

**PSC/MES 381/REL 361**  
**ISLAMIC LAW & SOCIETY**  
**SPRING 2022**

*(Syllabus subject to change as needed)*

**Professor:** Yüksel Sezgin, Ph.D.

**Email:** [ysezgin@syr.edu](mailto:ysezgin@syr.edu)

**Office:** 100F Eggers Hall

**Meeting Times & Location:** MW 2:15-3:35 p.m. @ Hall of Languages 214

**Office Hours:** Monday: 4–6 p.m., *Peripateo*: Tue 10.30-11.00 a.m. (short campus walks with students-weather permitting) (please email before meeting/walk)

**TA:** Sefa Seçen ([ssecen@syr.edu](mailto:ssecen@syr.edu))

**Course Description:**

This course introduces classical and modern Islamic law that guides the lives of hundreds of millions of Muslims in the contemporary world. The course explores the origins, sources, institutions, and historical evolution of classical Islamic law and problematizes the appropriation of so-called “divine” law by colonial and postcolonial states. The course adopts the law-in-society approach to the study of Islamic law. It discusses Islamic constitutionalism, Islamic criminal laws, Islamic family laws, gender, political violence, Islamic banking, and human rights. Additionally, the course embraces a cross-cultural approach to better understand Islamic law by studying legal and normative differences and similarities among Islamic, Jewish, Hindu, and Christian traditions.

**Learning Objectives:**

At the end of this course, students will

- 1) Gain a deep understanding of historical, political, and religious sources and foundations of Islamic law,
- 2) Be able to explain how Islamic laws work as a system of normativity and positive law in the contemporary world,
- 3) Be able to describe how political actors across Muslim societies appropriate and exploit religious concepts, ideas, and sensibilities in the name of “shari’a,”
- 4) Be able to discuss the political, legal, social, and individual implications of state-appropriation of religious laws in several countries across the Middle East and South Asia.

**Requirements of the Course and Assignments:**

Midterm (35%), Final Exam (35%), Class Assignments/Quizzes/Participation (20%) Islamic Law Simulation/Case Study (10%)

The professor will provide further information on student responsibilities and requirements for midterm and final exams.

## **Important Deadlines:**

**Midterm** : 09 MARCH 2022

**Final** : TBA

## **Required Texts:**

There are two types of required materials for this class:

I) There are three books which are available at the SU Bookstore:

- 1) Wael B. Hallaq, *An Introduction to Islamic Law*, 978-0521678735
- 2) John Esposito, *What Everyone Needs to Know about Islam*, 978-0199794133
- 3) Knut Vikor, *Between God and the Sultan*, 978-0195223989

II) There are also electronic readings available through the class website on Blackboard.

## **Laptops and other electronic devices:**

During class, your jobs are to listen actively, take careful notes, reflect on the concepts we are discussing, and participate in those discussions when you have something to say. None of these jobs requires a laptop, a tablet, or a phone, and using such devices during class can be pretty distracting to students sitting nearby. As such, all electronic devices must be turned off and put away promptly at 5:15 p.m. and must stay put away until 6:35 p.m. Research has demonstrated that taking notes by hand significantly improves the long-term retention and understanding of concepts. You could read about it here: <http://m.chronicle.com/article/The-Benefits-of-No-Tech-Note/228089/> or here: <http://www.vox.com/2014/6/4/5776804/note-taking-by-hand-versus-laptop>

If you have paperwork from ODS that allows you to take notes by laptop/tablet, please let me know as soon as possible to accommodate your request. ODS also provides note-taking services for qualified students: <http://disabilityservices.syr.edu/students/notetaking/>. If you do not have paperwork from ODS but need to use a laptop/tablet etc., to take notes during lectures, you must talk to the professor to obtain special permission.

To familiarize yourself with effective note-taking tools and strategies, please visit <http://cls.syr.edu/cls/notetakingabout.php>. You could also use tape recorders or digital recorder pens (<https://jbochman.expressions.syr.edu/?p=91>). If you plan to use a recorder, you need to seek permission from your instructors (myself and your TA) in advance.

## **Academic Integrity:**

Syracuse University's Academic Integrity Policy holds students accountable for the integrity of the work they submit. Students should be familiar with the policy and know that it is their responsibility to learn about course-specific expectations, as well as about university policy. The university policy governs appropriate citation and use of sources, the integrity of work submitted in exams and assignments, and the veracity of signatures on attendance sheets and other verification of participation in-class activities. The policy also prohibits students from submitting the same written work in more than one class without receiving written authorization in advance from both

instructors. The presumptive penalty for a first offense by an undergraduate student is course failure, accompanied by a transcript notation indicating that the failure resulted from a violation of the Academic Integrity Policy. The standard sanction for a first offense by a graduate student is suspension or expulsion. For more information and the complete policy, see <http://academicintegrity.syr.edu>.

### **Late Assignment Policy:**

Unless special arrangements have been made in advance, assignments received after the due date will be penalized .2 for each late day. Of course, there are a few legitimate excuses for failure to complete assignments on time, such as illness or family emergency. In these instances, you should provide the instructor or TA with a written verifiable excuse as soon as possible.

### **Disability-Related Accommodations:**

If you believe that you need accommodations for a disability, please get in touch with the Office of Disability Services (ODS), located in Room 309 of 804 University Avenue, or call (315) 443-4498 for an appointment to discuss your needs and the process for requesting accommodations. ODS is responsible for coordinating disability-related accommodations and will issue students with documented Disabilities Accommodation Authorization Letters, as appropriate. Since accommodations may require early planning and generally are not provided retroactively, please contact ODS as soon as possible.

### **Religious Observances:**

SU's religious observances policy, found at [http://supolicies.syr.edu/emp\\_ben/religious\\_observance.htm](http://supolicies.syr.edu/emp_ben/religious_observance.htm), recognizes the diversity of faiths represented among the campus community and protects the rights of students, faculty, and staff to observe religious holy days according to their tradition. Under the policy, students are provided with an opportunity to make up any examination, study, or work requirements that may be missed due to a religious observance provided they notify their instructors before the end of the second week of classes. For fall and spring semesters, an online notification process is available through MySlice/Student Services/Enrollment/My Religious Observances from the first day of class until the end of the second week of class.

**SCHEDULE OF READINGS**

**\*\*\* Textbooks. Everything else is available as a pdf file on Blackboard**

<b>DATE</b>	<b>TOPIC</b>	<b>READING</b>	<b>VIDEOS / REMINDERS</b>
01/24	Introduction to the Course		
01/26	Introduction to Islam	***Esposito, pp. 1-116	<a href="https://www.youtube.com/watch?v=8S_Tw6jA77E">https://www.youtube.com/watch?v=8S_Tw6jA77E</a> <a href="https://www.youtube.com/watch?v=TpcbfxtdoI8&amp;t=5s">https://www.youtube.com/watch?v=TpcbfxtdoI8&amp;t=5s</a>
01/31	Origins and Sources of Islamic Law	***Vikor, pp. 1-52 ***Hallaq, pp. 14-30	<a href="https://www.cornell.edu/video/islamic-law-3-quran-and-the-law">https://www.cornell.edu/video/islamic-law-3-quran-and-the-law</a>
02/02	Ijtihad in Islamic Jurisprudence	Hallaq (1984), pp.3-41,  Emon (2018),  Schacht (1982), pp.69-75.  <i>Recommended:</i> Zubair (2017), pp. 384-411	<a href="https://www.youtube.com/watch?v=Ish58Wtq9zg">https://www.youtube.com/watch?v=Ish58Wtq9zg</a>
02/07	The emergence of Schools of Law	***Vikor, pp. 89-113,  ***Hallaq, pp. 31-37  <i>Recommended:</i> Kamali (1998), pp.315-337	<a href="https://www.cornell.edu/video/islamic-law-4-the-formation-of-islamic-law">https://www.cornell.edu/video/islamic-law-4-the-formation-of-islamic-law</a>
02/09	Legal Actors, Institutions, and Religious Authority	***Vikor, pp. 140-179,  ***Hallaq, pp. 38-56,  <i>Recommended:</i> Zaman (2002), pp.17-37	<a href="https://www.cornell.edu/video/islamic-law-5-madrasa">https://www.cornell.edu/video/islamic-law-5-madrasa</a>  <a href="https://www.cornell.edu/video/islamic-law-6-qadis-and-muftis">https://www.cornell.edu/video/islamic-law-6-qadis-and-muftis</a>
02/14	Islamic Family Law	***Vikor, pp. 299-325,  Rosen (2018), pp.28-62	
02/16	Islamic Family	Mir-Hosseini	<a href="https://www.youtube.com/watch?v=BBm8GqMNwXU&amp;t=2194s">https://www.youtube.com/watch?v=BBm8GqMNwXU&amp;t=2194s</a>

	Law	(1993), 54-83	
02/21			<b>Islamic Family Law &amp; Shari'a Court Simulation</b>
02/23			<b>Islamic Family Law &amp; Shari'a Court Simulation (supplementary readings/instructions will be provided later).</b>
02/28	Islamic Criminal Law	***Vikor, pp. 280-298  Peters (1994), pp.246-274  <i>Recommended:</i> Peters (1990), pp.70-90	
03/02	Islamic Criminal Law	Peters (2001), pp.9-22	<a href="https://video.alexanderstreet.com/watch/inside-a-sharia-court">https://video.alexanderstreet.com/watch/inside-a-sharia-court</a>
03/07			<b>Midterm Review</b>
03/09			<b>MIDTERM</b>
03/14	No School	Spring Break	
03/16	No School	Spring Break	
03/21	Gun Powder Empires and Islamic Rule	***Vikor, pp. 206-221,  Abisaab (2018), <i>Recommended:</i> Pirbhai (2018), Ayoub (2015), pp. 121-146, Ayoub (2016), pp.239-278	<a href="https://www.youtube.com/watch?v=hNpcQEGw3S4">https://www.youtube.com/watch?v=hNpcQEGw3S4</a>  <a href="https://video.alexanderstreet.com/watch/the-ottomans-europe-s-muslim-rulers-episode-2">https://video.alexanderstreet.com/watch/the-ottomans-europe-s-muslim-rulers-episode-2</a>
03/23	Islamic Law under Colonial Rule	***Hallaq, 85-114,  Hussain (2018),  <i>Recommended:</i> Hussin (2007), pp.759-788	<a href="https://www.cornell.edu/video/islamic-law-7-colonialism-and-modernity">https://www.cornell.edu/video/islamic-law-7-colonialism-and-modernity</a>  <a href="https://www.youtube.com/watch?v=WCBwT6oJkml">https://www.youtube.com/watch?v=WCBwT6oJkml</a>
03/28	Islamic Law, Reform and Modernization	***Vikor, pp. 222-253,  Zubaida (2003), pp.121-157,  Kuru (2019),	<a href="https://www.youtube.com/watch?v=-rS3CJ8jkA0">https://www.youtube.com/watch?v=-rS3CJ8jkA0</a>

		pp. 205-226 <i>Recommended:</i> Ibrahim (2015), pp.23-32, Abdulla (2018), pp. 87- 102	
03/30	Islamic Law and Gender	Anwar (2013), pp. 107-124,  Mir-Hosseini (2013), pp.7- 34,  <i>Recommended:</i> Abubakar (2018), pp. 109-141	<a href="https://en.qantara.de/content/womens-rights-in-islam-can-feminism-be-islamic">https://en.qantara.de/content/womens-rights-in-islam-can-feminism-be-islamic</a>  <a href="https://www.youtube.com/watch?v=Do--YdH-888">https://www.youtube.com/watch?v=Do--YdH-888</a>  <a href="https://www.youtube.com/watch?v=3sOXQEXqW-s">https://www.youtube.com/watch?v=3sOXQEXqW-s</a>
04/04	Female Religious Authority in Islam	Sonneveld & Lindbekk (2017), pp.1- 19,  Jacobs (2018), pp.1-18  Ismah (2016), pp.491-509,  Künkler (2018), pp.1-6  Gleave (2019), pp.1-27	The Judge ( <a href="https://www.thejudgefilm.com/">https://www.thejudgefilm.com/</a> )
04/06	Political Islam and (Im)Possibility of Islamic State	Roy (1994), 28-74,  Zaman (2002), pp. 87-110,  Hallaq (2013), pp. 139-155  <i>Recommended:</i> An-Naim	

		(2008), pp.1-83	
04/11	Islamic Constitutionalism	Brown & Revkin (2018),  Moustafa (2018), pp. 138-154.  <i>Recommended:</i> Abdelaal (2013), pp.35-51	<a href="https://www.youtube.com/watch?v=UNPiUXaRGiQ">https://www.youtube.com/watch?v=UNPiUXaRGiQ</a>
04/13	Islamic Law and International Human Rights Law	Dunn (2018),  An-Naim (1987), pp.1-18	<a href="https://berkeleycenter.georgetown.edu/events/islam-human-rights-and-the-secular-a-conversation-with-talal-asad-and-abdullahi-an-naim">https://berkeleycenter.georgetown.edu/events/islam-human-rights-and-the-secular-a-conversation-with-talal-asad-and-abdullahi-an-naim</a>
04/18	Political Violence and Fundamentalism	Khalil (2018), pp.18-31, 78-94,  Haykel (2016), pp.71-81,  Ali & Rehman (2005), pp.321-343,  Hasan (2015), pp. 26-33,  <i>Recommended:</i> Wood (2015), pp. 78-94, Cottee (2017), pp.439-454	<a href="https://www.youtube.com/watch?v=PBPJxZ_GPbQ">https://www.youtube.com/watch?v=PBPJxZ_GPbQ</a>  <a href="https://www.youtube.com/watch?v=IuWCSDzerEc">https://www.youtube.com/watch?v=IuWCSDzerEc</a>  <a href="https://www.youtube.com/watch?v=pPMdBmjoD6g">https://www.youtube.com/watch?v=pPMdBmjoD6g</a>
04/20	Islamic Law and Political Economy	Begum (2018), pp.159-177,  Emon (2018),  Al-Ghadyan (1999), pp.332-338  <i>Recommended:</i> Afzal (1993), pp. 102-117	<a href="https://video.alexanderstreet.com/watch/can-islamic-finance-work-for-all-faiths">https://video.alexanderstreet.com/watch/can-islamic-finance-work-for-all-faiths</a>  <a href="https://video.alexanderstreet.com/watch/islamic-finance-the-zero-percent-mortgage">https://video.alexanderstreet.com/watch/islamic-finance-the-zero-percent-mortgage</a>  <a href="https://video.alexanderstreet.com/watch/tackling-the-misconceptions-around-islamic-finance">https://video.alexanderstreet.com/watch/tackling-the-misconceptions-around-islamic-finance</a>  <a href="https://www.youtube.com/watch?v=-O1cPHVMr9A">https://www.youtube.com/watch?v=-O1cPHVMr9A</a>  <a href="https://www.youtube.com/watch?v=rOMKRvKb96Y">https://www.youtube.com/watch?v=rOMKRvKb96Y</a>

04/25	Islamic Law in Comparative Perspective	<p>Bottoni et al. (2019), pp. 146-154, 208-218, 279-288</p> <p><i>Recommended:</i> Neusner et al. (2005), pp.50-105</p>	
04/27	Islamic Law in the West	<p>Bowen (2016), pp.47-87,</p> <p>Awad (2014), pp. 168-192</p> <p><i>Recommended:</i> Robinson (2012)</p>	<a href="https://video.alexanderstreet.com/watch/divorce-sharia-style">https://video.alexanderstreet.com/watch/divorce-sharia-style</a>
05/02-05/04			<b>Final Review</b>