MMES 380/ SOCY 387: Law in Muslim Societies: Theory, History, Practice

Spring 2013

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Class timings: Tuesday, 2.30-4.30 p.m.

Office Hours: Tuesday, 1:30-2:30 p.m. or by appointment

Course Description

This course will undertake an examination of legal practices in Muslim societies. It will proceed in two parts. The first part of the course will examine the formation and consolidation of Islamic law in medieval Islamic societies. The course will look at the historical emergence of sources of authority in Islamic law, namely the Quran, Sunnah and Hadith. The aim is to show how Islamic law emerged through historical processes of social change through which certain rules, ethics and norms emerged as hegemonic.

The next part of the course will examine major themes within Islamic law through reference to legal norms and practices in modern Muslim societies. The aim of this part of the course is to examine legal normative systems in Muslim societies through reference to Islamic law. Some of the topics covered include Islamic theories of the state; Islamic law during colonial rule; constitutionalism and Islamic law in contemporary Muslim societies; minority rights; and issues pertaining to gender and embodiment.

Course requirements

The requirements for this course include: (i) a weekly response paper, 1-2 double-spaced pages, that raises 2-3 critical discussion questions/points for that week’s readings (50%); (ii) class attendance and participation (15%); and (iii) a paper on any aspect of the readings that will be due at the last day of class (35%). Students will be allowed to choose topics of interest for the final paper that will have to be discussed and approved by me.

Required Reading Materials

Books:

The following books have been ordered at the Bookstore:


Journal Articles:

All journal articles can be accessed through Yale library’s online resources or through links embedded in the online syllabus.

Cheating/Plagiarism

Do your own work! Cheating is taken very seriously by all the Instructors and the University. Cheating includes copying other students’ work, plagiarism, non-citation of sources, and fabrication of written work. Such activities will not be tolerated and consequences for such behavior are severe. If you are unsure about what constitutes cheating and plagiarism, contact me during office hours.

Course Syllabus

Week 1: Introduction to Islam


Week 2: Introduction to Islamic Law


Week 3: Historical Origins of Islamic Law I

**Week 4: Historical Origins of Islamic Law II**


**Week 5: Schools of Islamic Jurisprudence**

Introduction. (skim).

**Week 6: Contingency in Islamic Law**

“The City and its Norms” and “Countryside as Reflected in the Tax System”.

**Week 7: Colonialism and Reformist Islam**


**Week 8: Islamic Political Thought**


**Week 9: Shari’ah and Modern Constitutions I: Egypt and Iran**


**Week 10: Shari’ah and Modern Constitutions II: India, Indonesia and Pakistan**


Zaman, *The Ulema*. Pp. 87-143.


**Week 11: Minority Rights and Freedom of Expression**


**Week 12: Law, Gender, Embodiment**


**Week 13: Rethinking Islamic Law in the Twenty-first Century**