Course Description

Through a mix of lectures and discussions, *Central Questions in Islamic Law* offers an integrative view of Islamic law in the past and present, including landmarks in Islamic legal history (e.g., sources of law; early formation; intellectual make-up; the workings of court; legal change; legal effects of colonialism; modernity and legal reform).

Office Hours:

*Ahmed Fekry Ibrahim: MW 4:00 – 5:00 PM (Room 310, Institute of Islamic Studies).*

*TA, Omar Edaibat: TBA (Room 321, Institute of Islamic Studies). Email: omar.edaibat@mail.mcgill.ca*

Course Requirements and Evaluation

10 % Attendance

10 % Participation (Monthly entries on different themes, 300 words each)

25 % Reflection Paper (500-600 words)

25 % Exam

30 % Final Paper (2000-2500 words)

Class Policies

- There will be time for questions and discussions after lectures, so do not interrupt the lecture to ask questions. Have your questions ready for the discussion time.
- Extensions will be granted only in cases of genuine emergency.
- No incompletes will be given except in cases of genuine emergency.

Required Books (available at the McGill bookstore)


Reference Works and Guides

*The Encyclopaedia of Islam*

Books on Reserve for Final Paper Research


**Week 1:**

**Thurs., Jan. 7 – Introduction (Monday Schedule)**

**Week 2:**

**Mon., Jan. 11 – Origins**


**Wed., Jan. 13 – The Emergence of Schools**


**Week 3:**

**Mon., Jan. 18 – Authenticity of the Ḥadīth Literature**


**Wed., Jan. 20 – Authenticity of the Ḥadīth Literature**
Week 4:

Mon., Jan. 25 – Legal Theory


Wed., Jan. 27 – Maslaha


Week 5:

Mon., Feb. 1 – The Ijtihād Controversy


Wed., Feb. 3 – Taqlīd in Islamic Law


Week 6:

Mon., Feb. 8 – Taqlīd and Legal Pluralism


Wed., Feb. 10 – Pragmatic Eclecticism in Islamic Law

Week 7:

**Mon. Feb. 15 – Legal Practice Prior to the 19th Century**


**Wed. Feb. 17 – Legal Practice Prior to the 19th Century**

- **Reflection paper due today**


Week 8:

**Mon., Feb. 22 – EXAM**

**Wed., Feb. 24 – Legal Procedure**


**BREAK: (Feb. 29 – March 4)**

Week 9:

**Mon., March 7 – The Sweep of Modernity**


Wael Hallaq, An Introduction to Islamic Law (Cambridge, UK; New York: Cambridge University Press, 2009), 115-162.

**Wed. March 9 – Criminal law**


**Week 10:**

Mon., March 14 – Family Law


Wed., March 16 – Islamic Law and the International Human Rights Regime

- *Final paper outline due today*


**Week 11:**

Mon., March 21 – Canada’s Sharīʿa Law Controversy


**In-class Guest Speaker:** Mr. Ihsaan Gardee, Executive director of the National Council of Canadian Muslims (to be confirmed)

Wed., March 23 – The Search for An Overlapping Consensus


**Week 12:**

Mon., March 28 – EASTER

Wed., March 30 – Islamic Law and Human Rights: Models of Reconciliation

- *Class taught by Omar*

**Week 13:**

**Mon., April 4 – Islamic Law and Human Rights: Models of Reconciliation**


**Wed., April 6 – Islamic Law and Human Rights: Models of Reconciliation**


**Week 14:**

**Mon., April 11 - Can the Sharia Be Restored?**


**Wed., April 13– In-class Documentary**

- **Final paper is due today**
- **Inside Islam: What a Billion Muslims Really Think**

**University Honor System and Students’ Rights**

McGill University values academic integrity. Therefore, all students must understand the meaning and consequences of cheating, plagiarism and other academic offences under the Code of Student Conduct and Disciplinary Procedures (see [www.mcgill.ca/students/srr/honest/](http://www.mcgill.ca/students/srr/honest/) for more information). L’université McGill attache une haute importance à l’honnêteté académique. Il incombe par conséquent à tous les étudiants de comprendre ce que l'on entend par tricherie, plagiat et autres infractions académiques, ainsi que les conséquences que peuvent avoir de telles actions, selon le Code de conduite de l'étudiant et des procédures disciplinaires (pour de plus amples renseignements, veuillez consulter le site [www.mcgill.ca/students/srr/honest/](http://www.mcgill.ca/students/srr/honest/)).

In accord with McGill University’s Charter of Students’ Rights, students in this course have the right to submit in English or in French any written work that is to be graded.

Conformément à la Charte des droits de l’étudiant de l’Université McGill, chaque étudiant a le droit de soumettre en français ou en anglais tout travail écrit devant être noté (sauf dans le cas des cours dont l’un des objets est la maîtrise d’une langue).