

PD-ABC-174

ISA 69426

DEPARTMENT OF STATE
AGENCY FOR INTERNATIONAL DEVELOPMENT
WASHINGTON, D.C. 20521

May 25, 1979

Mr. Kenneth Prewitt
President
Social Science Research Council
605 Third Avenue
New York, New York 10016

Subject: Grant No. AID/NE-G-1627

Dear Mr. Prewitt:

Pursuant to the authority contained in the Foreign Assistance Act of 1961, as amended, the Agency for International Development (hereinafter referred to as "A.I.D." or "Grantor") hereby grants to the Social Science Research Council (hereinafter referred to as "SSRC" or "Grantee") the sum of \$200,000 to provide support for a program in the Project for Law and Social Structures in the Near East (PLSS) as more fully described in the attachment to this Grant entitled "Program Description". The total estimated cost of this grant is \$400,000 of which \$200,000 is obligated hereunder. It is anticipated that the remaining \$200,000 will be granted subject to the availability of funds and the mutual agreement of the parties.

This Grant is effective and obligation is made as of the date of this letter and shall apply to commitments made by the Grantee in furtherance of program objectives during the period June 1, 1979 through June 1, 1982.

This Grant is made to SSRC on condition that the funds will be administered in accordance with the terms and conditions as set forth in Attachment A entitled "Program Description," and Attachment B entitled "Standard Provisions," which have been agreed to by your organization.

Please sign the Statement of Assurance of Compliance, enclosed herein, and the original and seven (7) copies of this letter to acknowledge your acceptance of the conditions under which these funds have been granted.

Please return the Statement of Assurance of Compliance and the original and six (6) copies of this Grant to the Office of Contract Management.

Sincerely yours,


Franklin H. Moulton
Grant Officer
Regional Operations Division-NE
Office of Contract Management

Attachments:

1. Program Description
2. Standard Provisions
3. Statement of Assurance of Compliance

ACCEPTED:

Social Science Research Council

By: Kenneth Pruitt

Title: _____

Date: MAY 29 1960

FISCAL DATA

Appropriation : 72-1191021.6
Allotment : 946-62-298-00-69-91
PIO/T No. : 298-006-3-629-730 A
Project No. : 298-0006
Total Grant Amount: \$200,000.00

PROGRAM DESCRIPTION

A. Background and Objective

The Project on Law and Social Structure in the Contemporary Near and Middle East is Proposed by the Joint Committee on the Near and Middle East (JCNME) of the American Council of Learned Societies (ACLS) and the Social Science Research Council (SSRC). The ACLS is a private non-profit federation of forty-two national scholarly organizations concerned with the advancement of humanistic studies in all fields of learning. The SSRC is a private non-profit corporation of social scientists which has as its purpose the advancement of research in the social sciences. The JCNME is one of 10 foreign area committees jointly appointed and sponsored by the SSRC and the ACLS. Its administration is the responsibility of the SSRC. The JCNME was appointed in 1959 to administer a program of postdoctoral research grants and to encourage and further research and scholarly interests in the Near and Middle East, a region defined as extending from Morocco to Afghanistan and including Turkey and Iran.

A major current project of the JCNME focusses on an examination of hierarchical systems, authority relationships, and concepts of justice. The shorthand title for the project is Hierarchy, Authority and Justice (HAJ), with hierarchy defined to include consideration of the religious, political, social, and economic structures of the society; authority as the legitimate exercise of power by one person or group over others; and justice, both the mechanisms for adjudicating disputes and the concepts of what different persons and groups implicitly or explicitly, believe to be right, equitable, and fair.

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A major component of the HAJ undertaking is the Project on Law and Social Structure in the Contemporary Near and Middle East (PLSS).

Because the topic was judged so important to the entire HAJ project, the JCNME decided to give it special and separate treatment and has appointed a special subcommittee to guide its progress (see IV below). The immediate objectives of PLSS are: (1) to improve our knowledge of relationships between law and social structure in the Near and Middle East, and our knowledge of how these in turn relate to the processes of social differentiation and change, modernization, and economic and social development; (2) to create a greater awareness of the relevance and roles that law and legal systems (formal and informal) do and can play in modernization and development policies and programs; (3) to provide scholars from this country and from countries in the Near and Middle East with forums and other opportunities to exchange information, explore new ideas for research and to prepare materials for publication that can be used by wider audiences; and (4) to encourage and make possible research on topics included under the PLSS framework interpreted in its broadest context. The long-range object is to increase the number and quality of scholars (and interested development planners) who understand and can bring to bear improved understanding of the effects of interrelationship of law and social structure on current policies and programs designed to improve the quality of life of people in the Near and Middle East.

Both national law codes and local justice fall within the interest of PLSS because they reflect and define social reality and social change. The committee believes there is close congruence between these interests and those of the Agency for International

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Development. Planning for national development must take place within the context of the existing legal structure. If development programs require changes in this structure they can be implemented only if due recognition is given to the dynamics of the law; how and why the existing socio-economic and legal systems work the way they do and why other legal experiments predictably or unpredictably do not. For example, changes in land use patterns must take into account existing laws and legal traditions governing relations between land and people if the proposed changes are to be effective. If planners ignore the existing patterns when they implement changes, the results, if predictable at all, are likely to take the form of resistance, with the result of decline rather than an increase in productivity.

This project has evolved from a series of workshop, conference and committee planning activities. The subject matter is interdisciplinary by nature and requires unique responses to the need for improving our knowledge of issues and development opportunities.

B. Scope of Work

Specifically the Grantee shall undertake a multifaceted program of research, training and conference activities linked by a focus on a series of developmental issues. The program funded by this Grant includes:

1. Workshops (5) Conferences (2)

A series of workshops and conferences to be held in the Near East in conjunction with host country academic and research institutions will be convened dealing with the following issues:

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(a) Laws of Personal Status

The first category defined by previous workshops as needing research attention is the law of personal status, a fundamental component of the Shari'a. It involves family law, that is the laws governing relations between husband and wife, the rights of women and children, and divorce. Research attention to this category can help accomplish two objectives: to assess the status of the Shari'a in contemporary societies in its multiple interpretations; and to assess the relevance of Muslim law to stratification and authority in the modern Middle East.

(b) Laws Concerning Property

Four topics have been identified: general concepts of private property, including questions of heritability; land as a particular kind of property, with the related question of state ownership; land reform; and waqf, or religious endowments.

(c) Taxation

A third category needing attention is taxation, not particularly as a means of raising revenue, but, more important, as it relates to notions of equality, privilege, and income distribution. Of great interest is the extent to which governments purposefully use tax mechanisms to implement social purposes.

(d) Social Legislation

Closely related to the previous topic is social legislation, the laws enacted to improve the quality of life of the common people (e.g. education, health care, labor legislation, etc.) Such legislation tries to redress social inequities through provision of specific benefits, regulations with penalties for failure to obey, or through tax mechanisms.

(e) Sub-Groups and the Status of Minorities

The Islamic world has always had many religions and ethnic minority groups. Focus on their treatment, now and in the past, should help greatly to illuminate not only their rights but, by indirection, the rights accorded to all people in these societies. Historically, millets (the recognized autonomous religious communities in the Ottoman Empire) are probably the most conspicuous examples of ways of dealing with minorities, but since much work has recently been done on millets the committee will turn its attention primarily to the more modern period when the corporate rights inherent in the millet system yielded to broader notions of civil and human rights.

2. Summer Institute (1)

One of the important objectives of PLSS is to expand the number of scholars capable of doing research on the law in the Middle East. One means is to provide training in legal research for scholars who

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already have had research experience in the area or have already had legal training. The committee has identified a number of persons expert in or conducting research on law and social structure in the United States, and a much smaller number in the countries of the area.

As one means of expanding the numbers of researchers, the committee has begun to plan a summer institute of about six weeks duration to be held at a university in one of the countries of the Middle East, possibly Egypt, Syria or Tunisia. Up to 16 social scientists and legal scholars from the United States and the area will be selected on the basis of their potential as researchers. The social scientists may have already earned the Ph.D. degree or be doctoral candidates interested in doing legal research or research closely related to the law; those trained in the law will be scholars and administrators interesting in doing legal research using social science methods and concepts. It is important to stress that while the subject matter of the institutes will be legal research and social science research on the law, applicants will not only be scholars but may also be persons with legal training who are at present in positions that involve policy making on the role of law in national development. Their presence will provide a base in reality that will be a salutary antidote to excessive intellectualizing, while at the same time they will profit from the training in research methods that will be offered.

Faculty members and visiting lecturers in the institute will include legal scholars and social scientists from the United States and the Near East. The institute will be designed to provide for the sharing of knowledge and experience, to pinpoint topics that warrant further investigation, to provide useful training opportunities for



students of these subjects, and, for the members from the area in particular, to encourage the kind of research that does not find a great deal of support within their own institutions.

3. Postdoctoral grants for area scholars

In addition to the summer institute, the committee also wishes to provide for scholars from the area a program of fellowships for a year of postdoctoral and postlegal research training in an institution in the United States. It is assumed that many of the applicants will be drawn from among the participants in the summer institute. Although each applicant will tailor the training program to suit his or her needs, the general intent is to support training on legal subjects guided by American social scientists, or training in social science research that can be applied to law. It will not be training in American law or legal practice. The number of applicants for such a specialized program will unquestionably be very small, particularly at first. Large numbers are not needed or expected. The objective of the program is to develop a cadre of trained researchers who will train their own students on their return to their own institutions.

4. Meetings of Subcommittee on Law (4)

The subcommittee will meet twice a year. The subcommittee expects to invite other resource persons to its meetings when their presence is likely to facilitate its work. It has in mind the kind of informed personnel, both lawyers and social scientists, from non-academic private and governmental institutions in the United States and in the Near East whose expertise in the contemporary Near and Middle East, though not often called upon purely academic institutions, could be of immeasurable help to the committee's work.

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The subcommittee's task is to plan and to take responsibility for the successful outcome of the workshops and conferences. This includes selecting the participants and assigning topics for papers, planning the summer institutes, appointing staff, selecting participants on a competitive basis, reviewing applications for fellowships and grants and making awards, and arranging for the dissemination of the information (monographs and conference volumes) that the project will generate. In addition to its planning and supervisory functions, it will periodically review the progress of PLSS to be sure that it is accomplishing its objectives.

5. Staff

The present professional staff assigned to the JCME will have overall administrative responsibility for, and will devote one-quarter of its time to, carrying out the activities planned by the subcommittee. Day to day operations will be carried out by a scholar who has specialized on the Near and Middle East and who will be hired specifically for PLSS. His or her administrative responsibilities will include carrying out the subcommittee's plans for workshops and conferences and in addition assuming responsibility for the management of the summer institute. Substantive responsibilities will include assisting the subcommittee in identification of appropriate participants in the workshops, conferences, and seminars, and in such other research tasks as the sub-committee may assign. It is expected that the administrative and substantive responsibilities will require an average of at least two trips per year to the countries of the area.

6. Implementation Schedule

June, 1979. Hire full-time staff member. Hold Workshop
and Subcommittee Meeting No. 1.

October, 1979. Hold Workshop and Subcommittee Meeting No. 2.

Spring, 1980. Hold First Conference.

July, 1980. Announce availability of grants and fellowships
to be awarded Spring, 1981.

Year Two: June 1980 - September, 1981.

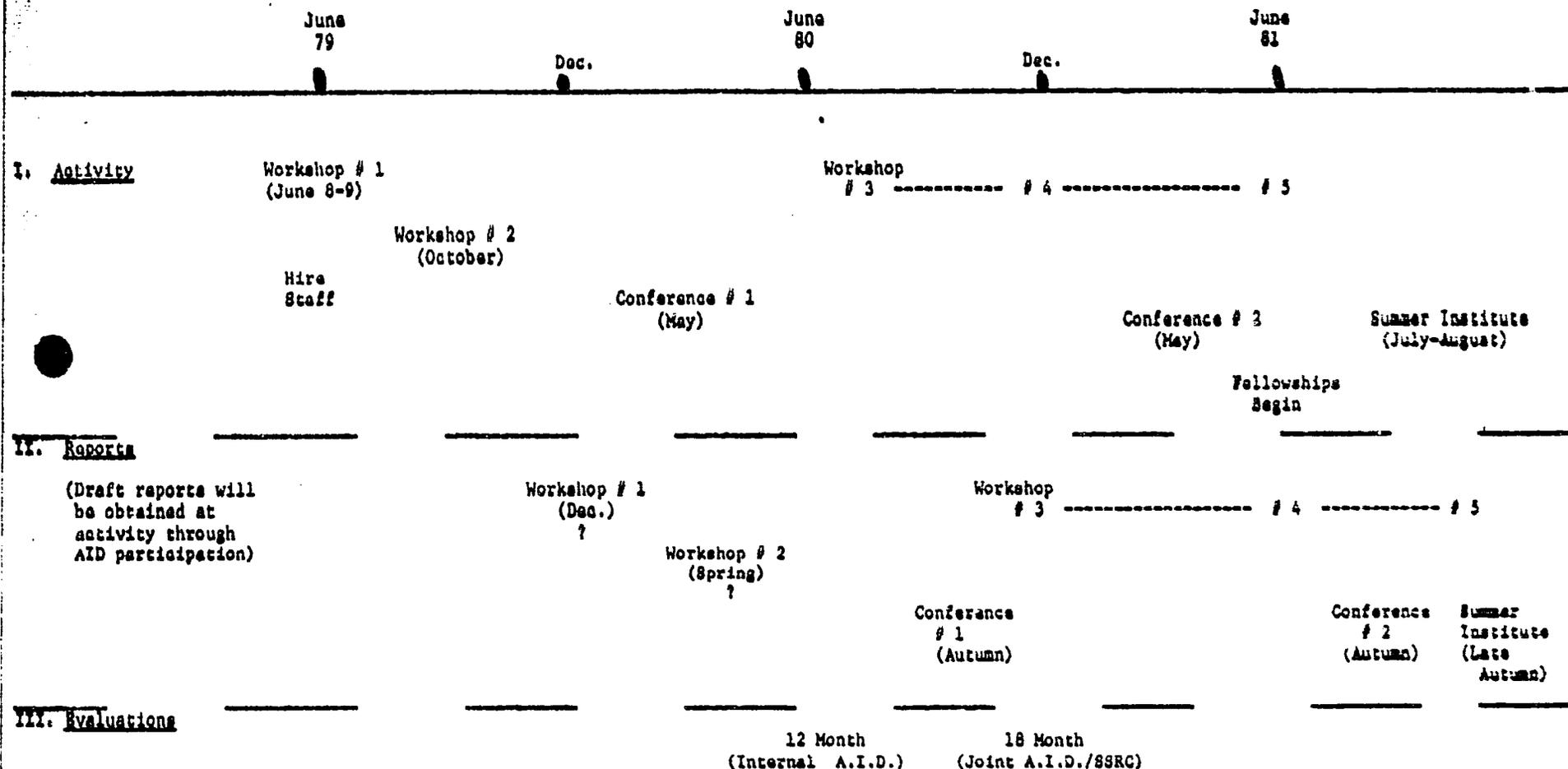
Hold three workshops. Hold second conference in
Spring/Summer 1981 and Summer institute in 1981.

Announce grant and fellowship awards - Spring,
1981.

Figure 1, "Implementation Schedule" shows the relationships of grant activities (paragraph B. 1-5), reports (paragraph C., below), and evaluations (paragraph D., below).

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FIGURE 1 - IMPLEMENTATION SCHEDULE



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C. Reports

1. Proceedings and Research

Grantee shall furnish to A.I.D. (a) all materials prepared for and as a result of workshops, conferences and the summer institute, and (b) the results of grant-funded research. Materials should be furnished to A.I.D. in both their draft and final versions and in their English and Arabic language versions.

2. Performance Reports

a. Grantee shall furnish performance reports annually as well as a final report within 90 days of the completion of the Grant period.

b. Such reports will present for each activity described in B, above:

(1) A comparison of actual accomplishments with the goals established for the period;

(2) Reasons why established goals were not met; and

(3) Other pertinent information including, when appropriate, analysis and explanation of cost overruns or high unit costs.

3. Financial Reports. Financial Status Reports, SF 269, shall be submitted not less than quarterly, pursuant to Standard Provision 7.A.

D. Evaluation

The SSRC/ACLS and AID have jointly agreed to a major evaluation of this grant to be completed by the eighteenth month of this grant. The following tentative criteria are to be employed in this effort.

1. The professional quality of workshop, conference and institute

- activity is to be determined through: a review of materials presented in draft by an independent outside consultant (to be funded independently by A.I.D.) and open ended interviews with selected participants.
2. The relevance of material produced through these activities will be partially determined by soliciting opinion of key mission staff and by interviewing selected host country individuals who have received such materials in Arabic or English for review.
 3. A separate line of evaluation will occur through the participation of AID/W staff in the planning meeting of the Subcommittee on Law and through frequent contact with the full-time SSRC staff member who will serve as the coordinator of the project.
 4. AID/W NE/TECH periodic memoranda to the files will also be utilized for the final evaluation.

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E. BUDGET

The funds currently provided and obligated hereunder are available for the line items below with the exception of direct and related overhead costs of the second conference, the Summer Institute and the Post Doctoral Grants.

	Year I		Year II		Year III	
	From 6/1/79 Number	To 5/31/80 Amount	From 6/1/80 Number	To 5/31/81 Amount	From 6/1/81 Number	To 5/31/82 Amount
COMMITTEE PROGRAM:						
a. <u>Workshops</u>	2	\$ 5,000	3	\$ 7,500		
b. <u>Conferences</u>	1	25,000	1	25,000		
<u>Translation & Pub- lication</u>		5,000		5,000		
c. <u>Summer Institute</u>	-0-	-0-	-0-	-0-	1	\$75,000
TOTAL COMMITTEE PROGRAM COSTS		\$ 35,000		\$ 37,500		\$75,000
POST DOCTORAL GRANTS		-0-		-0-		\$51,097
PROGRAM ADMINISTRATION						
a. <u>Meetings of Sub- committee on Law</u>	2	\$ 10,000	2	\$ 10,000		
b. <u>Salaries and Bene- fits</u>						
Professional Staff (Full-time)	1	22,500	1	23,750		
Professional Staff (Part-time)	1	4,000	1	4,500		
Secretary (Half-time)	1	6,250	1	6,875		
c. <u>Staff Travel</u>		5,000		5,000		
d. <u>Materials & Duplicating Costs</u>		1,500		2,000		
e. <u>Telephone & Postage</u>		500		600		
TOTAL PROGRAM ADMINISTRATIVE COSTS		\$ 49,750		\$ 52,725		-0-
Direct Costs		84,750		90,225		\$126,097
Overhead		32,628		34,737		31,563
Total Budget		\$117,378		\$124,962		\$157,660

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It is anticipated that the total cost of this project and A.I.D.'s contribution to it will be approximately \$400,000 of which \$200,000 is obligated hereunder. The Grantee may not exceed the total amount obligated hereunder. Adjustments among the line items are unrestricted, except that as provided in paragraph F, below and that A.I.D.'s contribution to third year costs is limited to the direct and overhead costs of the Summer Institute and the Post Doctoral Grants. It is anticipated that the remaining \$200,000 will be granted subject to the availability of funds and the mutual agreement of the parties.

F. OVERHEAD

Provisional payments on account of allowable indirect costs shall be on the basis of (1) 38.5 percent of Budget line items 1, Committee Program and (2) 5 percent of Budget line item 2, Post Doctoral Grants, for the period ending June 30, 1979, and for the following twelve month period ending June 30, 1980. If, in the implementation of Standard Provision 5, Negotiated Overhead Rates - Other Than Educational Institutions, final overhead rates greater than 38.5 percent and five percent are established, the difference between those higher rates and the 38.5 percent and the five percent shall be considered Grantee's contribution.

G. SPECIAL PROVISIONS

1. The following Standard Provisions are deleted in their entirety: 7B, 7C, 12B, 12C.
2. The Supplement to Attachment 2 dated August 1978 is made a part hereof.

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