 21-22
- Images of the Other in Islam: Muslim figures of Dhimmī, Keynote - COV&R Colloquium on Violence & Religion. Annual Meeting "Imagining the Other: Theo-Political Challenges in an Age of Migration", 2019: Innsbruck, July 10-13
- "Varieties of Dhimminess? Constructions of the Other in Islamic Thought"; Lecture as part of the conference "*Convivencia*. Iberian to global dynamics (500-1750)", Lisbon (July 25-29, 2017)

- “Some Elements of Visualizing Myth and Realities of *Convivencia*. From Al-Andalus until today”; Lecture as part of the International Meeting of Law and Society on Walls, Borders, and Bridges: Law and Society in an Inter-Connected World, Mexico City (July 20-23, 2017)
- “Rituals and Cults in the Dynamic of *Convivencias*: Some theoretical reflections with empirical examples”; Lecture as part of the International Workshop “*Convivencias* Today: Reflections on a Historiographical Concept”, Max Planck Institute for European Legal History, Frankfurt (February 3, 2017)
- “*Convivencia* as a Historical Legal Program”; Lecture as part of the workshop “South of Everything: A Workshop on Global Legal Education”, NYU Abu Dhabi, Abu Dhabi (January 22, 2017)
- “The Aesthetics of *Convivencia*. Visualizing a mode of living together in Al Andalus”; Benjamin N. Cardozo School of Law, New York (August 28, 2016)
- “*Kulturbedeutung* of *Convivencia* and Rereading the Normative Histories of Living Together”; Lecture at the workshop by the Max Planck Institute for European Legal History, Frankfurt; the Max Planck Institute for the History of Science, Berlin; the Max Planck Institute of Social Anthropology, Halle/Saale; and the Max Planck Institute for the History of Art, Florenz, Halle/Saale (May 22-25, 2016)
- “The Three Cultures. Living together in Al-Andalus”; Lecture at the “Forum Law as Culture”, Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (November 24, 2015)
- “Cultures de droit judaïques et islamiques: un regard durkheimien”; Lecture as part of the conference “The Sacred and the Law. The Durkheimian Legacy” at the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (October 27-28, 2015)
- Opening lecture of the international conference “Droit et culture en transition” at Beit al-Heikma (Academy of Sciences and Art), Tunis (February 28, 2015)
- “Opera d’Arte, Cosa Quando Perché? Arti, un linguaggio per il dialogo tra Occidente ed Oriente”; Panel discussion together with Maurizio Ferraris and Werner Gephart, settimo festival mediterraneo della laicità. LAICITÀ ED ARTE, Aurum, Pescara (October 17-19, 2014)
- “Circulation et représentation de l’Autre entre Orient et Occident: le rôle des images”, settimo festival mediterraneo della laicità. LAICITÀ ED ARTE, Aurum, Pescara (October 17-19, 2014)
- “Identité nationale, identité collective: quelle référence à la religion après les révolutions arabes, L’impact de la religion sur les transitions et la reconstruction constitutionnelles”, Journée d’études organisée dans le cadre du projet “LabexMed ATRIS: Identités nationales et nouvelles constitutions: quels défis après les révolutions arabes?”, Maison méditerranéenne de sciences de l’homme, Marseille, (October 8, 2013)
- “Le droit de l’autre. Quelques remarques sur la présence du droit islamique en Europe”; Lecture as part of “European Normativity – Global Historical Perspective”, a colloquium on the occasion of the inauguration of Max Planck Institute for European Legal History, Frankfurt’s new building, Frankfurt (September 3, 2013)
- “Normative Hybridität in Gesellschaften des Maghreb: von kolonialen Ordnungen zum Transitionsprozess”; University of Göttingen, Department of Arabic/Islamic Studies, Göttingen (July 2, 2013)
- “Le déni des droits de l’Homme et la régression des droits des femmes après les révolutions arabes”, Lecture as part of “Globality in the Space of Reflection” at the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (April 25, 2013)
- “Resurgence of the ‘Sacred’ and reference to Sharia in and after the Arab Revolutions”, Center for International Politics, Organization and Disarmament (CIPOD), School of International Studies, Jawaharlal Nehru University, Delhi (February 20, 2013)

- “Shariareferenzen im Transformationsprozess”; Lecture as part of the international colloquium “Islamismus im Wandel. Religiöse Bewegungen als Akteure in Transformationsprozessen am Beispiel Ägyptens und Tunesiens”, University of Erfurt, Erfurt (January 8, 2013)
- “Du sacré révolutionnaire à la justice transitionnelle: Quelle référence à la Charia?/ The Sharia: A contested Legacy of the Arab Revolutions? Legal Cultures and Change in the Arab World”, Käte Hamburger Center for Advanced Study “Law as Culture”, Bonn (September 20, 2012)
- “Révolution et Droit. La transition vers une société démocratique en Tunisie”; Lecture at the conference “Transition Towards Democratic Society: Law, Constitution, and Culture”, Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (April 29-30 2011) (together with Werner Gephart)
- “Das Verbot von Zinsnahme und Risikogeschäften. Theorie und Praxis islamischer Finanzethik”, University of Basel – Faculty of Theology, Basel (April 19, 2011)
- “Revolution, Transitionsprozesse und die Konstitution einer demokratischen Gesellschaft”; Lecture as part of the “Forum Law as Culture”, Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (March 15, 2011) (together with Werner Gephart)
- “Die Präsenz islamischer Traditionen im öffentlichen Raum: Widerstreitende Konzepte von ‚privatem‘ und ‚öffentlichem‘ Raum, Wieviel Religion erträgt der/trägt den Staat?”; Lecture at an international conference at the University of Basel, Basel (November 4-6, 2010)
- “Rencontre et conflit des cultures de droit: Les orders normatifs au Maghreb entre les droits occidental et musulman”; Opening symposium of the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (July 15-17, 2010)
- “Des espaces publics en Europe: imaginaires et pratiques transculturelles. Sharing Knowledge. Les rencontres du Pour-cent culturel Migros sur des sujets de société”, Zurich (February 4-5, 2010)
- “Le rationalisme du COC et le charisme de son codificateur. Réflexions sur l’hybridité d’un code”; Presentation and discussion at the Faculty of Law and Political Science at the University of Tunis on the occasion of the book release for *Au croisement des cultures de droit occidentale et musulmane: Le pluralisme juridique dans le Code tunisien des obligations et des contrats*, Bonner Islamstudien, S. Conermann (ed.) – EB-Verlag, Hamburg, 2009 (January 20, 2010)
- “L’imaginaire juridique comme lieu de production de conflits identitaires”; Lecture at the international symposium “Les identités imaginées en Méditerranée”, Tunis (January 22-23, 2010)
- “Religion und Recht im Islam – historische Zugänge”; Lecture at the symposium “Die politische Aufgabe von Religion. Perspektiven der drei monotheistischen Religionen”, Institute for European History at the University of Mainz, Mainz (September 3-5, 2009)
- “Gesetz. Politische und religiös-theologische Diskurse um das Gesetz in interreligiöser Perspektive”, ZRWP, Basel (May 12, 2009)
- “Das religiöse Monopol der Legitimation im Islam”, ZRWP (February 6, 2009)
- “Konflikt der Rechtskulturen in ex-kolonialen Gesellschaften: Die Rolle des islamischen Rechts”, Lecture held at the international conference “Wie wirkt Recht?”, Kongress der deutschsprachigen Rechtssoziologie – Vereinigungen University of Luzerne, Luzerne (September 4-6, 2008)
- “La Méditerranée: Espace de droit commun?”; Lecture at the international colloquium “La Mondialisation et l’Espace Méditerranéen. Enjeux Théoriques et Pratiques”, Hammamet, Tunisia (October 23-25, 2008)
- “Du décalage entre la validité normative et empirique de la norme en droit musulman”, symposium organized by the Heinrich Böll Stiftung, Bonn (November 9-10, 2007)
- “La ‘Force du Droit’. Or how to apply Bourdieu’s Theory of the judicial field to Muslim law”; Lecture at the international symposium “Law and Society in the 21st Century”, session on

“Toward a Sociology of the Juridical Field: Pierre Bourdieu’s Theory of Law”, Humboldt Universität Berlin, Berlin (July 2007)

- “Individu et communauté dans le Code des obligations et des contrats. Lecture des sources islamiques du Code, symposium Individu et communauté”, Faculty of Law of the University of Tunis and the Faculty of Philosophy (Department for Islamic Studies and Department for Political Science and Sociology) of the University of Bonn, Tunis (October 2006)

## Interviews

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- [Interview at the international colloquium](#) “Islamismus im Wandel. Religiöse Bewegungen als Akteure in Transformationsprozessen am Beispiel Ägyptens und Tunesiens”, University of Erfurt, Erfurt, Interview by Martina Sabra (January 8, 2013)
- [Interview at the conference](#) “The Sharia: A contested Legacy of the Arab Revolutions? Legal Cultures and Change in the Arab World”, Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn, Interview by Kersten Knipp (September 20, 2012)

## Organization of conferences

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- “Law and Emotion: Some Reflections on Passion and Dispassion of Law in Different Legal Cultures”, Bonn (November 21-22, 2019)
- “*Convivencias* Today: Reflections on a Historiographical Concept”, international workshop by the Max Planck Institute for European Legal History, Frankfurt (February 3, 2017)
- “Droit et Culture en transition”, Journée d’études by the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture” in cooperation with OTTD, Laicità, Labont, Académie Tunisienne des Sciences des Lettres et des Arts (Beit al-Hikma), Tunis (February 27, 2015)
- “The Sharia: A Contested Legacy of the Arab Revolutions? Legal Cultures and Change in the Arabic World”, international conference by the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (September 20, 2012)
- “Tribunals. Literary representation and means of legally processing war crimes in a global context”, international conference by the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture” and the Institute for German Language and Literature, Comparative Literature and Cultural Studies at the University of Bonn, Bonn (April 25-27, 2012)
- “Transition Towards Democratic Society: Law, Constitution and Culture”, international conference by the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (April 29-30, 2011)
- “Wieviel Religion erträgt der/trägt den Staat? ”, international conference at the University of Basel, Basel (November 4-6, 2010)
- Opening Symposium of the Käte Hamburger Center for Advanced Study in the Humanities “Law as Culture”, Bonn (July 15, 2010)