

Call for Papers

Workshop

The Mixed Courts of Egypt, 1876–1949: between imperial internationalism and shared legal knowledge

23–24 February 2026

Max Planck Institute for Legal History and Legal Theory

This workshop is organized by Dr Michel Erpelding, head of the newly constituted Max Planck Research Group ‘The hidden heritage of the European Union: the legacy of the law of the League of Nations’, and Mrs Aya Bejerimi, whose work as a researcher within that group focusses on mixed courts established in semi-colonial contexts.

On 1st February 1876, the Mixed Courts of Egypt heard their first cases. These courts would operate until 14th October 1949, after which they were dissolved into the country’s National Courts. Established by Egypt, at that time an autonomous province of the Ottoman Empire, following treaty negotiations with 14 Western powers benefitting from extraterritoriality, the Mixed Courts were formally a part of the Egyptian legal order. However, due to their predominantly foreign bench of up to 70 judges and their use of treaty-based, French-inspired law codes, they were often described as international courts, albeit atypical ones.

During the 73 years of their existence, the Mixed Courts were a deeply ambivalent institution. On the one hand, they were the product of a fundamentally unequal international order that openly asserted the superiority of Western states over the rest of the world (Nuzzo, 2012). By providing foreigners with their own international court system and defending their treaty-based privileges against intervention by public authorities, they participated in the continuation of that order. They maintained this form of ‘imperial internationalism’ (Todd, 2018) even after the emergence of self-determination as an international law principle during the interwar period. On the other hand, by providing claimants with a well-functioning judiciary protecting the rights of individuals against the arbitrary use of state power, the Mixed Courts of Egypt earned some appreciation from non-Egyptians and Egyptians alike. Developing a form of shared legal knowledge that was both local and international, various actors would find ways to use these courts as a check not only on the Egyptian State, but also on the British occupation authorities that had taken control of the country in 1882. This legal knowledge developed within and before the Mixed Courts would later inspire the creators of other institutions. This was the case both in Egypt, where they served as blueprints for the country’s ‘Native’ (later National) Courts (*maḥākīm aḥliyya / waṭaniyya*), established in 1883, and in Europe, where their procedures informed those of the European Court of Human Rights.

After many decades of near silence, scholars are increasingly refocussing the Mixed Courts of Egypt, as they allow to shed light on issues such as formal and informal empire, modernization, nationality, hybrid identities, and even European integration. However, many aspects of these institutions and their legacy remain to be discovered. By organizing a workshop on the Mixed Courts of Egypt exactly 150 years after their creation, we would like to contribute to their re-emergence as objects of study in global legal history.

The call is interested in proposals from researchers in law, history or other related disciplines addressing issues such as:

- the normative production and environment of the Mixed Courts

- e.g. their interactions with domestic law and domestic courts, whether in Egypt or beyond;
- e.g. their contribution to the development of international law and international adjudication;
- e.g. their impact on issues of colonialism, race, class, and gender, as well as on nationality and others forms of ‘legal belonging’ (Marglin, 2021);
- the Mixed Courts and contemporary politics
 - e.g. the question of judicial restraint and/or judicial activism;
 - e.g. their perception by the press and the broader public;
 - e.g. their reception in countries subject to similar conditions (Ottoman Empire, Persia, China, Japan...);
- the Mixed Courts as a social space
 - e.g. networks or individual biographies of professionals (judges, prosecutors, lawyers, interpreters, law clerks, experts...) involved with the Mixed Courts;
 - e.g. the role and sociology of claimants and litigants before the Mixed Courts.

From a methodological point of view, the call welcomes papers based on archival sources and/or on doctrinal writings and the case law of Mixed Courts.

Abstracts of no more than 500 words, written in English, French or Arabic and including the author’s name, e-mail address and a short curriculum vitae, should be submitted to erpelding@lhl.mpg.de by 1st July 2025. Successful applicants will be notified via e-mail by 1st September 2025 and are expected to produce a summary draft paper by 31st January 2026. Financial support for travel and accommodation is available.

Select bibliography:

- Abū al-Naṣr, Yāsir ‘Umar Amīn. *Al-dākira al-Mafqūda li-Tārīkh Qānūn Ḥaqq al-Mu‘allif al-Miṣrī: al-Fuqahā’ Linant de Bellefonds wa Maxime Pupikofer wa Piola Caselli* [The forgotten memory of the Egyptian copyright: the scholars Linant de Bellefonds, Maxime Pupikofer and Piola Caselli]. Al-Qāhira: Dār al-Nahḍa al-‘arabiyya, 2014.
- Brinton, Jasper Yeates. *The Mixed Courts of Egypt*. Rev. ed. New Haven: Yale University Press, 1968.
- Brown, Nathan J. *The Rule of Law in the Arab World: Courts of Egypt and the Gulf*. Cambridge: Cambridge University Press, 1997.
- Erpelding, Michel. ‘Colonial-Era Mixed Courts, the Compensation of Foreigners for Wrongful State Acts and the Emergence of International Judges as Guarantors of Individual Rights’. In *The Cambridge Handbook of Foreign Judges on Domestic Courts*, edited by Anna Dziedzic and Simon N. M. Young, 250–67. Cambridge: Cambridge University Press, 2023.
- Fusar Poli, Elisabetta. ‘Le jurisdictions mixtes tra Egitto ed Europa. Spunti dalle carte di Eduardo Piola Caselli’. *Historia et ius - rivista di storia giuridica dell’età medievale e moderna*, no. 16 (2019): 1–42.
- Hanley, Will. *Identifying with Nationality: Europeans, Ottomans, and Egyptians in Alexandria*. New York: Columbia University Press, 2017.
- Hoyle, Mark S. W. *Mixed Courts of Egypt*. London; Boston: Graham & Trotman, 1991.
- Lendrevie-Tournan Isabelle. *Les transferts juridiques et juridictionnels en Égypte, l’héritage des années 1875–1949*. Université Paris 1 Panthéon-Sorbonne, 2008.
- Marglin, Jessica M. ‘Extraterritoriality and Legal Belonging in the Nineteenth-Century Mediterranean’. *Law and History Review* 39, no. 4 (November 2021): 679–706.
- Nuzzo, Luigi. *Origini di una scienza: diritto internazionale e colonialismo nel XIX secolo*. Frankfurt am Main: Vittorio Klostermann, 2012.
- Sālim Laṭīfa Muḥammad. *Al-Niṣām al-Qaḍā’ī al-Miṣrī al-Ḥadīth* [The Modern Egyptian Judicial System]. Al-Qāhira: Dār al-Shurūq, 2010.
- Shlala, Elizabeth H. *The Late Ottoman Empire and Egypt: Hybridity, Law, and Gender*. Abingdon, Oxon; New York, NY: Routledge, 2018.
- Todd, David. ‘Beneath Sovereignty: Extraterritoriality and Imperial Internationalism in Nineteenth-Century Egypt’. *Law and History Review* 36, no. 1 (February 2018): 105–37.