Agenda

Day 1: October 30, 2012  Classical Islamic Law: From Divinity to Legal Theory

8:45 am – 9:00 am  Registration

9:00 am – 9:30 am  Welcome and Overview
• Opening Remarks
• Brief introduction to USIP
• Course objectives and outline
• Shari’a as a Dirty World

9:30 am – 10:45 am  Why an Islamic Law?
• The Role of God, Man and History
• The Prophet Muhammad
• Qur’an, Sunnah and Other Sources of Law
• Exercise 1: Deciphering Law, What is Shari’a?

10:45 am – 11:00 am  Break

11:00 am – 12:00 pm  Rationality Versus Tradition
• Created and the Uncreated
• Formulation of a Legal Theory

12:00 pm – 1:00 pm  Lunch

1:00 pm - 2:45 pm  Legal Theory Expounded: The Usul al-Fiqh
• Qur’an and Sunnah as Sources
• Qiyas, Ikhthilaf, and Ijma as Doctrines
• Exercise 2: Analogy Fatwas, and Guesswork
2:45 pm - 3:00 pm  Break

3:00 pm - 4:15 pm  The Ulama
  • Legal Theory and Legal Scholarship
  • The Schools of Law
  • Tradition or Rationalism = Evolution or Extinction?

Day 2: October 31, 2012  Law, Challenge and Demise

8:30 am – 10:15 am  The Limits of Theory
  • Tolerating Imitation Brands: Taqlid
  • A Primer on Islamic Law of War
  • The Goals of Islamic Law: Maqasid al-Shari’a
  • Sufis and Salafis

10:15 am – 10:30 am  Break

10:30 am 12:15 pm  Shi’i vs. Sunni Islamic Law
  • Bloodlines and Political Theory
  • Imamate vs. Caliphate
  • Siyasa al-Shari’a vs. Vilyat al-Faqih
  • Exercise 3: Khomeni and Ibn Saud

12:15 pm – 1:15 pm  Lunch

1:15 pm - 2:15 pm  The Constitutional Theory of Islamic Law
  • Separation of Powers in Classical Law

2:15 pm - 3:30 pm  End of Islamic Law? Colonialism, Codification, and Decline
  • The Pitfalls of Codification
  • Islamic Legal Reform: Ottoman, French, and English forms

Day 3: November 1, 2012  Fundamentalism, Resurrection and Substantive Islamic Law

9:00 am-10:15 am  Islamic Fundamentalism, Revivalism
  • Muslim Brotherhood; Qutb and Wahabbism
  • Tehran, Mecca and Kabul
  • al-Qaeda: Islamic Law Redux?

10:15 am – 10:30 am  Break
10:30 am – 12:30 pm  **Islamic Criminal Law**  
- Offenses Against God: *Hadd*  
- Offenses Against Bodily Harm *Qisas, Diyya*  
- *Tazir* and *Siyasa* Crimes and Classical Criminal Procedure  
- Modern Islamic Penal Law: Pakistan and Saudi Arabia  
- **Exercise 4: Law and Order**

12:30 pm – 1:30 pm  **Lunch**

1:30 pm - 2:45 pm  **Islamic Family Law**  
- Women: Progressive or Literalism  
- Polygamy, Marriage Contracts and Consent  
- Child Custody, Adoption  
- Reform and Retreat, Tunisia, Egypt and Pakistan

2:30 pm - 2:45 pm  **Break**

2:45 pm - 4:15 pm  **Islamic International and Constitutional Law**  
- Islamic Republics and Islamic Constitutions  
- Rights: Conceptual and Concrete  
- Classical and Contemporary Islamic International Law  
- Treaty Obligations and Shari’a Based Treaty Reservations

4:30pm  **Closing**