
Islamic Legal Studies Program

Annual Report

July 2007 – June 2008

Harvard Law School

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The Program

Harvard Law School's Islamic Legal Studies Program (ILSP), established in 1991, seeks to advance knowledge and understanding of Islamic law. As outlined in its statement of objectives (incorporated into the terms of its major grants), the Program is dedicated to achieving excellence in the study of Islamic law through objective and comparative methods. It aims to foster an atmosphere of open inquiry that embraces many perspectives: Muslim and non-Muslim, scholar and practitioner, contemporary and classical, Sunni and Shi'i, law and religion. It seeks to promote appreciation of Islamic law as one of the world's major legal systems.

The main focus of work at the Program is on Islamic law in the contemporary world. Since contemporary thought and practice draw continually on the fourteen-century record of Islamic juristic writings and legal practice, the study of this record demands equal attention. The field of Islamic legal studies is vast, spanning the entire world (wherever Muslims live) and the prodigious substantive content of Islamic law (which claims to address every aspect of human life). Islamic law is central to the study of Islamic civilization in all its aspects, since Islamic law not only supplied most of the law and legal institutions of actual states for over a millennium, but also crucially shaped the religious, ethical, political, and social beliefs and practices of Muslim societies.

For these reasons, the study of contemporary Islamic law and legal systems calls for a broader scope of study than other fields of contemporary law. It must respond to the work of scholars from myriad disciplines, from many parts of the University and of academe, and from all parts of the world. The Program endeavors to reflect the subject-matter and disciplinary diversity of the field by varying the representation of subjects, regions, and sectarian affiliation among our visiting professorships, research positions, lectures, conferences, and publications.

The Program provides scholarships and specialized programs for students at Harvard Law School, especially for individuals from the Muslim world. The Program fosters Western scholarship in Islamic law by supporting young scholars, and it encourages innovative scholarship across many disciplines. The Program also collaborates with other institutions and individuals at Harvard University to advance the

study of Islamic law, Islam, and the Muslim world. In addition, it has established and will continue to establish close relationships with scholars and institutions abroad.

During its seventeen years of existence, the Program has developed an enviable reputation for sustained, careful, unbiased scholarship advancing the comparative understanding of Islamic law.

ILSP Staff

Baber Johansen, *Acting Director and Affiliated Professor of Law*

Peri Bearman, *Associate Director*

S. Nazim Ali, *Research Associate*

Kristen Eaton, *Program Coordinator* (through February 15, 2008)

Ceallaigh Reddy, *Program Coordinator* (from May 5, 2008)

Report of Activities

Academic Year 2007-2008

Introduction

As the academic center at Harvard University for teaching and research into Islamic law, the Islamic Legal Studies Program spans enormous regional, chronological, and disciplinary breadth. In the past year it offered events ranging from the earliest moment of Islamic legal development to the accommodation of Islamic legal doctrine in the legal systems of Muslim states today. Examples of its commitment in 2007-2008 to present Islamic law from every perspective are a workshop on how to teach Islamic law at American law schools, a conference on the Islamic charitable trust and its transition from a private institution to a state-run one under colonial regimes, and the publication of a collection entitled *Islamic Law in Contemporary Indonesia*. In addition, ILSP's Islamic Finance Project continued its successful collaboration with the London School of Economics, holding a workshop on asset-backed bonds in February 2008. These and other ILSP initiatives will be described in more detail below.

Research and Scholarship

The Program's support of research and scholarship is the defining character of its mission. The Program seeks to accommodate the diversified nature of Islamic legal studies and the wide-ranging interests of its multiple constituencies.

Each year the Program hosts a number of visiting fellows, who reside at the Program and spend a term or the entire year in independent research and writing. During 2007-2008 the visiting fellows came from Germany, the Netherlands, and Turkey. One of the visiting fellows taught a course at the Faculty of Arts and Sciences while in residence.

The Program maintains an active program of events—conferences, lectures, workshops—that are intended to introduce ongoing research and matters of contemporary interest to the larger public as well as provide an exchange of scholarship for those occupied with its focus. In 2007-2008 three workshops—on the

sukuk, or asset-backed bonds; on teaching Islamic law at American law schools; and on the legacy of the great scholar Joseph Schacht; a conference on the changes wrought on the *waqf*, the charitable trust, during the period of colonial administration of Muslim countries; and two lecture series, including the continuation of the Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World, inaugurated in 2006, were organized and hosted by ILSP.

The Program's Islamic Finance Project (IFP), under the direction of Dr. Nazim Ali, continues to thrive at Harvard Law School. Under ILSP auspices, this project addresses Islamic finance from the legal and Shari'a points of view. In addition to its workshops and conferences, IFP continues work on the large Islamic finance information database with which the Project has been occupied since its inception.

The Program's Acting Director took part in various Steering Committees and Boards of Centers in other Harvard schools. Support of students is always a priority of the Program and last year ILSP granted scholarship money in financial aid to HLS students, a travel grant for conference attendance, and funding for student-organized events. The Program continues to give the highest priority to building a renowned research collection in Islamic law and in the positive law of jurisdictions where Muslims form a major component of the population; considerable funds are contributed to the Law School Library for this purpose, and continued progress is made in these areas. ILSP's Associate Director has been actively involved in hiring a new Bibliographer for Law in the Muslim World, to fill the position left vacant by the untimely death of Lesley Wilkins in July 2007. An active publication program, consisting of the monograph series "Harvard Series in Islamic Law" and of Occasional Papers, rounds out the Program's research and scholarship contributions.

2007-2008 VISITING FELLOWS PROGRAM

Each February ILSP chooses in a formal competition the visiting fellows who will spend the coming academic year or term pursuing an innovative research project of their own at HLS. During their stay they make use of the research facilities of the University and participate in the intellectual life of the Program. Visiting fellows receive HLS appointments, office space at the Program, and usually a stipend. They participate in all Program activities and are given the opportunity to present their ongoing work in the form of a lecture during the year.

In 2007-2008 the Program welcomed the following fellows from Germany, the Netherlands, Turkey, and the U.S.A.:

1. Kilian Bälz (attorney-at-law, Frankfurt am Main, Germany), who worked on a number of articles in the field of Islamic finance while in residence. Dr. Bälz presented a lecture for the Harvard community on his research, which will be published as the ninth booklet in the Occasional Publications Series. He also gave a number of talks for other centers at Harvard during his term as visiting fellow, including one for the Islam in the West Project run out of the Center for Middle Eastern Studies.
2. Murteza Bedir (Associate Professor of Islamic Law, Sakarya University, Istanbul), who was engaged in a book-length project analyzing early fatwa-texts (*waqi'at*) of the Hanafi school of law. While at ILSP, Dr. Bedir also presented a lecture as part of the ILSP Lecture Series and chaired a panel for the second conference on “The Law of Waqf.”
3. Ahmed El Shamsy (Ph.D. candidate, Harvard University), who spent the academic year on completion of his doctoral research into the early Shafi'i school of law. The title of his research project, which formed a part of his doctoral thesis, was “From al-Shafi'i to Shafi'ism: The Formation of Doctrine Among Early Shafi'is.” Ahmed also was instrumental in the organization of a workshop on the legacy of Joseph Schacht, which took place in April 2008.
4. Rudolph Peters (Professor of Islamic Law, University of Amsterdam), who continued his important work translating and analyzing the trove of legal documents of the Dakhla Oasis in Egypt that have been unearthed. Prof. Peters taught a course, funded by ILSP, at the Department of Near Eastern Languages and Civilizations on “Fatwas and Muftis” during the Spring term (see p. 13), presented a lecture on colonial law in India and Egypt, and participated in a number of ILSP-organized events, including giving the keynote address at the second conference on “The Law of Waqf.”
5. Aaron Spevack (Visiting Assistant Professor, Hamilton College), will spend the summer of 2008 researching “Naqli Usul al-Fiqh and 'Aqli Usul al-Fiqh from al-Shafi'i to al-Shirazi and Beyond.”

EVENTS

In 2007-2008 the Program offered a varied program, both singly and in collaboration with various fora at the University:

August 7, 2007: A Short Course on Select Issues in Islamic Financial Law, offered by Nizam Yaquby, Islamic Law Scholar, Bahrain.

November 8, 2007: The Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World second lecture, by Prof. Hossein Modarressi (Bayard Dodge Professor of Near East Studies and Professor of Islamic Law, Princeton University), entitled “Qur'an as a Legal Document: Tradition vs. Modernism.”

December 12, 2007: “Juristocracy vs. Theocracy: Constitutional Courts and the Reformulation of Sacred Law,” a lecture by Ran Hirschl (Professor of Political Science & Law, University of Toronto; Jeremiah Smith Jr. Visiting Professor of Law, HLS).

February 7, 2008: “Sukuk: Economic and Jurisprudential Perspectives,” a workshop organized by ILSP’s Islamic Finance Project in partnership with the London School of Economics., followed by a public lecture, “Advancements in Contemporary Islamic Finance: From Practice to Scholarship,” given by Usman Ahmed, CEO of Citigroup Islamic Finance, and Shaykh Nizam Yaquby, Bahreini jurist.

February 14, 2008: “Fatwa as a Tool of Legal Interpretation: Waqi‘at Literature of the 10th-13th Centuries in the Hanafi School of Law,” a lecture by Murteza Bedir (Associate Professor, Sakarya University, Turkey; 2007-2008 ILSP Visiting Fellow).

March 6, 2008: “Between Blind Following and Critical Engagement: Early Shafi‘i Conceptions of *Taqlid*,” a lecture by Ahmed El Shamsy (Ph.D. Candidate, Harvard University; 2007-2008 ILSP Visiting Fellow).

March 28-29, 2008: “Teaching Islamic Law at American Law Schools,” a workshop held in conjunction with the AALS Section on Islamic Law.

March 31, 2008: “Sharia Law in Canada,” a lecture by Michael Bryant (Minister of Aboriginal Affairs, Ontario; former Attorney General for the Province of Ontario), co-sponsored with the HLS International Legal Studies Program.

April 2, 2008: “Shari‘a and Colonial Public Policy: Criminal Law in British India and Colonial Nigeria,” a lecture by Rudolph Peters (Professor of Islamic Law, University of Amsterdam; 2007-2008 ILSP Visiting Fellow).

April 3, 2008: “The Birth Hour of Islamic Law: Q. 4:12 and 176, Reexamined,” a lecture by David S. Powers (Professor of Arabic Studies and History, Cornell University), co-sponsored with the Department of Near Eastern Languages and Civilizations.

April 5, 2008: “Joseph Schacht Revisited,” a workshop to discuss the state of the field of early Islamic legal history.

April 10, 2008: The Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World third lecture, by Saadia Belmir (Counselor of the Moroccan Minister of Justice) entitled “The Legal Situation of Immigrants: Between Territorial and Personal Law (the Case of Personal Status Law).”

April 18, 2008: “Microfinance: Towards a Sustainable Islamic Finance Model,” a workshop organized by ILSP’s Islamic Finance Project held in advance of the Eighth Harvard University Forum.

April 19-20, 2008: Eighth Harvard University Forum on Islamic Finance: “Innovation and Authenticity,” a biennial conference organized by ILSP’s Islamic Finance Project.

April 24, 2008: “Shari‘a in Europe: Islamic Norms in Secular European States,” a lecture by Mathias Rohe (Chair for Civil Law, Private International Law, and Comparative Law at the

Faculty of Law, University of Erlangen-Nürnberg, Germany), co-sponsored with the Islam in the West Program.

May 1, 2008: “Shari‘a Risk? How Islamic Finance Has Changed Our Understanding of Islamic Law,” a lecture by Kilian Bälz (attorney-at-law, Frankfurt am Main; 2007-2008 ILSP Visiting Fellow).

May 16-18, 2008: “The Law of Waqf: Modern State Control and Nationalization,” a conference that explored colonial law vis-à-vis the Islamic charitable trust before the independence of the colonized countries.

PUBLICATIONS

Monographs

The fifth volume in ILSP’s “Harvard Series in Islamic Law,” *Islamic Law in Contemporary Indonesia: Ideas and Institutions*, eds. R. Michael Feener (National University of Singapore) and Mark E. Cammack (Southwestern Law School), was published in October 2007. The twelve essays in this volume provide focused examinations of the internal dynamics of intellectual and institutional elements of Islamic law in modern Indonesia in its recent formations and offer a series of substantive introductions to important developments in both the theory and practice of law in the world’s most populous Muslim society.

A volume entitled *Integrating Islamic Finance in the Mainstream: Regulation, Standardization, and Transparency*, ed. S. Nazim Ali, Director of ILSP’s Islamic Finance Project, based on selected papers from the Seventh Harvard University Forum on Islamic Finance, was published in Fall 2007.

Booklets

The Occasional Publications Series eighth booklet, “Competing Texts: The Relationship Between al-Mawardi’s and Abu Ya‘la’s *al-Ahkam al-sultaniyya*” by Nimrod Hurvitz, which began life as an ILSP-initiated research project in 2005-2006, was published in October 2007.

Newsletter

During 2006-2007, the Program published two issues of its semi-annual Newsletter.

Website

The ILSP website is kept very current, with event notices and announcements of all sorts. The Newsletters and Occasional Publications are available online in PDF format, and reports generated by ILSP's research projects are also online.

LIBRARY

ILSP was immensely saddened by the death of M. Lesley Wilkins, the Bibliographer for Law of the Islamic World, on July 23, 2007. In the course of the academic year, a hiring committee was set up, on which ILSP's Associate Director took a seat, and an excellent hire was made. The new Bibliographer for Law of the Islamic World will begin in September 2008. The Library's research collection of Islamic and Middle Eastern legal materials is critical to ILSP and its mission of promoting the study of Islamic law. ILSP whole-heartedly contributes to the Law Library personnel and to funding collection needs. This collection is one of the most important in the non-Muslim world, and it is constantly being enhanced by the work of the Bibliographer and her staff, often assisted and influenced by activities and travel of ILSP affiliates.

ILSP Teaching Program

An objective of the Program is to expand Islamic law instruction throughout Harvard. The Program's core teaching remains based at the Law School, where two courses were offered in the Fall and one in the Spring. An additional course in the Spring was offered by ILSP through the Department of Near Eastern Languages and Civilizations at Harvard College.

In addition to his Spring course at HLS, Prof. Johansen taught a Spring course, based on more than 70% Islamic legal sources, at Harvard Divinity School, where his primary professorial appointment is. The course's title was: "The Islamic Ritual of Purity and Impurity: Belief, Humanity, Gender and Procreation."

COURSES AT HLS

In the Fall of 2007, Professor Hossein Modarressi, Bayard Dodge Professor of Near Eastern Studies, Princeton University, and Visiting Professor at HLS taught two classes:

“Islamic Family Law” (enrollment: 3)
“Topics in Islamic Law” (enrollment: 11)

The first examined the outlines of Islamic family law in terms of gender issues, sexual ethics, family structure, family planning, marriage and divorce, parenthood, child guardianship and custody, etc., treating the history and development of the Islamic legal system, its structure and spirit, and the attempts of Muslim jurists to come to terms with the challenges of modern times. The second, a 2-credit seminar, focused on topics of the students’ choice in constitutional, public, and personal laws that have the greatest relevance to the modern era and included reading of selected legal texts and fatwas.

Professor Johansen taught one course in the 2008 Spring term:

“Introduction to Islamic Law” (enrollment: 24)

The course introduced beginners to the history of the *fiqh*, a system conceived of as the legal and ethical interpretation of the revealed texts of Islam, normally translated into English as “Islamic Law.” It provided a description of the institutional background of this system’s spread throughout the Muslim Empire and of the historical formation of its content and methodology until the 21st century.

COURSES OUTSIDE HLS

In the Spring of 2008, Rudolph Peters, Professor of Islamic Law at the University of Amsterdam and Spring 2008 ILSP Visiting Scholar, taught the following course supported by ILSP at the Department of Near Eastern Languages and Civilizations at Harvard’s Graduate School of Arts and Sciences:

“Fatwas and Muftis” (enrollment: 9)

This course familiarized students with the fatwa genre, an important branch of Islamic legal literature. In addition to giving information on the law itself and on legal methodology, fatwas mirror social, religious, and political history, and show the wide range of topics covered by the Shari‘a. Apart from fatwas on marriage, divorce, sale, and succession, muftis have issued legal opinions on, inter alia, organ transplantations, sex change operations, the times of fasting on the moon, and the permissibility for American Muslim soldiers to serve in the war in Afghanistan.

ILSP Student Program

ILSP supports Harvard students in their academic endeavors and considers this an important priority. Ranging from travel grants to financial aid for HLS students, and from support for student-organized activities to research-assisting funds across the whole campus, the Program encourages students to take advantage of its funding resources, in addition to welcoming their participation in the ILSP scholarly community.

STUDENT-ORGANIZED SYMPOSIA

ILSP granted the Islamic Society of the Harvard Business School funds for the holding of an afternoon seminar on “Islamic Finance: Global Impact and Implications,” moderated by HBS Professor emeritus Samuel Hayes III.

TRAVEL GRANTS

The Program gave its first student travel grant in January of 1996, and since that time has helped many students at the Law School—candidates for the J.D., LL.M., and S.J.D. degree programs—by providing them with needed funding to travel abroad for extended periods of time for research, internships, or to take part in conference or courses relevant to their work. In 2007-2008, two travel grants were awarded.

The two students were, respectively, an L.L.M. candidate who requested funds for travel to Ithaca, NY to attend and present a paper at the 4th Cornell Inter-University Graduate Student Conference, and a second-year J.D. student who traveled to Egypt to assist HLS professor Janet Halley in teaching a course on “Sociological Approaches to Egyptian Family Law” at the American University in Cairo during the Winter term 2008.

TUITION ASSISTANCE

In 2007-2008 the Program gave financial aid to four S.J.D. candidates and four LL.M. students.

Collaboration with Harvard Schools and Departments

As always, due to the multi-disciplinary focus of the Program, ILSP was involved in collaborative enterprises at Harvard University in 2007-2008. The Program contributes a yearly amount to the inter-University project “Islam in the West,” and this academic year also co-sponsored with the project a lecture by Mathias Rohe on “Shari‘a in Europe: Islamic Norms in Secular European States.” In addition ILSP contributed to a NELC-organized roundtable in honor of the recently deceased Muhsin Mahdi, James Richard Jewett Professor of Arabic Emeritus, highlighting his scholarly achievements in his various fields of interest.

ILSP gave a faculty-research support grant to Erica Field, assistant professor in the Department of Economics, who is working on a project studying the relationship between Muslim family law and dowry practices in Bangladesh, and to Janet Halley, Royall Professor of Law at HLS, who is preparing a casebook on Islamic family law.

ILSP’s Acting Director Baber Johansen has participated in seminars and conferences organized by other Harvard institutions in order to strengthen the ties of cooperation between ILSP, HLS, the new Prince Alwaleed Bin Talal Islamic Studies Program, and HDS. In February he was the first speaker in the new monthly *Islamic Studies Seminar* organized by the Prince Alwaleed Bin Talal Islamic Studies Program, where he lectured on the introduction of professional witnesses in Egypt’s Judiciary (755-815) and the urban public’s reaction to it. Also in February he participated in the “Constitutional Law Conference” organized by Professor Mark Tushnet (HLS) with a comparative contribution on “Constitutionalization of Islamic Law: Egypt and Pakistan.” In March and April he served as respondent to two lectures: Abdullah Al-Na’im’s lecture on “Islam and the Secular State: Negotiating the Future of Shari‘a,” jointly organized by the Center for Middle Eastern Studies and the Interfaculty Initiative on Contemporary State and Society in the Islamic World, and Mathias Rohe’s lecture “Shari‘a in Europe: Islamic Norms in Secular European States,” described above. In May he participated, as a member of an HDS delegation under the leadership of Dean Graham, in a meeting with a group of Syrian scholars who came to discuss possibilities of future cooperation.

Connections with Practice and the Profession

The Acting Director visited Cairo in June and was received by the Shaykh al-Azhar, Shaykh Muhammad Sayyid Tantawi, and the Chief Justice of Egypt’s Supreme Constitutional Court, Maher Abdel Wahed.

Also in June, for the newly founded Institut d'Etudes Avancées Paris [IEAP], he discussed a project for a group of international scholars to be convened for a month (or more) to analyze, as case studies, the role that different high courts of the Muslim World have played or continue to play in the process of democratization in their respective countries, in particular with regard to transitions of the executive power from one political camp to another. A second project that the Acting Director is presently preparing for the IEAP concerns the reception of Islamic law in Europe by courts, churches, and the public.

This past year, in conjunction with the AALS Section on Islamic Law, ILSP organized and hosted a two-day workshop on "Teaching Islamic Law at American Law Schools." Twenty professors of Islamic law, of whom three from abroad (UK, Holland, and Australia) who were invited to exchange their experiences and insights, shared syllabi, methods, and thoughts about how best to teach such a complex subject as Islamic law to budding lawyers, who cannot be expected to have either Arabic or any prior knowledge of Islamic studies. With Islamic law becoming a standard course at many AALS-member schools, brainstorming with colleagues in a small setting about the conceptual and practical problems inherent in teaching such a law at an American law school was a particularly beneficial enterprise.

As regards professional obligations in the academic field, the Acting Director has served for the past five years as Area Editor for Islamic law for the *Oxford International Encyclopedia of Legal History*, to be published in six volumes by Oxford University Press in 2009. In March 2008 the Associate Director was appointed Editor for Islam for the *Journal of the American Oriental Society*.

ILSP plays an important role in the International Society for Islamic Legal Studies (ISILS). The ILSP Associate Director, a member of the Executive Committee, was heavily involved in 2007-2008 with the organization of the ISILS Sixth Conference, on "Islamic Law and Custom," to be held in Hyderabad, India, in January 2009, with NALSAR University as host institution; as well as with developing the ISILS website (www.isils.net).

The Program receives annually many requests for expertise on aspects of Islamic law and law of the Muslim world, from law firms, academics, authors, human rights practitioners, government agencies, international organizations, and the media, and is able to provide answers as appropriate or to steer the questioner to a proper source. It also receives requests for funding from institutions outside Harvard, and grants monies in support of conferences and related activities, such as a conference to take place in September 2008 in honor of Professor Bernard G. Weiss at the University of Utah, a renowned Islamic legal scholar close to retirement.

The Program's Islamic Finance Project is also a first line of call for many law firms and businesses, as well as colleague programs in aspects of Islamic finance or banking, for answers to questions regarding its field. IFP Director Nazim Ali represented ILSP at a number of fora during the past year, for example, INCEIF's Global Islamic Finance Forum, Kuala Lumpur, Malaysia (August 2007); the World Islamic Banking Conference, Manama, Bahrain (December 2007); Euromoney Islamic Finance Summit, London (February 2008); and the Islamic Economic Summit, held at King Abdulaziz University, Jeddah (March 2008).

Academic Year 2008-2009

Introduction

ILSP's focus on the study of the continuation of Islamic law in state and constitutional law of the present-day Muslim world will carry on in the upcoming academic year. Planned events in this area are a workshop in the Fall with judges from Muslim countries, and the fourth lecture in the Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World. In addition, ILSP will be organizing and hosting a follow-up workshop with the AALS Section on Islamic Law on "Teaching Islamic Law at American Law Schools," and will be publishing the sixth volume in its "Harvard Series in Islamic Law" as well as a ninth booklet in its Occasional Publications Series. More information on each activity is given below.

Research and Scholarship

2008-2009 VISITING FELLOWS PROGRAM

Seven scholars will be housed and occupied in their research at ILSP during the 2008-2009 year:

1. Ismail Acar (Visiting Assistant Professor, Bard University) will be spending the Fall term at ILSP on a research project entitled "Stoning in Islamic Law: A Contemporary Approach."
2. Mohammad Ali Bahmaei (Assistant Professor of Law, Shahid Beheshti University, Tehran) will be spending the Fall term at ILSP researching "The Theoretical Justification of Intellectual Property Rights under Contemporary Islamic Legal Systems and Islamic Jurisprudence."

3. Ahmed El Shamsy (Ph.D. candidate in History and Middle Eastern Studies, Harvard University) will be completing his doctoral thesis “From al-Shafi‘i to Shafi‘ism: The Origins and Early Development of the Shafi‘i School of Law in Ninth-Century Egypt.” He will also spend ten hours a week on an ILSP-initiated research project.
4. Farhad Khosrokhavar (Ecole des Hautes Etudes en Sciences Sociales, Paris) will spend the Spring term at ILSP on a study of “The Perception of Law, Politics, and Religion among the Post-Revolutionary Youth in Iran: The Case of the Holy City of Qum.”
5. Asghar Schirazi (retired, independent scholar, Berlin) will be spending the Spring term at ILSP on a study of “Ethnic Conflict in the Islamic Republic of Iran.”
6. Aaron Spevack (Visiting Assistant Professor, Hamilton College) will spend the summer of 2008 researching “Naqli Usul al-Fiqh and ‘Aqli Usul al-Fiqh from al-Shafi‘i to al-Shirazi and Beyond.”
7. Himmet Taskomur (Ph.D. Harvard University ’08) will be involved in post-doctoral research on an article to be entitled “From Theology to Law: Theories of Good and Evil in Late Medieval and Early Modern Hanafi Legal Thought.”

EVENTS

At this writing the Program is planning the following events for the 2008-2009 year:

A workshop entitled “The Constitutional Judiciary in Countries of the Muslim World: Its Influence on the Interpretation of Constitutional and Legislative Texts, 1970–2008.”

A second workshop “Teaching Islamic Law at American Law Schools,” in collaboration with the AALS Section on Islamic Law.

A workshop on Risk Management, in partnership with the London School of Economics.

The fourth lecture of the Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World, to be given by the Chief Justice of Malaysia’s Supreme Court, Abdul Hamid Mohamad.

A lecture by the Governor of the Central Bank of Malaysia on the development of Islamic banking in Malaysia.

PUBLICATIONS

Publication of the sixth volume in the series “Harvard Series in Islamic Law,” published with Harvard University Press, is expected at the end of 2008. *The Islamic Marriage Contract: Case Studies in Islamic*

Family Law, edited by Asifa Quraishi and Frank E. Vogel, collects papers from many disciplines examining the Muslim marriage contract from many angles. Articles cover doctrines as to marriage contracts, historical instances, comparisons with Jewish and canon law, contemporary legal and social practice in many countries, and projects of activists for human rights and women worldwide.

The Islamic Finance Project will publish a volume based on papers given at the Eighth Harvard University Forum on Islamic Finance, held in April 2008, and another consisting of papers from the two workshops on microfinance held in April 2007 and April 2008.

The ninth booklet in the Occasional Publications Series, “Shari‘a Risk? How Islamic Finance Has Transformed Islamic Contract Law,” will appear in September 2008.

The ILSP Newsletter will be published, as always, twice in the academic year.

LIBRARY

In 2008-2009 ILSP will welcome the arrival of the new Bibliographer of Law in the Muslim World, Martha Jenks, who will begin late September 2008. ILSP will continue to carry the costs of two-thirds salary for her position and the full salary of a library assistant in order to build up the collection on Islamic law and the jurisdictional law of Muslim states. In addition, ILSP’s funds will go toward the acquisitions budget of the ILSP Bibliographer.

ILSP Teaching Program

COURSES AT HLS

In the Spring of 2009 Professor Baber Johansen will teach the 3-credit course “The Concept of Obligation in Islamic Law.”

ILSP Student Program

As always, the Program will actively seek the attendance and participation of students, both Harvard and non-Harvard, in events involving Islamic law. Through its awarding of travel grants, research monies, and

tuition assistance, the Program continues to support Harvard students in a significant fashion. The Islamic Finance Project, which attracts students from many of Harvard schools, is also a major employer of student casuals. The rich interaction with students, in and outside classes, is a high priority of the Program.

TRAVEL GRANTS AND INTERNSHIPS

ILSP has set aside funds for travel grants to be given to HLS students for research in 2008-2009.

TUITION ASSISTANCE

ILSP has agreed to provide financial aid to three S.J.D. candidates and six LL.M. students in the 2008-2009 year.

ACTIVITIES FOR STUDENTS AND BY STUDENTS

Harvard University students continue to be a major constituency for Program activities, as they have in the past, and the Program will continue actively to welcome new students to join its activities. The Program actively announces the availability of its funds for student-run activities and has set aside a budget for 2007-2008 events.

Collaboration with Harvard Schools and Departments

The Program will continue to actively solicit scholars from all parts of the University to participate in and attend its events, and to build collaborative networks with other schools and departments for the benefit of Islamic legal teaching and research at Harvard University.

Connections with Practice and the Profession

ILSP will continue to actively collaborate with the AALS Islamic Section on Islamic Law as well as the International Society for Islamic Legal Studies (ISILS). Prof. Johansen will continue to pursue his ambition to host, with the approval of the competent committees at HLS, an outstanding scholar from the Middle East as visiting professor of Islamic law.

