

Chibli MALLAT

PUBLICATIONS

Books

1. Authored

[*Iraq: Guide to law and policy*, Aspen/Kluwer Law International](#), Austin, 2009, 490pp

[*Introduction to Middle Eastern law*, Oxford University Press](#), Oxford 2007, paperback edition with new preface, Oxford 2009, 500 pp

[*March 2221. Lebanon's Cedar Revolution- An essay on justice and non-violence*](#), [Lir], Beirut, 2007, 135 pp

[*Democracy in America*, Dar al-Nahar \(in Arabic\), Beirut, Dar al-Nahar](#), 2001. 200pp

[*Presidential choices*, Beirut 1998, published in Arabic at Dar al-Nahar \(*Al-ri'asa al-lubnaniyya bayn al-ams wal-ghad*\), 110pp, French \(*Défis présidentiels*\), and English.](#)

The Middle East into the 21st Century, Garnet, June 1996, 270pp (paperback published in 1997; US edition in 1998; serialised in part in Arabic dailies).

The renewal of Islamic law: Muhammad Baqer as-Sadr, Najaf, and the Shi'i International, Cambridge University Press (Middle East Library), 1993, paperback 2004. 245pp. (Co-winner of the Middle East Studies Association Albert Hourani Prize, 1994). Arabic translation at Dar an-Nahar, Beirut published in 1998 as *Tajdid al-Fiqh al-Islami* (315 + 48 pp.), with an introduction to the Arab reader (pp.9-30) and an unpublished text of Sadr (*Usul al-dustur al-islami*, principles of an Islamic constitution). Also published in Bahasa Indonesian and Turkish.

[*Aventures à Beyrouth, \(Children's story illustrated by Tamer Mallat\)*](#), Beirut, 1997. 70pp

Books from the presidential campaign

[*Presidential talk*](#), Dar al-Jadid, Beirut, 2008, 520 pp., major speeches, interviews and lectures on the campaign trail (November 2005-June 2006).

Presidential Papers, 2nd ed. Beirut January 2006, 300 pp. (issues, policies, achievements)

Al-barnamaj al-ri'asi (Presidential program), 56 pp, an update and follow-up of a booklet published in 1998 in Arabic, French and English.

Free and fair presidential elections, ca 200pp., dossier published on website

An international tribunal for all, ca 100pp, dossier published on website.

[*A Compelling presidency, The Mallat campaign in world news*](#), Beirut, April 2006, 88pp. (compilation of profiles in Arab and international press).

2. Edited

[*Mukafahat al-fasad fil-'iraq: Tahaddiyat al-shafafiyya wal-musa'ala*](#) (Anti-corruption in Iraq: Challenges for transparency and accountability (Global Justice Project: Iraq, Baghdad 2010, in Arabic), 110 pp.

[*Tamer Mallat: Majmu'at qasa'ed wa-ash'ar*](#) (Collection of poems), presented by Wajdi Mallat, Facsimile edition of 19th century manuscript, Beirut 2009, 70 pp.

[*Dalil al-dustur al-'iraqi*](#) (Guide to the Iraqi Constitution), Baghdad 2009, 170 pp.

Aux antipodes de l'Union Européenne: l'Islande et le Liban (with David Thor Bjorgvinsson), Beirut and Brussels, Bruylant, 2008, 190pp.

[*From Baghdad to Beirut: Festschrift in honor of John Donohue*](#) (with Leslie Tramontini), German Orient Institute, Beirut 2007, 502pp.

[*Dossier de Philosophie du droit, Beirut, Université Saint-Joseph, in Travaux et Jours*](#), 2007, 121-224. Also separate publication, Beirut 2008.

[*Wajdi Mallat, Positions/Mawaqef*](#), Dar an-Nahar, Beirut 2005, 350pp.

L'Union Européenne et le Moyen-Orient: Etat des Lieux, Beirut, Presses de l'Université Saint Joseph, 2004, 250 pp

Dossier sur l'Abolition de la peine de mort, Beirut, Université Saint-Joseph, 2003, 102 pp

[*Tamer Mallat, Ahkam, Facsimile edition of 19th century judgments*](#), Beirut, 1999, 550 pp

Yearbook of Islamic and Middle Eastern Law Vol.5: 1997-98 (with E. Cotran), Kluwer Law International, December 1998, 597 pp

Yearbook of Islamic and Middle Eastern Law Vol.4: 1997-98 (with E. Cotran), Kluwer Law International, December 1998, 660 pp

Yearbook of Islamic and Middle Eastern Law Vol.3: 1996 (with E. Cotran), Kluwer Law International, January 1998, 566pp

Yearbook of Islamic and Middle Eastern Law Vol.2: 1995 (with E. Cotran), Kluwer Law International, December 1996, 660pp

The Arab-Israeli Accords: Legal Perspectives (with E. Cotran), Kluwer Law International (CIMEL Series 1), May 1996, 302pp

Yearbook of Islamic and Middle Eastern Law Vol.1: 1994 (with E. Cotran), Kluwer Law International, December 1995, 600pp

Commercial Law in the Middle East (with H. Lewis Ruttley), Graham and Trotman for Kluwer Law International, July 1995. 393pp

Water in the Middle East: Legal, Political and Commercial Implications (with J.A. Allan), I.B. Tauris, July 1995. 358pp (Arabic translation, Damascus 1998)

Islam and Public Law, Graham and Trotman, London, 1993. 282pp

Islamic Family Law (with Jane Connors), Graham and Trotman, London, 1990. 395pp

Islamic Law and Finance, Centre of Near and Middle Eastern Studies, S.O.A.S., April 1988; new enlarged edition, Graham and Trotman, London, September 1988. 196pp

Articles

1. In journals and serials

'Drafting a Joint Proposal for a U.N. Security Council Resolution on Israel-Palestine with Alan Dershowitz,' *Harvard International Law Journal*, published online 13 January 2012, 74-105.

'The Philosophy of the Middle East Revolution, Take One: Nonviolence', *Middle East Law and Governance*, 3 (2011), 136-47.

'Constitutional Options in Bahrain', *Virginia Journal of International Law*, published online 12 April 2011, 1-16.

'Revising Egypt's Constitution: A Contribution to the Constitutional Amendment Debate', *Harvard International Law Journal*, published online 22 February 2011, 182-203.

'Introduction à la pensée de Robert Fossaert', *Travaux et Jours*, 82, 2009, 97-112.

'Legal developments and constitutional structures in Iraq', *Michigan International Lawyer*, 31:1, 2009, 3-5.

'Appels d'Europe à l'Est de la Méditerranée', *Projet*, 298, Mai 2007, 68-73.

'Universalité de Michel Troper : du droit musulman', in Mallat ed., *Dossier de Philosophie du Droit*, Beirut, Université Saint-Joseph, in *Travaux et Jours*, 2007, 191-203.

'Introduction', *Id.*, 123-24.

‘On the specificity of Middle Eastern constitutionalism’, *Case Western Journal of International Law*, 38, 2006, 13-57.

‘Communitarian Federalism: Addressing the Middle East constitutional impasse’, *Puente Europa* (Buenos Aires), 2, 2005, 59-61. Also in Spanish, ‘Federalismo comunitario: sobre la impasse constitucional de Medio Oriente’, *idem*, 37-42.

‘From Islamic to Middle Eastern law; a Restatement of the field’, *American Journal of Comparative Law*, 2003:4, Part 1, 699-750 , Part 2, 2004:1, 209-286

‘Federalism in the Middle East and Europe’, *Case Western Journal of International Law*, 35, 2003, 1-15.

‘Special Dossier on the ‘Sabra and Shatila’ case in Belgium- Introduction: New Lights on the Sharon case’, *The Palestine Yearbook of International Law*, 12, 2002-2003, 183-190.

‘Pour un changement de paradigme dans la pensée américaine: Réponse à ‘la Lettre des intellectuels américains’, *Travaux et Jours*, 73, 2004, 115-145 (also published in English as ‘The need for a paradigm shift in American thinking: Middle eastern responses to ‘what we are fighting for’’, in John Borneman ed., *The Case of Ariel Sharon and the Fate of Universal Jurisdiction*, Princeton Institute for International and Regional Studies, 2, 2004, 150-175, and in David Blankenhorn et al. eds, *The Islam/West Debate*, Rowman and Littlefield, Lanham Maryland 2005, 215-237; and in Arabic in *Nahar*, part 1, 20 January 2003; part 2, 27 January 2003.)

‘‘Democracy as unwavering principle’: World wars and failed promises’, Contribution to the ‘Global Progressive Forum’, Brussels 27-29 November 2003, www.pes.org

‘Renforcer la Société Civile contre l’Etat: Horizons du travail international au Proche et Moyen Orient,’ commentaire sur le Rapport de la Banque Mondiale sur la Gouvernance au Proche et Moyen Orient (Etats PMO, MENA countries), 2003, Paris, Beyrouth, Washington, Rabat, 21 Novembre 2003, www.worldbank.org/europe

‘Peine de mort: présentation du dossier’, *Travaux et Jours*, 2003, 157-168.

‘September 11 and the Middle East: Footnote or watershed in world history ?’, *Crimes of War Project*, September 2002 (Special issue on September 11, a year after), www.crimesofwar.org

‘The original sin: ‘Terrorism’ or ‘crime against humanity’ ?’, *Case Western Journal of International Law*, 34, 2002, 245-248.

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‘Commercial law in the Middle East between classical transactions and modern business’, *American Journal of Comparative Law*, 2000, 81-141.

'The Syrian-Israeli boundaries in international law', *al-Nahar*, Beirut, Arabic version in full, 20 July 2000. Original French version, 'Les frontières syro-israéliennes en droit international', in *Conférences du Cedroma*, Bruxelles, Bruylant, 69-83. Shorter English version in the *Daily Star*, 20 July 2000.

'Non-violence et Etat de droit', *Travaux et Jours* (USJ, Beirut), 64, 1999, 29-41. (Also published in English, 'Non-violence and the rule of law', in Thomas Scheffler ed., *Religion between violence and reconciliation*, Beirut 2002, 419-31, and in Arabic)

'Islamic law research in the twentieth-century Middle East', *Asian Research Trends* (Tokyo), 8, 1998, 109-136.

'L'état de la recherche en droit musulman au Moyen-Orient', *Travaux et Jours* (USJ, Beirut), 61, 1998, 231-260.

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'The Lebanese legal system', *The Lebanon Report* (Beirut), 2, 1997, 29-36, with 'bibliographical essay' at 42-45.

'A comparative critique of the arbitration process in the Arab world', *Revue Libanaise de l'Arbitrage Arabe et International* (Beirut), 3, 1997, 5-7.

'Islamic law: Reflections on the present state of western research', *al-Abhath* (American University of Beirut), 43, 1995, 3-24.

'Thinking together the Gulf crisis and the Arab-Israeli conflict', Paper prepared for the American Society of International Law Annual Meeting, New York 4-8 April 1995. Serialised in Arabic in *al-Hayat*, May 1995.

'Recent judgments from the Yemen Supreme Court', *Islamic Law and Society*, 2:1, 1995, 71-90.

'The search for law and stability in Iraq', *Orient*, 2/1994, 194-215.

'Droit comparé au 18ème siècle: Influences françaises sur la common law', *Revue Historique de Droit Français et Etranger*, 3/1994, 383-400.

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'International law and Iraq: the Safe Haven imperative', *The Brown Journal of World Affairs*, 1:2, 1994, 261-70.

'Muhammad Bahr al-'Ulum', *Orient*, 3/93, 342-345.

‘The Middle East Peace Process: Those the Conference leaves out’, lecture at the Centre for Near and Middle Eastern Studies, SOAS, 18 February 1992, publication in Arabic as “*Amaliyyat al-salam fil-sharq al-awsat* (The Middle East peace process)’, in two parts, *al-Hayat*, 15-16 May 1993.

‘*Tadhliil al-‘aqabat min tariq al-masar al-dimokrati fil-‘iraq* (Removing obstacles on the way to democracy in Iraq)’, *al-Hayat*, 6 parts, 23-28 November 1992

‘*Al-Mu’tamar al-duwali bayn al-huquq al-filistiniyya wal-atma‘ al-isra’iliyya*’ (The International Conference between Palestinian rights and Israeli ambitions), *al-Bahith al-‘Arabi* (London, in Arabic), April-June 1991, 20-29.

‘Orientalism in a modern guise: a critique of *From Beirut to Jerusalem*’, *Arab Affairs*, Summer 1990, 51-62.

‘*Fin-Nazariyya ad-Dusturiyya al-Amirkiyya al-Mu‘asira: Robert Bork wa John Hart Ely*’ (On contemporary American constitutional law: Robert Bork and John Hart Ely), *Proche-Orient Etudes Juridiques* (Beirut, in Arabic), 1987 [published 1989], 9-26.

‘Un envers juridique de Robert Bork: John Hart Ely’, *Proche-Orient Etudes Juridiques*, 1987 [published 1989], 31-41.

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‘Le Féminisme islamique de Bint al-Houdâ’, *Maghreb-Machrek*, Paris, June 1987, 45-58.

‘A l’origine de la guerre Iran-Irak: l’axe Najaf-Teheran’, *Les Cahiers de l’Orient*, Paris, Autumn 1986, 119-136.

2. In collective books

‘Des relations privilégiées entre l’Union Européenne et les pays voisins: Les promesses de l’Art. 8 du Traité de Lisbonne’, forthcoming *Mélanges Soldatos*, Brussels, Bruylant 2012.

‘Islam and the constitutional order’, in Michel Rosenfeld and Andras Sajó eds, *Oxford Handbook of Comparative Constitutional Law*, forthcoming Oxford University Press, 2012, 1287-1303 (Also in Japanese, published 2011 tr. and ed. Makoto Mizutani)

‘Constitutions for the twenty-first century. Emerging patterns—The EU, Iraq, Afghanistan’, in Peri Berman, Wolfhart Heinrichs, Bernie Weiss eds., *The Law applied: Contextualizing the Islamic shari‘a*, I.B. Tauris, London, 2008, 194-215. 2004 Herbert Bernstein lecture also published in [1 Duke L. CICLOPs 41 \(2009\)](#)

‘On the philosophy of Islamic law’, in Mallat, Chibli, and Tramontini, Leslie, eds., *From Baghdad to Beirut: Festschrift in honor of John Donohue*, German Orient Institute, Beirut 2007, 57-70.

‘Shaping the future- John Donohue’s living legacy’, *Id.*, 7-11.

‘Comparative law and the Islamic (Middle Eastern) legal culture’, in Mathias Reimann and Reinhard Zimmermann eds., *Oxford Handbook of Comparative Law*, OUP, 2006, 609-639. Paperback 2008. (Also in Arabic, Beirut 2011)

‘Retour sur un monument législatif: la Majalla ottomane’, in *Le Droit en Mouvement- Mélanges en Hommage à Méliné Topakian*, Beirut, PUSJ, 2005, 187-206.

‘[Démocratie au Moyen-Orient: un parcours personnel, 2004](#)’, in EU Commission, *Dialogue between peoples and cultures: Actors in the dialogue*, Brussels 2005, 130-69.

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‘Accountability in the Middle East: The Sharon case polysemy’, in John Borneman ed., *The Case of Ariel Sharon and the Fate of Universal Jurisdiction*, Princeton Institute for International and Regional Studies, 2, 2004, 31-53.

‘Présentation: *in Medias Res*’, in Mallat ed., *L’Union Européenne et le Moyen-Orient: Etat des Lieux*, Beirut 2004, 11-12.

‘Du fait religieux dans les institutions’, *id.*, 83-95.

‘Country survey: Lebanon’, *Yearbook of Islamic and Middle Eastern Law*, 1997-98, 297-302.

‘Joint ventures’, in R. Naser and T. Kashishian eds., *Lebanon and Europe: Forging New Partnerships*, Beirut, 1998, 29-37.

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‘A comparative note on the judicial protection of basic rights’, in Eugene Cotran and Adel Omar Sharif eds., *The role of the judiciary in the protection of human rights*, CIMEL book series 5, London 1997, 393-99.

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‘Country survey: Lebanon’, *Id.*, 204-224.

‘Introduction’ (with H. Lewis-Ruttley), in H. Lewis-Ruttley and C. Mallat eds., *Commercial Law in the Middle East*, Graham and Trotman, 1995, 1-28.

‘A critical note on compensation: The view from Iraq’, *Id.*, 377-388.

‘Introduction’ (with J.A. Allan), in J.A. Allan and C. Mallat eds., *Water in the Middle East: Legal, Political and Commercial Implications*, British Academic Press, 1995, 1-18.

‘The quest for water use principles: Reflections on *shari‘a* and custom in the Middle East’, *Id.*, 127-137.

‘Muhammad Baqer as-Sadr’, in A. Rahnema ed., *Pioneers of Islamic Revival*, Zed Press, 1994, 251-272.

‘Law and the Nile river: Emerging international rules and the *shari‘a*’, in J. A. Allan and P. Howell eds., *The Nile: Sharing a Scarce Resource*, Cambridge University Press, 1994, 365-384.

‘*Madkhal ilal-adab al-saghir: al-mujtama‘ al-madani, Huquq al-aqalliyyat wath-thaqafa fil-mashriq* (Introduction to littérature mineure: Civil society, minority rights and culture in the Mashreq)’, in A. al-Na‘im ed., *Al-ab‘ad ath-thaqafiyya li-huquq al-insan fil-watan al-‘arabi* (Cultural perspectives on human rights in the Arab world), Cairo, 1993, 453-489.

‘Obstacles to democratization in Iraq: A reading of post-revolutionary Iraqi history through the Gulf War’, in E. Goldberg, R. Kasaba and J. Migdal eds., *Rules and Rights in the Middle East: Democracy, Law and Society*, University of Washington Press, Seattle, 1993, 224-247.

‘Voices of opposition: The International Committee for a Free Iraq’, in *Id.*, 174-187.

‘[Introduction: on Islam and democracy](#)’, in C. Mallat ed., *Islam and Public Law*, Graham and Trotman, 1993, 1-15.

‘The Shi‘a’, in R. Tapper ed., *Some Minorities in the Middle East*, Report to the Foreign and Commonwealth Office, SOAS, London, March 1992, 6-11.

‘Human rights in the Middle East: an overview’, in G. Nonneman ed., *The Middle East and Europe*, Report for the EC Commission, Federal Trust for Education and Research, London, 1992, 239-244.

‘The Middle East’, in N. Yasuda ed., *Introduction to the Law of Third World Development*, Institute of Developing Economies, Tokyo, 1992, 99-126. (in Japanese, abridged from original English ca. 45 pp.)

‘[Introduction](#)’ in Mallat and Connors eds, *Islamic Family Law*, 1-8.

‘Sunnism and Shi‘ism in Iraq: Revisiting the codes’, in Id., 71-91. Also in *Arab Law Quarterly*, 1993.

‘Preface’, in Mallat ed., *Islamic Law and Finance*, ix-xiv.

‘The debate on *riba* and interest in twentieth-century jurisprudence’, in Id., 69-88.

‘Iraq’, in Shireen Hunter ed., *The Politics of Islamic Revivalism: Diversity and Unity*, Center for Strategic and International Studies and Indiana University Press, 1988, 71-87.

Separate papers and booklets

Protecting the rights of women in the Escwa region through the proper use of UN resolutions and international protocols on war and armed conflict, UNHCR and ESCWA publications, E/ESCWA/ECW/2009/1, 22 July 2009, 58 pp.

‘[The Middle East in the 21st century: an agenda for reform](#)’, SOAS, 22 October 1996.

‘A policy for Iraq’, prepared for and presented at the Council on Foreign Relations, New York, 18 October 1996, 20 pp.

‘Constitutional law in the Middle East: The emergence of judicial power’, SOAS Law Department Working Paper, February 1993, 34pp (newer version in *Yearbook of Islamic and Middle Eastern Law*, 1994, 85-108).

‘The Iraqi opposition: a dossier’, SOAS, February 15, 1991, ca 50pp.

‘A new Constitution for Lebanon: Examining the ways to institutional normalization’, prepared for the Carter Center Consultation on Lebanon, Atlanta, 27-28 November 1990, 20pp.

‘The Third Stage of Zionism: High technology in Israel’ (with A. Kadifa), Occasional Paper 1, Centre of Near and Middle Eastern Studies, SOAS, May 1988, 46pp.

‘Shi‘i thought from the South of Lebanon’, Papers on Lebanon 7, Centre for Lebanese Studies, Oxford, April 1988, 42pp.

'The Middle East: Perspectives on an International Conference', Middle East Situation Papers 4, Centre of Near and Middle Eastern Studies, SOAS, May 1987, 12pp.

Entries in Encyclopaedias

'Islamic Law in Arab Countries', 'Commercial Law: Islamic Law (Modern)', 'Contract: Contracts and Unilateral Acts in Islamic Law', 'International Law: Islamic Public Law', 'Constitutional Law: Constitutions and Constitutional Law in Islamic Law: Overview and The Arab Countries', Entries in Stanley Katz general ed., Baber Johansen, ME and Islam ed., *The Encyclopedia of Legal History*, Oxford UP 2009

'Attorney', entry in *Encyclopaedia of Islam 3d ed.*, 2008

'Islamic Legal Theory- Introducing *usul al-fiqh*', entry in *IVR Encyclopaedia of Legal Theory and Philosophy of Law*, online 2005

'Muhammad Baqer al-Sadr', 'Iraq', 'Contracts', entries in *Encyclopaedia of the Modern Islamic World*, Oxford University Press, 1995.

'The *shari'a*', entry in *Oxford Companion to World Politics*, Oxford University Press, New York, 1993.

Book reviews

The American Journal of Comparative Law; Islamic Law and Society; Bulletin of the School of Oriental and African Studies; International Affairs; Middle East Journal; Middle East Reports; Times Higher Educational Supplement; Third World Quarterly; Maghreb-Machrek, al-Hayat, and other publications.

EDUCATION and LANGUAGES

University of London, School of Oriental and African Studies, Law Department
Ph.D.in Islamic Law, 1990.

Georgetown University Law Center, Washington D.C.
L.L.M. in International and Comparative Law, 1983.

Université Saint-Joseph, Beirut,
Licence in Lebanese Law, 1982.
Maitrise in French Public Law, 1982.

Beirut University College,
B.A. in English Literature, interrupted in Senior year by the 1982 war (Dean's list).

French Baccalauréat, Paris, June 1977 (Mention Bien).
Lebanese Baccalauréat, Beirut, September 1977 (Best grades in Lebanon among 4,000 candidates).

Shakespearean Studies Scholarship, Stratford-on-Avon, England, 1981.
Latin-American and Spanish Civilization studies, Salamanca, Spain, 1980.
German language scholarship, Goethe Institut, Konstanz, Germany, 1979.

Fluency in Arabic, English, French, Spanish, German.
Working knowledge in Italian, Persian, Judeo-Arabic.
Basic study of Russian, Akkadian, Latin, Turkish, Japanese, Indonesian, Ugaritic.