

FAISAL M. KUTTY

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TEACHING APPOINTMENTS

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| SOUTHWESTERN LAW SCHOOL, Los Angeles, CALIFORNIA <i>Associate Professor of LAWS</i> | 2021 to Present |
| DWAYNE O. ANDREAS SCHOOL OF LAW, BARRY UNIVERSITY, FLORIDA <i>Assistant Professor of Law</i> | 2019 to 2020 |
| VALPARAISO UNIVERSITY SCHOOL OF LAW VALPARAISO, INDIANA <i>Director of International LL.M program</i> | 2014 to 2019 |
| <i>Associate Professor</i> | 2014 to 2019 |
| <i>Assistant Professor</i> | 2012 to 2014 |
| <i>Visiting Assistant Professor</i> | 2009 to 2012 |
| OSGOODE HALL LAW SCHOOL OF YORK UNIVERSITY TORONTO, ONTARIO <i>Adjunct Professor</i> | 2009 to 2019 |
| <i>Lecturer</i> | 2007 to 2009 |
| <i>Legal Writing Instructor</i> | 1997 to 1998 |
| LAW SOCIETY OF UPPER CANADA TORONTO, ONTARIO <i>Bar Admissions Instructor</i> | 2001 to 2005 |
| RICHMOND SCHOOL OF COMMERCE TORONTO, ONTARIO <i>Instructor</i> | 1995 to 1996 |

EDUCATION

Osgoode Hall Law School of York University, Ph.D. (ABD), 2010

- Comparative law
- *Dissertation: Between Normalcy and Exception: A Comparative Analysis of Emergencies in Western and Islamic Legal Traditions.*

Osgoode Hall Law School of York University, LL.M., 2005

- Civil Litigation & Alternative Dispute Resolution
- Thesis published: *The Shari'a Factor in International Commercial Arbitration* (2006), *28 Loy. L.A. Int. & Comp. L. Rev.*

University of Ottawa Faculty of Law, J.D. (cum laude), 1994

- Articles Editor (summer), *Ottawa Law Review*
- Book Reviews Editor, *Ottawa Law Review*

York University, B.A. (incomplete), 1988

- Economics

COURSES TAUGHT

LAW SCHOOL

- Alternative Dispute Resolution
- Appellate Advocacy
- Comparative Law
- Contracts Drafting
- Corporate/Commercial Law
- Ethical Lawyering
- Introduction to American Law
- Islamic Law
- Legal Journalism
- Legal Writing & Reasoning
- LL.M. Graduate Seminar
- Professional Responsibility
- Torts

COMMUNITY COLLEGE

- Business Law
- Civil Litigation
- Family law
- Real Estate
- Wills & Estate

PROFESSIONAL WORK EXPERIENCE

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|---|--------------|
| <i>Of Counsel</i> Kutty & Associates, Toronto, Ontario | 2018 to 2020 |
| <i>Of Counsel</i> KSM Law Firm, Toronto, Ontario | 2009 to 2018 |
| <i>Managing Partner</i> KSM Law Firm, Toronto, Ontario | 2002 to 2009 |
| <i>Principal Lawyer</i> Kutty & Associates, Toronto, Ontario | 1996 to 2002 |
| <i>Junior</i> Goodman & Carr, Toronto, Ontario | 1995 to 1996 |

ACADEMIC ARTICLES

Islamic Perspectives on Adoption forthcoming chapter in THE OXFORD HANDBOOK OF RELIGIOUS PERSPECTIVES ON REPRODUCTIVE ETHICS, ed. Dena S. Davis, Oxford University Press (forthcoming 2023).

Served as commentator on presentation by Dr. ZeZen Mutaqin titled, *Restraint in Classical Islamic Law*, for the SOUTHWESTERN JOURNAL OF INTERNATIONAL LAW, March 23, 2022

In Search of the Elusive Middle Ground Between Blasphemy and Free Speech: From Defamation of Religion to Incitement to Hate in CONSTITUTIONAL DEMOCRACY UNDER STRESS: A TIME FOR HEROIC CITIZENSHIP (Peter L. Biro, editor, 2020).

Islamic Law” in US Courts: Judicial Jihad or Constitutional Imperative? in ISLAMOPHOBIA AND THE LAW (Cyra Akila Choudhury and Khaled Beydoun, eds, Cambridge University Press (2020).

Islamic Perspectives on Adoption, in THE OXFORD HANDBOOK OF RELIGIOUS PERSPECTIVES ON REPRODUCTIVE ETHICS (Dena Davis, ed., Oxford University Press: Oxford) (forthcoming 2020).

Islamic Finance, Consumer Protection and Public Policy. In: Akram T., Rashid S. (eds) FAITH, FINANCE, AND ECONOMY. Palgrave Macmillan, Cham (2020).

Blasphemy and Apostasy “laws” in the Muslim Word, in RESEARCH HANDBOOK ON ISLAMIC LAW AND SOCIETY (Nadirsyah Hosen, ed., Edward Elgar, Cheltenham: UK and Northampton: MA, USA) (September 2018).

Review of Drone Warfare: Killing by Remote Control, in 11 J. INT’L L. & INT’L RELATIONS. 92 (2015).

The Kutty 'Islamic Law' Flowchart (Sept. 25, 2014) is available as a Valparaiso University Legal Studies Research Paper No. 14-9 at SSRN: <http://ssrn.com/abstract=2502190>. This helpful tool in teaching Islamic Law has been extremely well received with RELIGIONCLAUSE (religion and law blog) and ICONNECTBLOG.COM (international law blog) featuring it. Several Islamic law professors around the world have already indicated that they will be using it.

‘Islamic Law’ in U.S. Courts: Judicial Jihad or Constitutional Imperative? 41 PEPP. L. REV. 1059 (2014); available as Valparaiso University Legal Studies Research Paper No. 14-8. Available at SSRN: <http://ssrn.com/abstract=2502187>.

Creeping Shari’ah or Conspicuous Islamophobia, in COLUM. J. INT’L AFF. (December 2014).

Islamic Law and Adoptions, in ROBERT L. BALLARD ET AL., THE INTERCOUNTRY ADOPTION DEBATE: DIALOGUES ACROSS DISCIPLINES (Newcastle upon Tyne, UK: Cambridge Scholars Publishing, 2014); available as Valparaiso University Legal Studies Research Paper No. 145. Available at SSRN: <http://ssrn.com/abstract=2457066>.

‘Shari’ah Courts in Canada: A Delayed Opportunity for the Indigenization of Islamic Legal Rulings, in Anna Kortweg and Jennifer Selby, eds., DEBATING SHARIAH: ISLAM, GENDER POLITICS AND FAMILY LAW ARBITRATION (Toronto: University of Toronto Press, 2012) 123.

The Myth and Reality of “Shari’a” Courts” in Canada: A Delayed Opportunity for the Indigenization of Islamic Legal Rulings, Islamic Law and Constitutional Liberty Symposium issue of the *U. St. Thomas L.J.* (Volume 7, Issue 3).

Hate speech sometimes warrants censorship in Noel Merino, ed., *CENSORSHIP* (Greenhaven Press: Detroit, 2010).

No-Fly Lists Do Not Keep America Safe in Lauri S. Friedman, ed., *INTRODUCING ISSUES WITH OPPOSING VIEWPOINTS: NATIONAL SECURITY* (Gale/Greenhaven Press: Chicago, 2010) 89.

Review of Islam, Secularism and Liberal Democracy: Toward a New Democratic Theory for the Muslim Societies by Nader Hashemi, 2009, Oxford University Press, Oxford, in *THE GLOBE AND MAIL*, July 9, 2009.

Review of *The Constitution of Law: Legality in a Time of Emergency* by David Dyzenhaus, 2006, Cambridge University Press, Cambridge, in (2008) 24 *WINDSOR REV. LEGAL SOC. ISSUES* 73.

Non-Western Societies Have Influenced Human Rights in Jacqueline Langwith, ed., *OPPOSING VIEWPOINTS: HUMAN RIGHTS* (Gale/Greenhaven Press: Chicago, 2007) 41.

The Shari’a Factor in International Commercial Arbitration (2006), 28 *LOY. L.A. INT. & COMP. L. REV.* 565.

Review of Farce Majeure: The Clinton Administration’s Sudan Policy 1993-2000 by David Hoile, (2001) *AMERICAN JOURNAL OF ISLAMIC SOCIAL SCIENCES*, Volume 19, Number 2.

Review of American Islam: Growing up Muslim in America by Richard Wormser, 1994, Walker & Company, New York, (1997) *MUSL. WORLD BK. REV.*, Vol. 17, No. 3, 39.

Indian Muslims: Rebuilding a Community (1997) *JOURNAL INSTITUTE OF MUSLIM MINORITY AFFAIRS*, Vol. 17, No. 1, 107.

Review of The Politics of Islamic Resurgence: Through Western Eyes by Ahmad AbulJobain and Ahmad Bin Yousef, 1992, UASR. Inc., (1993) *ISLAMIC STUDIES* 222.

Review of Human Rights in Crisis: The International System for Protecting Rights During States of Emergency by Joan M. Fitzpatrick, 1994, University of Pennsylvania Press (1994) *OTTAWA L. R.* 253.

EXTERNAL SERVICE

- Editorial Board, *Manchester Journal of Transnational Islamic Law* 2021 to Present
- Peer Reviewer, Various Journals and Publishers 2010 to Present
- Editorial Board, *Arab Law Quarterly* 2016 to 2021
- Ph.D. Examiner, Monash University 2017
- Executive Member, AALS Section on Human Rights Law 2015 to 2019
- Co-Chair, AALS Section on Islamic law 2015
- Executive Member, AALS Section on Islamic Law 2010 to 2019
- Director, American Society of Comparative Law 2015 to 2019
- Deputy Editor, *International Law Year in Review* 2015 to 2017
- Advisory Board, National Council of Canadian Muslims 2015 to 2022

COURT EXPERT WITNESS

- Ontario Superior Court of Justice. Expert witness in a civil case on a question of Islamic law and family law. Prepared a report and then a supplementary report and testified in court on behalf of Plaintiff, wife. I was cross-examined by opposing counsel, 2020.
- European Court of Justice. Islamic law in adoption case on behalf of adopted child, 2019. Written report provided, but not examined or cross examined.
- Chicago Immigration Court. Expert witness on Islamic law in asylum removal proceedings on behalf of asylum seeker, 2017. Written report provided and not examined in court or cross-examined.
- United Kingdom Supreme Court. Islamic law in adoption case on behalf of adopted child, 2017. Written report provided, but not examined or cross examined.
- English Court of Appeal. Islamic law in adoption case on behalf of adopted child, 2015. Written report provided, but not examined or cross examined.

INVITED PRESENTATIONS

Issues and Concerns About Access to Legal Services/Justice for Muslims

Legal Aid Ontario

Toronto, Ontario, October 25, 2022

Shari'ah ("Islamic Law") Issues in Wills and Estate Planning

Canadian Bar Association Section on Wills & Estates

Edmonton, Alberta, March 15, 2022

On The Frontlines: A Discussion on Anti-Black Racism and Islamophobia in Law
The Law Foundation of Ontario and The Canadian Muslim Lawyers Association
Toronto, Ontario, November 29, 2020

Law & Religion: Perspectives on Faith in the Legal Realm
Christian Legal Fellowship, Jewish Law Students' Association and the Muslim Law Students'
Association, McGill University Law School
Montreal, Quebec, November 18, 2020

Lawyers: The Architects of Society & Defenders of the Rule of Law (Keynote Address)
IPF Lawyers Forum Inaugural Event
India, August 15, 2020

Islamophobia in the Canadian National Security Context
Anti-Semitism, Islamophobia, and Hate in the National Security Arena
Section on National Security Section
Association of American Law Schools (AALS) Annual Conference
New Orleans, Louisiana, January 6, 2019

Family Law: Intersection Between Canadian Law and Islamic Law
Assembly of Muslim Jurists of America
Annual Conference
Toronto, ON, October 20, 2018

Banking on Blind Faith: Islamic Finance and Consumer Protection Concerns
Thrivent Financial Faith & Finance Conference on Tuesday, July 24, 2018
University of St. Thomas,
Minneapolis, MN, July 24, 2018

Why Conversations Matter
TEDxValparaisoUniversity (24,500 views on YouTube)
Valparaiso University
Valparaiso, Indiana, January 19, 2018

Islamophobia: Understanding Anti-Muslim Sentiment
Keynote Address
Manitoba Islamic Association
Winnipeg, Manitoba, May 5, 2017

Tackling Islamophobia – The humanitarian way

Keynote Address

Human Concern International 36th Annual Banquet

Ottawa, Ontario, September 23, 2016

Why you should care about Islamophobia

University of Wisconsin Law School

Madison, Wisconsin, April 11, 2016

Why you should care about Islamophobia

Unlearn, Relearn, Challenge: Islam & the Media Conference

University of Ontario

Oshawa, Ontario, March 19, 2016

Overcoming 'Holy Wars' by Cultivating Dialogue

2015 Parliament of World's Religions Annual Conference Salt

Lake City, UTAH, October 17, 2015

Cultivating Citizenship in an Age of Uncertainty: Belief, Belonging, and Community Cohesion

Conference theme: "The Global Village: Our Responsibility to Engage" University of Toronto, St.

Michael's College, October 8, 2015

Keynote Address: *ISIS and the Crisis of Authority in Islam*

Conference theme: "The Terror of These Times: A Theological Perspective"

Co-Sponsored by the United Church of Canada, American Baptist Church, NYC Faith & Order,

Niagara Presbytery, Niagara Area Baptist Assoc., The Winberg Foundation, American Society for

Muslim Advancement, and the University of Toronto First

Baptist Church, Niagara Falls, NY, June 13, 2105

Deradicalization or Disengagement from Violence?

3rd Annual ILEAD Conference

Ottawa, Ontario, March 21, 2015

Towards a Pedagogy of Legal Journalism

Legal Writing Institute Conference: The Modern Legal Writing Classroom Miami, Florida,

December 6, 2014

Deradicalization or Disengagement from Violence?

Osgoode Hall Law School of York University

Toronto, Ontario, November 26, 2014

Deradicalization or Disengagement from Violence?

University of Windsor

Windsor, Ontario, November 25, 2014

In Search of the Elusive Middle Ground: Defamation of Religion/Incitement to Hate v. Freedom of Expression and a New International Consensus

Third World Approaches to International Law Conference

Cairo, Egypt, February 22–24, 2015 (could not attend due to concerns for safety)

The Future of Shari'ah Compliant Transactions

Joint Program of the AALS Section on Jewish Law and Section on Islamic Law

AALS Annual Meeting

Washington, D.C., January 5, 2015

Islamic law in U.S. Courts: Judicial Jihad or Constitutional Imperative?

University of Alberta Faculty of Law

Edmonton, AB, February 27, 2014

Islamic law in U.S. Courts: Judicial Jihad or Constitutional Imperative?

Conference theme: "Muslim Contributions to Justice"

University of Pennsylvania Law School

Philadelphia, PA, February 22, 2014

Islamic law in U.S. Courts: Judicial Jihad or Constitutional Imperative?

Joint Program of the AALS Section on Jewish Law and Section on Islamic Law

AALS Annual Meeting

New York, New York, January 5, 2014

Islam and Adoptions: Kafalah, Semantics and the Best Interests of the Child

Panel on How Religion Informs Adoption: Interfaith Perspectives

Intercountry Adoption: Orphan Rescue or Child Trafficking? Pepperdine Law School, Malibu, CA, February 8–9, 2013

Making Democracy Work for Everyone

Keynote Address and Recipient of 2012 Civil Rights Award

10th Annual Banquet of the Council on American Islamic Relations Cleveland, Ohio, March 31, 2012

Islam, Democracy and Constitutionalism: Toward a New Theory of "Islamic Secularism"

Islam & Democracy Conference

University of Western Ontario Law School

London, Ontario, Canada, March 24, 2012

Toward the Development of a More Inclusive International Law Regime

Keynote Address, Awards Ceremony of the Philip C. Jessup International Law Moot Court Competition

Chicago-Kent College of Law

Chicago, Illinois, February 11, 2012

Unveiling the Visible: Women in Islam

Keynote Address, Muslim Students' Association Annual Banquet

Valparaiso University

Valparaiso, Indiana, January 30, 2012

Muslims in a Secular State: Islamic Law and Constitutions

Symposium titled "Confronting Islam: Shari'ah, the Constitution and American Muslims

University of Maryland School of Law

Baltimore, Maryland, November 5, 2010

The Myth and Reality of "Shari'a" Courts in Canada: A Delayed Opportunity for the Indigenization of Islamic Legal Rulings

Symposium titled "Islamic Law and Constitutional Liberty"

University of St. Thomas School of Law

Minneapolis, Minnesota, April 12, 2010

Global Economic Crisis: Some Lessons from Islamic Finance

Symposium titled "Reflections on a Global Crisis: Current Issues in International Law and Economics"

Notre Dame University School of Law, April 9, 2010

Policing Muslim Communities: Clash or Dialogue of Civilizations?

Symposium titled "Torture and National Security: The Making of a Social Institution"

Dame University of Windsor Law School

Windsor, Ontario, Canada, March 3–4, 2010

MEDIA & COMMENTARIES

- Dozens of media interviews and profiles in publications including *The New York Times*, *The Globe and Mail*, *The Toronto Star*, *Aljazeera*, *Canadian Broadcasting Corporation*, *National Public Radio*, etc.
- Published more than 40 op-eds in *The Toronto Star*. They are all available [here](#).

- Published 16 op-eds in the *Express Tribune* (Pakistani newspaper affiliated with the *International New York Times*). They are available [here](#).
- Published 4 op-eds in *Aljazeera*. They are available [here](#).
- Dozens of Op-eds published in *Arab News* (Saudi Arabia), *Saudi Gazette*, *AlAhrām* (Egypt), *Indian Express* (India), *Madhyamam Daily* (India), *Chicago Tribune*, *Northwest Indiana Times*, *The Ottawa Citizen*, *Montreal Gazette*, *National Post*, *Windsor Star*, *London Free Press*, *Edmonton Journal*, *Winnipeg Free Press*, *Detroit Free Press*, etc.

AWARDS & RECOGNITIONS

2022

- Included in *The Muslim 500: The World's Most Influential Muslims* (13th consecutive year). Royal Islamic Strategic Studies Centre (Amman, Jordan) and the Prince AlWaleed Bin. Talal Center for Muslim-Christian Understanding at Georgetown University.

2021

- Included in *The Muslim 500: The World's Most Influential Muslims* (12th consecutive year). Royal Islamic Strategic Studies Centre (Amman, Jordan) and the Prince AlWaleed Bin. Talal Center for Muslim-Christian Understanding at Georgetown University.

2020

- Included in *The Muslim 500: The World's Most Influential Muslims* (11th consecutive year). Royal Islamic Strategic Studies Centre (Amman, Jordan) and the Prince AlWaleed Bin. Talal Center for Muslim-Christian Understanding at Georgetown University.

2018

- Nominated by the editorial board of CANADIAN LAWYER as a finalist for the “Changemaker” category of the *25 Most Influential Lawyers in Canada*.
- *Award of Excellence*. Canadian Council of Indian Muslims, Toronto, Ontario.

2017

- *MAX Platinum Award for Professional Excellence*. Toronto, Ontario.
- Valparaiso University -- *Martin Luther King Jr. Award*
- Council of Agencies Serving South Asians (CASSA) *Award for Professional Excellence*, Toronto, Ontario.
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2015

- *Valparaiso University Alumni Association Distinguished Teaching Award*. One of only four (4) law professors to have won the award since its inception in 1970.

2012

- *iCAIR Civil Rights Award*. Annual award presented by the Council on American Islamic Relations, Cleveland, OH.

2008

- *Appreciation Award*. Children of Hope, Toronto, Ontario.
- *Fellowship*. Islamic and International Law: Searching for Common Ground, Salzburg Global Seminar, Salzburg, Austria.

2007

- *Maher Arar and Monia Mazig Award in Civil and Human Rights*. Maher Arar and Monia Mazig/Canadian Muslim Network, Ottawa, Ontario.

2004

- *Professional Excellence Award*. American Federation of Muslims from India (AFMI), Toronto, Ontario.

2003

- *Community Service Award*. Toronto Community Resources Consultants (TCRC), Toronto, Ontario.

1998

- *Community Service Award*. Bosnian Canadian Relief Association, Toronto, Ontario.

1990

- *Dean's Honour Roll*. York University, Toronto, Ontario.

1988

- *Merit Award*. York University, Toronto, Ontario.

1988

- *Ontario Scholar Award*. Ontario Ministry of Education, Toronto, Ontario.

REFERENCES

David Cleveland
Professor of Law, Valparaiso University
Visiting Professor of Law
Denver University Sturm College of Law
509 W. State Road 130
219-299-7792
dcleveland@law.du.edu

Susan Stuart
Professor Emerita of Law
Valparaiso University
1710 Boca Lago Drive
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Former Professor & Associate Dean
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792 East Cedar Circle
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Valparaiso University School of Law
Valparaiso, Indiana
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800 N. Harvey
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Orlando, FL 32807
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& Director Advanced Writing Program
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