Islamic Legal Studies Program

Annual Report

July 2006 – June 2007

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 sixteen 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

M. Lesley Wilkins, Bibliographer for Law of the Islamic World

S. Nazim Ali, Research Associate

Kristen Eaton, Staff Assistant
Report of Activities

Academic Year 2006-2007

Introduction

The Islamic Legal Studies Program began the academic year with its new Acting Director, Baber Johansen, at the helm. ILSP continues to take to heart its mandate at Harvard University to be the institution responsible for teaching and research into all aspects of Islamic law, from legal history and contemporary application to adjoining fields such as legal development, legal anthropology, or political Islam, to name just a few. Examples of its commitment to present Islamic law from every perspective is the workshop on the *salam* contract that was held in late winter 2007 and the inauguration of the Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World in April 2007, two activities that blend the classical and the contemporary in one sitting. In addition, ILSP’s Islamic Finance Project capitalized on the burgeoning interest in microfinance, after the awarding of the Nobel Peace Prize to Muhammad Yunus for his work in this area, to organize and host a workshop on Islamic Microfinance and its place in both doctrinal and practical Islamic finance today.

These initiatives and others are further described 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 researchers, who reside at the Program and spend a term or the entire year in independent research and writing. During 2006-2007 the visiting researchers hailed from Germany, Israel, Turkey, and the United States. One of the visiting researchers took part in a symposium on Gendered Legislation co-organized by ILSP.

The Program maintains an active program of events—conferences, lectures, seminars, workshops—that are intended to introduce ongoing research and matters of contemporary interest to the larger public. In
2006-2007 three workshops—on the salam contract, on gender and legislative changes in Muslim and non-Muslim countries, and on Islamic microfinance; a seminar—on the concept of *tawarruq* in Islamic finance; and two lectures on Islamic constitutional law, one of which inaugurated the Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World, 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 events such as 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 continued to take 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 continued its grant and scholarship programs—three travel grants were given to HLS students to pursue research, student-organized panel discussions were supported by ILSP funds, and, as always, a large amount of scholarship money was paid in financial aid to HLS students. 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. 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.

**2006-2007 VISITING RESEARCHERS PROGRAM**

Each February ILSP chooses in a formal competition the visiting researchers 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 researchers 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 at a lunchtime lecture during the year.

In 2006-2007 the Program welcomed the following researchers from Germany, Israel, Turkey, and the United States:
1. Martin Lau (Reader of Law, SOAS, University of London), who was engaged in a book-length project on criminal law in Pakistan. While at ILSP, Dr. Lau also presented a lecture for an ILSP-co-sponsored symposium on Gender-Relevant Legislative Change in the Muslim and Non-Muslim Countries, wrote a chapter on the Pakistan Constitution for a book on Islamic Constitutionalism, to be published as the fifth in ILSP’s series “Harvard Series in Islamic Law,” and contributed a chapter on Islamization in Pakistan for a volume in honor of Prof. Frank E. Vogel, to be published by I.B. Tauris in the Fall of 2007.

2. Sükrü Özen (Research Associate, ISIM, Istanbul), who was occupied with research into the tobacco debate in the Ottoman Empire of the seventeenth and eighteenth centuries.

3. Michael Winter (Professor emeritus, Tel Aviv University), who spent a very productive 2007 Spring term researching the status and function of qadis (judges) in late Mamluk and early Ottoman times.

4. Aron Zysow (independent scholar; Ph.D. 1984, Harvard University, HLS ’84), who was with ILSP in the Fall of 2006 continuing his work on Shiite legal theory.

EVENTS

In 2006-2007 the Program offered a varied program, both singly and in collaboration with various fora at the University:

**September 8-10, 2006:** The Fifth International Conference on Islamic Legal Studies, entitled “Lawful and Unlawful Violence in Islamic Law and History,” a three-day international conference, organized and hosted by ILSP under the auspices of the International Society of Islamic Legal Studies (ISILS).

**November 17, 2006:** “Islamic Finance 101: Introduction and Career Opportunities,” an afternoon seminar organized by the Islamic Finance Group, Harvard Law School, aided by the Islamic Finance Project, with Ibrahim Warde (Tufts University), Taha Abdulbasseer (Harvard University), and Aamir Rehman (HSBC, USA).

**November 30, 2006:** Seminar on the Egyptian Constitutional Court, with Dr. Adel Omar Sherif, Deputy Chief-Justice of Egypt’s Supreme Constitutional Court. (Dr. Sherif also participated as an invited speaker at the centennial conference organized by the American Society for International Law in cooperation with HLS (December 1-2, 2006) on “Transnational Judicial Dialogue: Strengthening the Networks and Mechanisms for Judicial Consultation and Cooperation.” During his stay in Cambridge, Dr. Sherif was the guest of ILSP.)

**December 15-16, 2006:** “Muslims in Europe and in the United States: A Transatlantic Comparison,” a conference organized by Harvard University’s Islam in the West Program, cosponsored by the Islamic Legal Studies Program.
February 1, 2007: All-day Workshop on “Tawarruq: A Methodological Issue in Shari‘a-Compliant Finance,” organized by the Islamic Finance Project and hosted by the London School of Economics, followed by a public evening lecture.

February 21, 2007: All-day Workshop on “The Islamic Salam Contract,” organized by Prof. Baber Johansen, Acting Director, ILSP, featuring presentations by Baber Johansen, Kenneth Cuno (University of Illinois, Urbana-Champaign), and Beshara Doumani (University of California, Berkeley). The discussants were Professors Duncan Kennedy (HLS), Chibli Mallat (St.-Joseph University, Beirut; guest professor at the Woodrow Wilson School, Princeton University) and Leonard Woods, Ph.D. candidate (FAS). The chair of the session was Professor Bernard Botiveau (CNRS, Aix-Marseille).

March 30-31, 2007: “Gender-Relevant Legislative Change in Muslim and Non-Muslim Countries,” a symposium co-organized and co-sponsored by the Islamic Legal Studies Program, held at the Washington and Lee University Frances Lee Law Center.


April 25, 2007: “The Challenge of the Middle East to Constitutional Theory,” a lecture presented by Chibli Mallat, EU Jean Monnet Chair in European Law, St. Joseph University, Beirut.

April 26, 2007: “Veiled Humor,” an evening of comedy and discussion, with Tissa Hami; an Islam in the West Program event, co-sponsored by the Islamic Legal Studies Program.


May 18, 2007: “Political Propaganda Art in the Middle East,” an afternoon conference organized by Kennedy School Ph.D. candidate Fotini Christia and co-sponsored by the Islamic Legal Studies Program.

RESEARCH PROJECTS

ILSP is devoted to facilitating research in all aspects of Islamic legal studies, classical and contemporary. During the academic year 2006-2007, two research projects were supported by ILSP that underscore this primary interest. The first was a study on “Changes in Tribal Law Among the Bedouin of the Negev Desert,” undertaken by Uri Mintzker, a Ph.D. candidate in the J. Blaustein Institute for Desert Research of the Ben Gurion University of the Negev. Uri worked with a tribe of about 2,000 members who live dispersed in the desert. For the past five years, Uri has collected detailed information about changes that
are affecting their traditional lifestyle, in particular with regard to their tribal social structure and legal processes. Such first-hand information on the disappearance of a traditional law, as it collides with both Islamic and Israeli state law, is rare in this day and age. The result of Uri’s research will appear as a booklet in ILSP’s Occasional Series publications.

The second research project is being undertaken by FAS doctoral student Hikmet Yaman, who is finishing the writing of his dissertation on “The Concept of Hikma and Its Evolution in Early Islamic Thought.” Although assigning hikma and its derivatives, legal terms such as hukm, hakim, mahkama, etc., to a post-doctoral study, Hikmet has finished much of the research to complete his doctoral thesis on the evolution of the term hikma across the spectrum of Islamic scholarly disciplines.

PUBLICATIONS

Monographs

The fourth volume to be published in ILSP’s series “Harvard Series in Islamic Law,” Her Day in Court: Women’s Property Rights in Fifteenth-Century Granada by Maya Shatzmiller (University of Western Ontario) was published in June 2007. It followed on the heels of the series’ earlier publications, Gideon Libson’s Jewish and Islamic Law: A Comparative Study of Custom during the Geonic Period (2003), Peri Bearman, Rudolph Peters, and Frank E. Vogel (eds.), The Islamic School of Law: Evolution, Devolution, and Progress (2005), and Nurit Tsafrir’s The History of an Islamic School of Law: The Early Spread of Hanafism (2004), which have been very well received. This new volume is a study of the historical record of Muslim women's property rights and equity. Based on Islamic court documents of fifteenth-century Granada that show a high degree of women's involvement in property matters, the book examines women's legal entitlements to acquire property as well as the social and economic significance of these rights to Granada's female population and, by extension, to women in other Islamic societies.

The fifth volume of the series, Islamic Law in Contemporary Indonesia: Ideas and Institutions, edited by R. Michael Feener and Mark E. Cammack, is in press and will appear in Fall 2007. The 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. The first five chapters address issues relating to Islamic legal theory, both its historical development over the past century and analysis of the work of specific groups of contemporary scholars, jurists, and activists. The final seven chapters contain studies of more concrete manifestations of Islamic law in modern Indonesia, including court systems, positive law,
the drafting of new “Islamic” legislation, and contemporary debates over the implementation of the Shari’a.

Booklets
The Occasional Publications Series seventh 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 edited and prepared for publication in Fall 2007.

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

Website
The ILSP website is kept up-to-date by Staff Assistant Kristen Eaton, 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
The work of the Bibliographer for Law of the Islamic World, M. Lesley Wilkins, whose salary is two-thirds funded by the Program, and of her library assistant Mansooreh Saboori, whose salary is fully funded by the Program, is critical to the Harvard Law School Library and its mission. The research collections in Islamic law and the positive law of jurisdictions where Muslims form a major component of the population are one of the most important in the non-Muslim world, and are constantly being enhanced by the work of Ms. Wilkins and her staff, often assisted and influenced by activities and travel of ILSP affiliates. The Program also supports with funds Library acquisitions dealing with its regional interests.

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 Professor Johansen taught a course in Fall 2006. The Program also provides support for faculty, either permanent or visiting, at the Law School or other Harvard schools. Since ILSP is the sole venue for Islamic legal studies at Harvard, and since Islamic law is innately interdisciplinary, minutely intertwined in the fields of religion, anthropology, history,
economics, and political thought, the Program benefits from and collaborates with a broad network of faculty from many disciplines throughout GSAS and the professional schools.

In addition to his 2006-2007 teaching responsibilities at HLS, Prof. Johansen taught two courses at Harvard Divinity School, where his primary professorial appointment is. His two courses there were:

- Religious Texts from the Eleventh to Fourteenth Centuries on Power and Property
- The Intellectual Biography of an Eleventh-Century Transoxanian Legal Scholar, Shams al-Din al-Sarakhsi

COURSES AT HLS

Professor Johansen taught one course in the 2006 Fall term (enrollment: 10):

- Constitutional Courts of the Arab World (3 credits)

The credibility crisis of the authoritarian state has caused political leaders, from the 1960s on, to look for an institution that could help to bring about a partial democratization of the state and a controlled Islamization of the law, i.e., two new sources of state legitimation. They assigned this task to Constitutional Courts or Councils. Among these constitutional courts (or constitutional councils), Egypt's Supreme Constitutional Court and the Kuwaiti Constitutional Court publish their jurisprudence regularly. The Egyptian court's published jurisprudence is by far the most voluminous.

The creation of constitutional courts and councils has introduced a new stage in the relation between the codified state law and what is called Islamic law. Since the 1870s Islamic law had been primarily limited to the law of family, marriage, and succession. This tendency was accentuated in the Arab modifications of the first half of the twentieth century. The introduction into many Arab constitutions during the 1960s and 1970s of an Article that makes “the principles of Islamic normativity (mabadi’ al-shari’a al-islamiyya) the (main) source of legislation” has given to ‘the principles of Islamic normativity a much more important vocation: the legislator is supposed to apply them in all fields of legislation.

The constitutional jurisprudence relating to that Article brings about a reinterpretation of what, in the various fields of the law, should be considered to be “Islamic law,” to constitute the appropriate relation to the laws and institutions of a democratic state, to human rights, and to international law as developed in the legal theory and praxis of major western states and international organizations.
The last session of the seminar will be dedicated to an assessment of the reasons for the present attacks against Egypt's Supreme Constitutional Court.

**ILSP Student Program**

ILSP has consistently supported Harvard students in their 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 assistance 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.

**TRAVEL GRANTS AND INTERNSHIPS**

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 2006-2007, four travel grants were awarded.

The four students were, respectively, an S.J.D. candidate who traveled to Tehran to investigate the use of international law by Iranian lawyers; a third-year J.D. student who traveled to Afghanistan to conduct research into the viability of increasing accountability among security contractors there by having them fall under the jurisdiction of local, that is, Islamic law; and two second-year J.D. students who went to Egypt in order to research the Coptic canons of marriage, divorce, and inheritance.

In addition, the Islamic Finance Project was instrumental in securing a 2007 summer internship for an undergraduate student from Harvard College with Calyx Financial, New York.

**TUITION ASSISTANCE**

In 2006-2007 the Program gave financial aid for two S.J.D. candidates and eight LL.M. students.
ACTIVITIES FOR STUDENTS AND BY STUDENTS

In 2006-2007, the Program sponsored with funding one student-run event, a conference on Political Propaganda Art in the Middle East, organized by Kennedy School Ph.D. candidate and Weatherhead Center Student Fellow Fotini Christia. The conference accompanied an art exhibit of Fotini’s photographs of Tehran’s propaganda murals, taken during the summer of 2006 when Fotini studied at the University of Tehran. In addition, funding was given for a NELC Ph.D. candidate to conclude the writing of his dissertation (see p. 10).

The Islamic Finance Project continued to work closely with the Islamic Finance Group, a student organization at HLS formed in Spring 2005. The Islamic Finance Group organized a 2007 afternoon seminar entitled “Islamic Finance 101,” supported by IFP, which attracted a large crowd at Harvard Law School.

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 2006-2007. The Program contributed to the inter-University project “Islam in the West” with the co-sponsoring of its December conference, “Muslims in Europe and in the United States: A Transatlantic Comparison,” and the hosting of one of its Spring events at the Law School, and ILSP co-sponsored two Spring events with the Carr Center at the Kennedy School of Government: a conference on Political Propaganda Art in the Middle East and a conference entitled “Contested Spaces, Competing Narratives: Towards Human Rights and Democracy in Pakistan.”

Connections with Practice and the Profession

ILSP plays an important role in the International Society for Islamic Legal Studies (ISILS). Frank Vogel, ILSP Founding Director, Baber Johansen, ILSP Acting Director, and Peri Bearman, ILSP Associate Director, are all members of the Society, and two (Vogel and Bearman) are members of the Executive Committee.

ILSP’s Acting Director was invited by the Minister of Moroccan Habous and Islamic Affairs, Dr. Ahmed Taoufiq, to participate in a workshop on the reform of the syllabus of one of the most important state institutions of religious learning, the Dar al-hadith al-hasaniyya. The workshop took place in Marrakesh.
from February 23-26, 2007. Baber Johansen was invited as a member of the panel that studied the reform of the teaching of Islamic law and that, in its majority, was constituted by Moroccan scholars. Together with scholars from Pakistan, Malaysia, and France, he joined this panel for two days of intense and complex discussions that were led in a spirit of open, frank, and cordial exchange. As all the guest scholars in the panel, he felt enriched by the debates and hopes that this exchange will be continued in the future.

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.

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.

Academic Year 2007-2008

Introduction

ILSP started its first year under the acting directorship of Baber Johansen with a pronounced interest in the study of the continuation of Islamic law in state and constitutional law of the present-day Muslim world, and this emphasis will carry on in the upcoming academic year. Planned events in this area are workshops on recent developments in Islamic family law and on modern interpretations of the Qur'an; and the second lecture in the ‘Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World, with a talk by Prof. Hossein Modarressi, who will be a Visiting Professor at HLS in the Fall. In addition, ILSP will be funding a course given at FAS on “Fatwas and Muftis” by ILSP Spring 2008 Visiting Scholar Rudolph Peters from the University of Amsterdam; and organizing and hosting a workshop with the AALS Section on Islamic Law on “Teaching Islamic Law at American Law Schools.” More information on each activity is given below.

Research and Scholarship

2007-2008 Visiting Researchers Program

Four scholars will be housed and occupied in their research at ILSP during the 2007-2008 year:
1. Murteza Bedir (Associate Professor of Islamic Jurisprudence, Sakarya University, Turkey) will be spending the entire academic year at ILSP on a research project entitled “Hanafi Waqí‘at Literature of the Tenth to Fourteenth Centuries.”

2. Ahmed El Shamsy (Ph.D. candidate in History and Middle Eastern Studies, Harvard University) will be working on the final part of his doctoral research “From al-Shafi‘i to Shafi‘ism: The Formation of Doctrine Among Early Shafi‘is.”

3. Ali Saberi (Attorney-at-Law, Tehran) will be researching during the Fall term “The Legal Nature of Blood Money in Islam, With a Specific Focus on Gender Inequality.”

4. Rudolph Peters (Professor of Islamic Law, University of Amsterdam) will be with the Program in the Spring of 2008, completing for publication his study of a trove of legal documents from the Ottoman period, belonging to a family archive from al-Dakhla Oasis, Egypt. He will also be a Visiting Professor at NELC, where with ILSP support he will be teaching a course on Fatwas and Muftis (see p. 18).

EVENTS

At this writing the Program is planning the following events for the 2007-2008 year:

- An international conference entitled “The Law of Waqf II: Modern State Control and Nationalization.”
- A workshop on the recent developments in Islamic family law.
- A workshop on modern interpretations of the Qur’an.
- A workshop “Teaching Islamic Law at American Law Schools,” in collaboration with the AALS Section on Islamic Law.
- The second lecture of the ‘Abd al-Razzaq al-Sanhuri Lecture Series on Legal Interpretation in the Muslim World, to be given by Prof. Hossein Modarressi of Princeton University.
- The Eighth Harvard University Forum on Islamic Finance.

PUBLICATIONS

Cammack, comprises essays, based on papers presented at a 2004 conference sponsored by ILSP, that provide focused examinations of the internal dynamics of intellectual and institutional elements of Islamic law in modern Indonesia in its recent formations. The sixth volume, *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 ILSP Newsletter will be published, as always, twice in the academic year.

The eighth booklet in the Occasional Publications Series, a study by Nimrod Hurvitz resulting from an ILSP research project undertaken during the 2005-2006 year, will appear in Fall 2007.

The Islamic Finance Project will publish a volume stemming from papers given at “The Seventh Harvard University Forum on Islamic Finance,” held in April 2006.

**LIBRARY**

In 2007-2008 ILSP will continue to carry the costs of two-thirds salary for the Bibliographer for Law in the Muslim World 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 Fall of 2007 Professor Hossein Modarressi, Bayard Dodge Professor of Near Eastern Studies, Princeton University, will teach two classes, a 3-credit course on “Islamic Family Law” and a 2-credit seminar “Topics in Islamic Law.” The course examines 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. It will treat 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 seminar will focus on topics of the students’ choice in constitutional, public, and personal laws that have the greatest relevance to the modern era. It will include reading of selected legal texts and fatwas.

In the Spring of 2008 Professor Baber Johansen will teach the 3-credit course “Introduction to Islamic Law.” The course will introduce 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 will provide 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, will teach a course supported by ILSP at the Department of Near Eastern Languages and Civilizations at Harvard’s Graduate School of Arts and Sciences. The course is entitled “Fatwas and Muftis.” The aim of this course is to familiarize students with the fatwa genre, an important branch of Islamic legal literature. Fatwas, or legal opinions, not only offer information on the law itself and on legal methodology, but also on social, religious, and political history. Moreover they show us 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. Nowadays there are cyber muftis who issue e-fatwas on the Internet. Fatwas, therefore, can be used as sources for research in a great variety of fields.

**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 and of tuition assistance, the Program continues to increase support significantly for Harvard students. 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 2007-2008.
TUITION ASSISTANCE

ILSP has agreed to provide financial aid to four S.J.D. candidates and four LL.M students in the 2007-2008 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 spearhead the newly formed International Society for Islamic Legal Studies (ISILS). Prof. Johansen will continue to pursue his ambition to annually host, with the approval of the competent committees at HLS, an outstanding scholar from the Middle East as visiting professor of Islamic law.