New Trends in Muslim Legal Thought: The Question of Gender Equality

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Wednesdays 4:10 – 6:00 PM

Room: FH 324

Office Hours: Mondays 2-4 pm, also by appointment

Course Description

This seminar course examines the changing ideologies and constructions of gender in Muslim legal thought. While the sacred texts of Islam are in theory immutable, differing interpretations of these texts have led to wide diversities in belief and practice. We shall examine the power and limits of these interpretations in shaping gender rights, and the ways in which they continue to shape gender relations and the lives of ordinary Muslims. Attention will be given to the ‘Islamic feminist’ research and activism that emerged in the latter part of the 20th century.

The course sessions address three overlapping themes: First, we shall analyse the constructions of gender in Islamic legal tradition, identifying the legal theories and philosophical and cultural assumptions that inform competing and at times conflicting conceptions of gender rights in Islamic legal thought. Secondly, we shall examine the codification and application of Islamic jurisprudential concepts and legal norms in specific contexts. Thirdly, we shall explore how contemporary realities, emerging feminist interpretations, and women’s increased activism, are modifying patriarchal notions of gender.

Course Organization and Requirements:
The course consists of lectures, presentations, films and group discussions. No prior knowledge of Islam and Islamic law is assumed. Readings will be assigned for each week. The most important requirement is that you attend class regularly, having prepared the readings sufficiently to participate actively in the class discussion. You will periodically be asked to present one of the assigned readings to the class. Please keep in mind that the themes to be covered and readings assigned for each week may occasionally change. I will keep you informed of changes, but stay alert.

**Course Credit and Evaluation**

The course counts for 2 credits. Students will do a take-home examination paper, which will be issued on the last day of classes and is due by the last day of the exam period. Students may opt for a term paper (3000 to 4000 words) in lieu of the take-home examination: this will be due by the last day of the exam period. In addition, each student is required to do one ‘critical comment’ (1500 to 2000 words) on any aspect(s) of the themes of the Course Outline; it is due by Wednesday 26 October.

Both lower and upper word limits for the ‘critical comment’ (1500 to 2000), and the paper (3000 to 4000) must be observed.

The final grade for this course will consist of:

- Class participation and presentation: 25%
- Critical comments: 25%
- Final paper: 50%

A *Substantial Writing Credit* (10,000 words) is also offered for this course. Students wishing to take up this option should discuss it with me in good time and must submit a title and a synopsis by the last week of October, and the paper will be due by the last day of the exam period.

**Course/Background Materials**

No books are assigned for the course; readings for each session will be made available in advance of the session. Chapters from the following books will be assigned along with other readings, so you may wish to buy them:


A glossary of Islamic legal vocabulary will be made available; do please bring it to every class, as we shall build on it.

For a further online glossary:
Other Recommended Books


Useful Websites

Muslim Sexual Ethics: [https://www.brandeis.edu/projects/fse/muslim/index.html](https://www.brandeis.edu/projects/fse/muslim/index.html)
Women Living Under Muslim Laws: [www.wluml.org](http://www.wluml.org)
Sisters in Islam: [www.sistersinislam.org.my](http://www.sistersinislam.org.my)
Karamah, Muslim Women Lawyers for Human Rights: [www.karamah.org](http://www.karamah.org)
Musawah: Global Movement for Equality and Justice in Muslim Family [https://www.musawah.org/](https://www.musawah.org/)

http://ials.sas.ac.uk/ukcle/78.158.56.101/archive/law/resources/teaching-and-learning-strategies/glossary/index.html
Class Schedule

Week 1 (28th August): Introduction to the Course

The scope of the course
How to use the reading list
Terms and concepts
Frames of Reference
Approaches & Perspectives

Required Reading


Week 2 (11th September): An Introduction to Islamic Law

Nature, sources: tension between the sacred and the legal

Required Reading

Further Reading


Fazlur Rahman, ‘Shari’a’ (Chapter 6 from his Islam, pp. 100-16).

Madeleine Fletcher, ‘How Can We Understand Islamic Law Today?’ Islam and Christian-Muslim Relations 17 (2) (April 2006), pp. 159-72.


