



Max Planck Institute for
Comparative and International
Private Law | Hamburg

AFTERNOON TALKS ON ISLAMIC LAW

Professor Ahmed Fekry Ibrahim

McGill University Institute of Islamic Studies

"Care of Neglected Children in Islamic Law: The
Destigmatization of Non-Normative Childhood"

Tuesday, 27 June 2017 – 3:30 pm

Conference Room 5, 5th floor

All employees and guests of the institute as well as
other interested parties are cordially invited to the lecture.

Nadjma Yassari

About the Speaker:

Ahmed Fekry Ibrahim is an assistant professor of Islamic law at McGill University's Institute of Islamic Studies in Montreal, Canada. He holds a BA from al-Azhar University, an MA from the American University in Cairo, and a PhD in Islamic Studies from Georgetown University (2011). In 2011–12, Ibrahim received a EUME postdoctoral fellowship from the Berlin research program "Europe in the Middle East—The Middle East in Europe," organized by Berlin-Brandenburgische Akademie der Wissenschaften, Fritz Thyssen Stiftung, and Wissenschaftskolleg zu Berlin. His teaching and research interests include the formation of Islamic law, legal theory, Islamic legal practice in Mamluk and Ottoman courts, Islamic law and human rights, customary law, and family law. He has recently completed a study on the theory and practice of child custody which examined how social perceptions of the family and the child's best interests influenced judicial practice in early modern Ottoman Egypt. Currently, Ibrahim is working on two projects entitled, "Judicial Custom in Islamic Law," and "Child Adoption in Early Modern Egypt."

About the Topic:

According to Islamic juristic discourse, both marriage and biology are essential to a child receiving full rights including a family name and inheritance rights – both of which are often considered part of the child's best interests in Euro-American adoption. Due to this requirement of marriage and biology, some Muslim children are placed at a disadvantage by virtue of the circumstances of their birth. In this discussion, I address the normative Muslim family, as well as other categories of children who are at a disadvantage and discuss the ways in which premodern Ottoman Egyptian children were cared for by the state and community. I hope that the findings of this research will offer insights into how to remove the stigma associated with some categories of children in Muslim societies today, destigmatizing adoption in Muslim societies where it is prohibited in theory. As we shall see in our discussion, this prohibition was only an ideal doctrine that was openly subverted by jurists and judges in Ottoman Egypt.