**Legal and Ethical Approaches to Islam**

**UPADM-GP 251**

Fall 2023

Meeting Time: Thursdays 2:00-3:15pm

Professor: Faiyaz Jaffer, Ed.D. (email: fj490@nyu.edu)

Office Hours: By appointment

Location: 181 Mercer Street, Room 234 (WSP)

**Course Description**

In this course, we will study “shari’ah,” the primary legal and ethical tradition of Islam as well as its applications for today. First, we will briefly cover the historical development of fiqh and shari’ah. Then we will turn to the contemporary era, and examine the articulation of shari’ah in regards to a variety of political, social, cultural and religious issues. By the end of the course, the student will have a greater appreciation for the complexity of shari’ah, and its continued relevance in today's legal and ethical debates both nationally and internationally.

There are no prerequisites for this course.

**Requirements**

(1.) **Attendance:** Students will be expected to **attend** all class sessions, to be **on-time**, **participate**, and to **complete the assigned readings** before each class session. (**10 points**)

(2.) **Reflections:** Students must also submit **3 “reflection papers**” on the assigned dates below. These reflection papers are meant to capture your thoughts and questions about the readings and classroom discussion. Personal opinions are encouraged and students should feel free to question and even criticize the readings, but provide sources to back up your claims. You decide what you want to write about and when you want to do them. A mere summary of the reading will *not* count as a “reflection." Each reflection should be at minimum 4 pages long (double spaced), but there is no maximum length. This is meant to provide you a space to freely express yourself in writing. You will receive a full grade by turning them in, and demonstrating engagement with the ideas under discussion. (**20 points**)

(3.) **Final Reflection Paper:** Students will complete a **final reflection paper** on any topic related to the course that is of interest to them. Students must submit a paper 6 pages in length, double spaced, and be submitted via Brightspace by 11:55 pm on December 14th. It should include further depth in comparison to the prior reflection pieces. We will discuss details in class. (**20 points**)

**Grading**

Students of the class will be graded on a scale of 50 points (10 for coming to class, and 20 for writing the three reflection papers and 20 for the final paper\presentation).

**Attendance**

Attendance is mandatory except in documented cases of illness or family emergency. Any students with an unexcused absence or who are consistently late to class will receive a drop in their attendance grade. Students are expected to notify the professor of any absence in advance as early as possible.

**Texts**

*There is no core textbook, please follow assigned weekly readings listed below.*

**COURSE CONTENT**

**PART I: Introduction to Islamic Law**

**Class 1 (Thursday, Sept. 7th)**

Introduction: General Overview of Islam & Its Components

**Class 2 (Sept. 14th)**

Introduction: The Prophet Muhammad

**Reading**: “Chapter 9: The Role and Character of the Blessed Prophet 9” in [*Muhammad: Man of God*](https://traditionalhikma.com/wp-content/uploads/2015/02/Muhammad-Man-of-God-by-Seyyed-Hossein-Nasr.pdf) by Seyyed Hossein Nasr

**Class 3 (Sept. 21st)**

The Sources of Islamic Law, Part I: Quran

**Reading**: “Introduction” in the [The Study Quran](https://d1wqtxts1xzle7.cloudfront.net/53767464/StudyQuran_ExcerptFinal_updated-with-cover-page-v2.pdf?Expires=1660751472&Signature=F0nTOTqrDHQH13ym91o6GITQS6V1cT2998QWjzkgtDcDQO3JkdkH8h25URe4uIO9mWwJlsOlHrQxlRTdEwjAJDZQfJrKpHcGmuY4bPUrjO1kb4ZQFgzGlIdJHwemQvqUr4SCICWvG4AG-myv1NhiVeua-cwZhfOL7eAsmqlsHsB5o6OGgiSUfgOmVZU4t7Sdn19rjNkVFdbuvuJ2w1A1RaUGw~NE8r7w5Hd7vz3e6vZ3pgNDl4ZO2KREQM83tCgqdsIeq3w5ikb9fLBNEIve6mJGkjUrjrmB9Lb7wEBi~1FKpJTClHyGXmRfp2BW04~RSg4ERArBAb4lKE1GosQzgw__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA) by Seyyed Hossein Nasr

**Class 4 (Sept. 28th) – FIRST REFLECTION PAPER DUE**

The Sources of Islamic Law, Part II: Hadith Literature/Sunnah

**Reading**: “[Al-Hadith, Analysis and an Overview](https://www.al-islam.org/articles/al-hadith-analysis-and-overview-hashim)” by A.S. Hashim

**Class 5 (Oct. 5th)**

Sunnah & Hadith: Discussions on authenticity, and the authoritative nature of hadith

**Reading**: *Shi’ite Islam* by Tabatabai, Chapters “Hadith,” “The Method of Shi’ism in Authenticating the Hadith,” pages 89-91

**Class 6 (Oct. 12th)**

Non-Textual Sources of Law

**Reading**: “[Classical Era of Ijtihad](https://www.jstor.org/stable/pdf/10.3366/j.ctt1r23xt.5.pdf?refreqid=excelsior%3Afe76f0a5e9ac22d8f21f41b0181e9f00)” in *Contemporary Ijtihad* by L. Ali Khan Hisham M. Ramadan

**Class 7 (Oct. 19th)**

Worship, Communal, & Societal Laws

 **Reading**: “Introduction” in *The Laws of Islam* by Modarresi

**PART II: Legal & Ethical Considerations in America**

**Class 8 (Oct. 26th)- - SECOND REFLECTION PAPER DUE**

Islam in America: Is Islam a Religious and Social Monolith?

 **Reading**: “[Custom as a Source of Islamic Law](https://www.jstor.org/stable/pdf/43949882.pdf?refreqid=excelsior%3A6fff54dcc8749576787cfef3df42ee9f)” by Tahir Mahmood

**Class 9 (Nov. 2)**

Islam in America: Minority Muslim Demographics

**Reading**: “The Black Shias of America” and “Shi’ism in the West” by Liyakat Takim (NYU Classes, Resources)

 **Class 10 (Nov. 9th)**

Islam, Community & Social Justice

**Reading: “** [Seeing Myself in “Ya Husayn” and the Resonance of Ancestral Familiarity](https://sapelosquare.com/2017/10/03/seeing-myself-in-ya-husayn-and-the-resonance-of-ancestral-familiarity/)” by Su’ad Abdul Khabeer

**Class 11 (Nov. 16th)**

Contemporary Issues: Religion Under Siege: Practicing Islam Under the Gaze of Islamophobia

**[Guest Lecturer: TBD] – Prepare Questions!**

**Reading**: “[From Orientalist Sexual Object to Burkini Terrorist Threat: Muslim Women through Evolving Lens](https://www.jstor.org/stable/pdf/10.13169/islastudj.4.1.0101.pdf?refreqid=excelsior%3Acef89fc4804f86c175c586cbfe5f281e)” by Sana Tayyen’s

**\*\*\*NO CLASS on Nov. 23th – Thanksgiving Break\*\*\***

**PART III: Islam & Ethics**

**Class 12 (Nov. 30th)- - THIRD REFLECTION PAPER DUE**

Contemporary Issues: Islam and Bioethics

**[Guest Lecturer] – Prepare Questions**!

**Class 13 (Dec. 7th)**

Jihad & Just War Theory in Islam

**Reading**: “[Ayatollah Sistani’s Rules of War against ISIS](http://www.sistani.org/english/archive/25036/)”

**Class 14 (Dec. 14th)**

The Future, Navigating Islamic Law in America & Conclusions

 **Reading**: “[Silly American Fear of Sharia Law](https://www.nydailynews.com/opinion/silly-american-fear-sharia-law-article-1.3229045)”

\*\*\*Final Paper Due Thursday December 15th by 11:55pm\*\*\*