

Rudolph “Ruud” Peters, 1943–2022

With the passing of Ruud Peters, the field of Islamic legal studies has lost a pioneer, an inspiring scholar, mentor and teacher. And, for those who knew him personally, a good friend.. Ruud, who died on Saturday 26th March 2022 after a short illness, was a gentle giant – a man of great stature, who enjoyed both the scholarly and the social side of academic gatherings. Without his contribution over the past 30 or 40 years, the field of Islamic Legal Studies would be immensely poorer. Ruud not only leaves a body of cutting-edge scholarship which has (and will continue to) influence our research, he was once of a cadre of scholars in the 1980s and 1990s who were determined to build the infrastructure of the field with conferences, journals, book series, and funded projects.

Born in 1943 in the Hague, Ruud gained his first higher qualification in Dutch Law (from the University of Amsterdam in 1967). Out of this legal focus came an interest in Islam and the Arabic language, leading to a three-year study in Islamic language and culture (culminating in the Kandidaatsexamen Islamitische taal en cultuur) from the University of Leiden in 1972, and continuing with his graduate studies in Islamic Law at the University of Amsterdam. During his period of study, he deepened his interest in the Middle East generally, but Egypt in particular – and interest which has been sparked by trips to Morocco and Egypt as a high school student. He was to travel back and forth in various roles for the rest of his life. His dedication to furnishing the field with fundamental studies of neglected areas had already developed well before he gained his doctorate. His first publications were on the doctrine of jihad and apostasy; even before he completed his PhD dissertation, he had published a selection of important translations of fundamental texts in his *Jihad in Mediaeval and Modern Islam* (Leiden: E. J. Brill, 1977). By the time his doctorate was awarded in 1979 (with a thesis titled “Islam and Colonialism: The Doctrine of Jihad in Modern History,” published as a book with the same title by Mouton in the Hague), Ruud already had an impressive publications list, and, in terms of publications, this sedulousness was to remain a feature of Ruud’s career. I first became aware of his scholarship as a beginner student in the late 1980s, well before I had the honour of meeting him - Ruud’s work was, then, already defining the field from the level of undergraduate studies upwards.

Between 1982 and 1987, Ruud was Director of the Netherlands Institute for Archaeology and Arabic Studies in Cairo – this post gave him the chance not only to carry out the important task of providing Dutch (and other) students with a base from which to do academic work, he was also able to identify and recognise the importance of archival study for the history of Islamic legal thought and practice. His interests shifted from jihad to the history of Islamic legal thought and practice in modern Egypt. His publications from the late 1980s onwards began to chronicle how legal institutions in Egypt experienced the shift from Ottoman to Khedive administration in a changing imperial political context from Turkish, French, and British external influences. In some ways this interest was an extension of his interest in “Jihad and Colonialism” – in other ways, it was a departure. New skills and techniques came to the fore, including archival research, document reading, social history, and a deep understanding of the structural features of Egyptian society through time. His focus (and one suspects his real love) was the 19th century, but, when required, he could write with great erudition on more recent developments.

Ruud returned to the University of Amsterdam in 1987 to teach, and was to gain his professorship in “Recht van de Islam en het Midden-Oosten” (“The Law of Islam and the Middle East”) in 1992. Included in his publications output during this period is my own personal favourite, “Muḥammad al-‘Abbāsī al-Mahdī (d. 1897), Grand Muftī of Egypt, and His *al-*

Fatāwā al-Mahdiyya” (ILS 1 [1994]). For a number of reasons, this piece holds a special place in my personal study of Islamic law. First, a conference paper based on this article presented by Ruud (Manchester, 1992) provided me (a nervous, fledgling PhD student) with my first encounter with Ruud: I addressed him as “Professor Peters” – to which he simply replied “I am Ruud” - and that was that for the next 30 years. Second, that piece, perhaps more than many others of the early 1990s, exemplify how a detailed analysis of fatwas can shed light on not only the institution of the mufti, but more broadly on the stresses and strains of Islamic law and modernisation. Third, this article was rightly one of the impressive selections published in the inaugural issue of the field-leading journal, *Islamic Law and Society*, and signalled the beginnings of Islamic legal studies as a vibrant sub-field – relating to the disciplines of both Law and Islamic Studies. Having already contributed to the developing study of fatwas, Ruud (with colleagues Khalid Masud and David Powers) edited a ground-breaking collection of studies on “Qadis and Their Judgements” (*Dispensing Justice in Islam*, Brill, 2006).

In 2001, Ruud took on, with Maarten Barends (then a Law student in Amsterdam), a three-week assignment from the European Commission to investigate the operations of Islamic criminal law in Nigeria. His long-standing interest in the penal law in the Muslim world was further confirmed by this trip. Many of his subsequent publications dealt with Islamic criminal law in Nigeria and Egypt, and none was more widely welcomed by the field than his monograph *Crime and Punishment in Islamic Law* (Cambridge University Press, 2005). This was not only a much-needed addition to the field, it also has become the primary reference point for those outside of Islamic legal studies when they wish to get to grips with Islamic criminal law effectively and speedily. The work is comprehensive (covering many traditions and context), historical (covering the development and implementation through the ages), and even-handed (avoiding the potential “shock-horror” narrative that might impede proper academic analysis). It was, and continues to be, a model of how to write a work which satisfies both specialist and more general audiences.

Ruud’s work after *Crime and Punishment* covered subjects as diverse as Islamic Law and human rights, the radicalisation of Dutch Muslims, and the analysis of documents from the Dakhla Oasis in Egypt. It is this last series of studies that I think of as Ruud’s “return to fundamentals.” In the early 2000s, the great Dutch Arabist, the late Professor Fred Leemhuis of Groningen University, discovered a family archive of Arabic documents in the remains of a house in al-Qasr in the Dakhla Oasis. Ruud was to work on these documents, editing them and producing studies of them. The first results appeared in a volume published by the Egyptian National Archive (Dar al-Wathā’iq al-Qawmiyya) titled *Wathā’iq madīnat al-Qaṣr fī al-Wāḥāt al-Dākhila: maṣḍaran li-tārīkh Miṣr fī al-‘aṣr al-‘Uthmānī* (Silsilat Dirasat Wathā’iqiyya, 2011), and along with Ruud’s other studies on these documents, they provide a critical micro-history of Islamic law and its relationship to political context in Ottoman Egypt.

In more recent years, Ruud, together with his friend and colleague Peri Bearman (also a former President of ISILS), has produced the most important study of the discipline of Islamic Legal Studies - *The Ashgate Research Companion to Islamic Law* is an invaluable resource for understanding the “state of the art” of the study of Islamic law. This was the masterplan of Ruud and Peri, and remains a critical source for understanding our discipline. One legacy of Ruud’s work is that we have a fast moving and dynamic field – which reflects his own intellectual agility, adapting his research skills to numerous aspects of the Islamic legal tradition (from *isnad-cum-matn* analysis to the Islamic State group). His and Peri’s

work will no doubt need updating in the future – but that, in itself, is an exciting characteristic of the field Ruud has left us.

In his later years, Ruud cut an avuncular figure at academic gatherings, generously offering support and guidance to the next generation of researchers. In many ways, this was a natural progression for him; everyone who worked with him, myself included, will remember the encouragement he passed on to his colleagues. It is appropriate that he fulfilled this role of guide and inspiration in the latter stage of his career – so many elements of the contemporary field of Islamic Legal Studies are based on the methodological innovations advanced by Ruud in the 1970s, 1980s, and 1990s. His own shifts in academic focus were, so often, prescient, foretelling wider shifts in focus within the field.

His impact on the field is not merely a list of seminal studies on the doctrine, theory, and practice of Islamic law. It is also not just his contribution to the “furniture” of the discipline (including this society – ISILS - of which he was president for some years). It is of a caring and attentive mentor and friend: whenever we talked, before we moved on to discuss “business,” he demanded a detailed update on family – what my children were doing, how parenthood was treating us. Time spent with Ruud was always time well spent – be it walking in the countryside (I recall him walking quite fast, which suited me just fine) or discussing the state of Islamic studies in Europe and North America, or both simultaneously. His absence will be sorely felt, particularly at the May 2022 International Society for Islamic Legal Studies conference. Reflecting on his illustrious career, our field was truly blessed to have his pioneering contribution.

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Further appreciations of Ruud’s contribution to the field can be found at:

Khaled Fahmy, “Rudolph Peters and the History of Modern Egyptian Law,” in *Legal Documents as Sources for the History of Muslim Societies: Studies in Honour of Rudolph Peters*, ed. Maaike van Berkel, Léon Buskens, and Petra M. Sijpesteijn (Leiden: Brill, 2017), pp. 22–35.

And

R. Gleave, “Foreword,” in Rudolph Peters, *Shari‘a, Justice and Legal Order: Egyptian and Islamic Law. Selected Essays* (Leiden: Brill, 2020), pp. ix–xvi (in which you will also find a full bibliography of Ruud’s publications).